

SENATE JOURNAL
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STATE OF WASHINGTON
AT
OLYMPIA, THE STATE CAPITOL

2016 Regular Session Convened January 11, 2016
Adjourned Sine Die March 10, 2016

2016 Special Session Convened March 10, 2016
Adjourned Sine Die March 29, 2016

Official Record of All Senate Actions Compiled, Edited and Indexed
Pursuant to Article II, Section 11 of the Constitution of the State of
Washington, by Hunter G. Goodman, Secretary of the Senate



Laura Bell,
Journal and Minute Clerk

Lieutenant Governor Brad Owen, *President of the Senate*
Senator Pam Roach, *President Pro Tempore*
Senator Sharon Brown, *Vice President Pro Tempore*

SENATE CAUCUS OFFICERS

2016

MAJORITY COALITION CAUCUS

Majority Leader..... Mark Schoesler
Majority Caucus Chair..... Linda Evans Parlette
Majority Floor Leader..... Joe Fain
Majority Whip..... Ann Rivers
Majority Caucus Deputy Leader..... John Braun
Majority Caucus Vice Chair..... Jan Angel
Majority Assistant Floor Leader..... Jim Honeyford
Majority Assistant Whip..... Mark Miloscia

DEMOCRATIC CAUCUS

Democratic Leader..... Sharon Nelson
Democratic Caucus Chair..... Karen Fraser
Democratic Vice Caucus Chair..... Rosemary McAuliffe
Democratic Floor Leader..... Christine Rolfes
Democratic Whip Cyrus Habib
Deputy Minority Leader..... Andy Billig
Democratic Assistant Floor Leader Annette Cleveland
Democratic Assistant Whip..... Mark Mullet



Secretary of the Senate Hunter G. Goodman
Deputy Secretary Pablo (Paul) G. Campos
Journal and Minute Clerk Laura Bell and Linda Jansson
Reader Gary Holt and Bill Martin

TABLE OF CONTENTS

Regular Session, First Day, January 11, 2016 through, Sixtieth Day, March 10, 2016.....	1-916
Special Session, First Day, March 10, 2016 through Twentieth Day, March 29, 2016.....	917-974
Roster of Members and Committee Assignments	977-983
Roster of Staff and Other Employees	984-994
Governor's Messages	
Senate Bills Signed After Adjournment	995-999
Gubernatorial Appointments.....	1000-1002
Bills, Memorials and Resolutions	
Passed by Both Houses	1003-1010
History of Bills and Other Measures	1011-1046
Other Senate Actions	1047-1054
General Index.....	1055-1199

FIRST DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 11, 2016

At 12:00 o'clock noon, pursuant to state law, the Senate of the 2016 Regular Session of the Sixty-Fourth Legislature was called to order by the President of Senate, Lieutenant Governor Owen presiding.

The presiding Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Benton.

The Washington State Patrol Honor Guard consisting of Sergeant Jason Greer, Corporal Ian T. Morhous, Trooper MaKayla R. Morgan, Trooper William Rutherford, and Trooper Ethan Wynecoop presented the Colors.

The President led the Senate in the Pledge of Allegiance.

INTRODUCTION OF GUEST

The President introduced U.S. Army Reserve Specialist Thomas O'Ban, son of Senator Steve O'Ban, who performed the National Anthem.

The Washington State Honor Guard retired from the chamber.

REMARKS BY THE PRESIDENT

President Owen: "U.S. Army Reserve Specialist Thomas O'Ban just stepped out in the wings. I want to thank him very much for an incredible job with the National Anthem."

"Once again, the Washington State Patrol Honor Guard makes us proud. They do an excellent job. I see them all over the state representing the state of Washington providing their skills, talents, and dignity to functions throughout the state. We should be very proud of that Honor Guard here as well."

REMARKS BY THE PRESIDENT

President Owen: "Every year we are privileged to have the Capital Lakefair Queen welcome us on the opening day of legislative session. It's always something very special. Joining me at the rostrum this afternoon is Queen Madeline Poultridge from Avanti High School in Olympia. I understand that Madeline is the first member of the Lakefair Court, in addition to being the first Queen, selected from Avanti High School. She's accompanied today by Mr. George Sharp, 2015 Capital Lakefair President; Ms. Karen Griggs, 2015 Royalty Chair; Mr. Andrew Poultridge and Ms. Noelle Nordstrom parents of Miss Poultridge and Ms. Joan Poultridge, grandmother of Miss Poultridge."

With the permission of the senate, business was suspended to allow Lakefair Queen Madeline Poultridge to address the senate and welcome the senators to Olympia.

REMARKS BY MADELINE POULTRIDGE

Miss Madeline Poultridge: "Welcome ladies and gentlemen and senators. Thank you very much for coming to Olympia to represent your communities. I was born and raised here in Olympia and I love everything about this city. As the 58th Capital Lakefair Queen, I have had the opportunity to explore the state of Washington and beyond as a representative of Thurston County. During my reign, I have learned so much about our state and all the driven and inspired people that call it home. I connected with

other queens and princesses from across the Pacific Northwest, and though our individual experiences varied greatly, we bonded over our shared experiences. I would like to share a short story from my time as queen that makes me incredibly proud."

"During parade season, all the royalty courts in Washington travel around to attend each other's local festivals. Not only did I become great friends with the princesses on my own court, but all the royalty statewide as well. Although each court competes at the parades for the best float, we knew we were all there for the same reasons, and we looked out for each other. At a parade in late June, about halfway through the season, a terrible accident occurred. The princesses and I were still on our float riding back to the staging area when we heard the news: Port Townsend's Rhododendron float had caught fire. Hoping for the best, we assumed it was just a little singe and smoke, but as we passed the debris we realized the true extent of what had happened. The gas tank had exploded, and the entire float had burned to the ground. We were relieved to hear that no one had been hurt, but many possessions had been lost, and no part of the float was salvageable. After the initial shock had passed, a new problem arose. The Rhododendron girls had no float, what were they going to do for the rest of the parades? We weren't about to let their season be cut short, and Lakefair was only three weeks away, so we needed to act fast. Almost every court pitched in, gathering supplies, money, and the Spokane Lilac Festival even donated one of their floats for the Rhododendron court to redecorate and use. With the help of many volunteers and queens and princesses from around Washington, the Rhododendron Royalty Court made their debut on the new float in the Capital Lakefair Parade. Even though we were technically in competition, we accomplished so much when we worked together."

"My hope for the year ahead is that collaboration like this becomes a theme, even when the metaphorical float catches on fire. Alone, we know a little. But together, we know a lot, and we can do a lot; the possibilities are endless. You are here today representing your friends and neighbors, you are Washington's grand royalty court. I am immensely grateful for every senator, every representative, and your service to our beautiful state. Thanks again for taking this time to be here now and do such great work. I wish you all the best for 2016. Thank you."

REMARKS BY THE PRESIDENT

President Owen: "Queen Madeline thank you for your comments. I've learned that this amazing young lady gives presentations on conflict resolution and collaboration. Later on during the session you may want to give her a call and see if we can work out some differences. I understand she's quite good. Queen Madeline, thank you very much. It's a privilege to have you here."

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a committee of honor consisting of Senators Bailey and McCoy to escort the Honorable Kim Wyman, Secretary of State, to the rostrum. The committee thereupon escorted the Honorable Kim Wyman, Secretary of State, to the rostrum.

APPOINTMENT OF SPECIAL COMMITTEE

The President appointed a committee of honor consisting of Senators Padden and Cleveland to escort the Honorable Barbara

Madsen, Chief Justice of the State Supreme Court, to the rostrum. The committee thereupon escorted Chief Justice Barbara Madsen to the rostrum.

The President welcomed and introduced the Honorable Barbara Madsen, Chief Justice of the Supreme Court of the state of Washington who was present to administer the oath of office to the newly appointed Senators.

The Secretary called the roll of the appointed members to fill vacant seats of the Senate and all were present: Senators Takko and Carlyle.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

RESIGNATION LETTER

August 31, 2015

Governor Jay Inslee
P.O. Box 40002
Olympia WA 98504-0002

Re: Resignation from the Washington State Senate

Dear Governor Inslee:

Pursuant to RCW 42.12.010, please accept my resignation from the Washington State Senate, effective immediately.

If you have any questions, please do not hesitate to contact me.

Brian Hatfield
State Senator
19th Legislative District

VACANCY FILLED

MESSAGE FROM BOARDS OF COUNTY COMMISSIONERS

JOINT RESOLUTION 10-22-15 OF COWLITZ, GRAYS HARBOR, LEWIS, PACIFIC AND WAHIAKUM COUNTIES FILLING VACANT SENATE POSITION IN 19TH LEGISLATIVE DISTRICT

WHEREAS, Senator Brian Hatfield has submitted his resignation for his position as senator for the 19th Legislative District and that position is now vacant; and

WHEREAS, the State Democratic Central Committee has submitted a list of three names for consideration by the Joint Boards of Commissioners for Cowlitz County, Grays Harbor County, Lewis County, Pacific County, and Wahkiakum County; and

WHEREAS, the Joint Boards of County Commissioners for Cowlitz County, Grays Harbor County, Lewis County, Pacific County, and Wahkiakum County have convened in joint session and duly considered the three names submitted by the State Democratic Central Committee, now, therefore;

IT IS HEREBY RESOLVED by Joint Boards of County Commissioners for the counties of the 19th Legislative District meeting in special session, that Dean Takko be and is hereby appointed to fill the vacant position of Senator for the 19th Legislative District.

IT IS FURTHER RESOLVED that the clerk of the joint board forward this resolution to the Governor and the Secretary of State. APPROVED this 22nd day of October, 2015.

The Sergeant at Arms escorted Senator Takko to the rostrum of the Senate to receive the oath of office.

Chief Justice Barbara Madsen thereupon administered the oath of office to the Senator. The President presented the acknowledgement of appointment to Senator Takko.

The newly appointed member retired to his seat on the floor of the Senate.

RESIGNATION LETTER

December 29, 2015

Hon. Jay Inslee, Governor
State of Washington
P.O. Box 40002
Olympia WA 98504-0002

Re: Resignation from the Washington State Senate

Dear Governor Inslee:

As you may know, I have been elected to the King County Council and start my term on January 1st, 2016. Pursuant to RCW 42.12.010, please accept my resignation from the Washington State Senate, effective at 5:00 p.m. on December 31st, 2015.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Jeanne Kohl-Welles
State Senator, 36th Leg. District
Washington State Senate

VACANCY FILLED

MESSAGE FROM THE COUNCIL OF KING COUNTY

Signature Report
January 7, 2016
Motion 14493

A MOTION making an appointment to fill the vacancy in the position of state senator for the 36th legislative district.

WHEREAS, a vacancy exists in the position of state senator for the 36th legislative district due to the resignation of Senator Jeanne Kohl-Welles following her election as King County councilmember for district 4, and

WHEREAS, the 36th legislative district Democratic precinct committee officers have met to consider candidates for the position, and

WHEREAS, the King County Democratic Central Committee has submitted the names of three nominees to fill the vacancy;

Reuven Carlyle is hereby appointed to the position of state senator for the 36th legislative district.

Motion 14493 was introduced on 12/14/2015 and recommended do pass substitute by the Committee of the Whole on 1/7/2016, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci

No: 0

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

The Sergeant at Arms escorted Senator Carlyle to the rostrum of the Senate to receive the oath of office. The President presented the acknowledgement of appointment to Senator Carlyle. Chief Justice Barbara Madsen thereupon administered the oath of office to the Senator.

The newly appointed member retired to his seat on the floor of the Senate.

The President thanked the Chief Justice Barbara Madsen and Secretary of State Kim Wyman. The Sergeant at Arms escorted the Chief Justice and the Secretary of State from chamber.

MOTION

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

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION
8690

By Senators Schoesler and Nelson

BE IT RESOLVED, That a committee consisting of two members of the Senate be appointed by the President of the Senate to notify the Governor that the Senate is organized and ready to conduct business.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8690.

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

APPOINTMENT OF SPECIAL COMMITTEE

In accordance with Senate Floor Resolution No. 8690, the President appointed Senators Dansel and Takko to notify the Governor that the senate was organized and ready to conduct business.

MOTION

On motion of Senator Fain, and without objection, the appointments were confirmed.

STANDING COMMITTEE ASSIGNMENTS

The President announced the appointments of members to standing committees as shown on the following 2016 Standing Committee Assignments list:

2016 SENATE STANDING COMMITTEE ASSIGNMENTS

Accountability & Reform

Miloscia, Chair
Padden, Vice Chair
Fraser, Ranking Minority Member
Dansel
McAuliffe

Agriculture, Water & Rural Economic Development

Warnick, Chair
Dansel, Vice Chair

Takko, Ranking Minority Member
Hobbs
Honeyford

Commerce & Labor

Baumgartner, Chair
Braun, Vice Chair
Hasegawa, Ranking Minority Member
Conway
Keiser
King
Warnick

Early Learning & K-12 Education

Litzow, Chair
Dammeier, Vice Chair
McAuliffe, Ranking Minority Member
Billig
Fain
Hill
Mullet
Rivers
Rolfes

Energy, Environment & Telecommunications

Ericksen, Chair
Sheldon, Vice Chair
McCoy, Ranking Minority Member
Braun
Brown
Cleveland
Habib
Honeyford
Ranker

Financial Institutions & Insurance

Benton, Chair
Angel, Vice Chair
Mullet, Ranking Minority Member
Fain
Hobbs
Litzow
Nelson
Pedersen
Roach

Government Operations & Security

Roach, Chair
Benton, Vice Chair
Pearson, Vice Chair
McCoy, Ranking Minority Member
Dansel
Habib
Takko

Health Care

Becker, Chair
Dammeier, Vice Chair
Cleveland, Ranking Minority Member
Angel
Bailey
Baumgartner
Brown
Conway
Frocht

Jayapal
Keiser
Parlette
Rivers

Higher Education

Bailey, Chair
Baumgartner, Vice Chair
Froct, Ranking Minority Member
Becker
Carlyle
Lias
Miloscia

Human Services, Mental Health & Housing

O'Ban, Chair
Miloscia, Vice Chair
Darneille, Ranking Minority Member
Hargrove
Padden

Law & Justice

Padden, Chair
O'Ban, Vice Chair
Pedersen, Ranking Minority Member
Darneille
Froct
Pearson
Roach

Natural Resources & Parks

Pearson, Chair
Dansel, Vice Chair
Jayapal, Ranking Minority Member
Chase
Fraser
Hewitt
Warnick

Trade & Economic Development

Brown, Chair
Braun, Vice Chair
Chase, Ranking Minority Member
Angel
Carlyle
Ericksen
McCoy

Transportation

King, Chair
Fain, Vice Chair, Budget
Benton, Vice Chair
Hobbs, Ranking Minority Member
Lias, Assistant Ranking Minority Member
Baumgartner
Carlyle
Cleveland
Ericksen
Jayapal
Litzow
Miloscia
Rivers
Sheldon
Takko

Ways & Means

Hill, Chair
Braun, Vice Chair
Dammeier, Vice Chair, Education Finance
Honeyford, Vice Chair, Capital Budget
Hargrove, Ranking Minority Member
Ranker, Assistant Ranking Minority Member, Operating Budget
Keiser, Assistant Ranking Minority Member, Capital Budget
Bailey
Becker
Billig
Brown
Conway
Darneille
Hasegawa
Hewitt
Nelson
O'Ban
Padden
Parlette
Pedersen
Rolfes
Schoesler
Warnick

Rules

Lieutenant Governor, Chair
Roach, Vice Chair
Bailey
Benton
Billig
Chase
Dammeier
Ericksen
Fain
Fraser
Hasegawa
Honeyford
King
Mullet
Nelson
Parlette
Pearson
Rivers
Rolfes
Schoesler
Sheldon

MOTION

On motion of Senator Fain, the appointments were confirmed by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6146 by Senators Rolfes, Warnick, Keiser, Conway, Nelson, Chase, Angel, Hasegawa, Ranker, Billig, Habib, Dammeier, Honeyford, Hewitt, Fain, O'Ban, Mullet, Lias, Roach, Hill, Fraser and Litzow

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

AN ACT Relating to providing women with timely information regarding their breast health; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Health Care.

SB 6147 by Senators Roach, Takko, Dansel, Chase and Benton
AN ACT Relating to water-sewer districts; amending RCW 57.08.016 and 70.95A.020; adding a new section to chapter 57.20 RCW; and adding a new section to chapter 57.08 RCW.

Referred to Committee on Government Operations & Security.

SB 6148 by Senators Warnick, Keiser, Schoesler and Conway
AN ACT Relating to the handling of certain personal property in a self-service storage facility; and amending RCW 19.150.060 and 19.150.160.

Referred to Committee on Commerce & Labor.

SB 6149 by Senators Keiser, Conway, Jayapal, Cleveland, Rolfes, Fraser, Litzow, Fain, Nelson, Habib, Chase, Mullet, Liias, Pedersen, Takko, Hasegawa, Ranker, Frockt, Hill and Benton

AN ACT Relating to providing reasonable accommodations in the workplace for pregnant women; amending RCW 49.60.030 and 49.60.180; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Commerce & Labor.

SB 6150 by Senators Honeyford, McCoy, Sheldon, Parlette and Chase

AN ACT Relating to increasing the available term of water pollution control revolving fund program loans to reflect the 2014 amendments to the federal clean water act allowing such an increase; and amending RCW 90.50A.010, 90.50A.020, 90.50A.030, 90.50A.040, and 90.50A.050.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6151 by Senators Litzow, Fain, Pedersen and Frockt
AN ACT Relating to sexual assault protection orders; and amending RCW 7.90.120 and 7.90.121.

Referred to Committee on Law & Justice.

SB 6152 by Senators Hill, Habib, Pearson, Angel, Roach, Miloscia, Becker and Litzow

AN ACT Relating to operation of the Interstate 405 express toll lanes; amending RCW 47.56.880; and declaring an emergency.

Referred to Committee on Transportation.

SB 6153 by Senators Mullet and Angel

AN ACT Relating to the maintenance of certificates of title for manufactured homes; and adding a new section to chapter 46.12 RCW.

Referred to Committee on Financial Institutions & Insurance.

SB 6154 by Senators Miloscia, Rolfes, Pearson, O'Ban, Conway and McAuliffe

AN ACT Relating to creating an office of the corrections ombuds; adding a new chapter to Title 43 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6155 by Senators Roach, McCoy, Takko and Warnick

AN ACT Relating to county payroll draw days; and amending RCW 36.17.040.

Referred to Committee on Government Operations & Security.

SB 6156 by Senators Rivers, Keiser, Frockt, Miloscia, Pedersen, Litzow, O'Ban, Sheldon, Rolfes, Conway, Mullet, Hasegawa and Benton

AN ACT Relating to the medicaid fraud false claims act; and amending RCW 43.131.419 and 43.131.420.

Referred to Committee on Accountability & Reform.

SB 6157 by Senators Miloscia, Liias, Keiser, Litzow, McCoy, Chase, Conway, Pedersen, McAuliffe and Frockt

AN ACT Relating to protecting youth from tobacco products and vapor products by increasing the minimum legal age of sale of tobacco and vapor products; and amending RCW 70.155.005, 26.28.080, 70.155.010, 70.155.020, 70.155.030, 70.155.110, and 70.155.120.

Referred to Committee on Commerce & Labor.

SB 6158 by Senators Dammeier, Benton, Sheldon, Hargrove, Conway, Roach, Schoesler, Rivers, Angel, Pearson, Becker, Hobbs, Warnick, Baumgartner, Honeyford, Dansel, O'Ban, Padden and Chase

AN ACT Relating to the transfer of firearms at nonprofit fund-raising activities; and amending RCW 9.41.113.

Referred to Committee on Law & Justice.

SB 6159 by Senators Dammeier, Miloscia, Becker, Roach and Benton

AN ACT Relating to the appointment of independent counsel by counties to serve the public interest; amending RCW 36.27.040, 36.32.200, 43.10.030, and 43.10.232; adding a new section to chapter 43.10 RCW; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 6160 by Senators O'Ban, Frockt, Fain, Hobbs, Nelson, Rolfes, Conway and Becker

AN ACT Relating to the manufacture, sale, distribution, and installation of motor vehicle air bags; amending RCW 46.37.640, 46.37.650, 46.37.660, 46.63.020, and 9.94A.515; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6161 by Senators Bailey, Frockt, Conway, McAuliffe and Hasegawa

AN ACT Relating to including certain residents who do not have a high school diploma or credential and the number of students expected to enroll in basic education for adults courses at community and technical colleges in caseload forecast council forecasting; amending RCW 43.88C.010; and creating a new section.

Referred to Committee on Higher Education.

SB 6162 by Senators Honeyford, Rolfes, Chase, Parlette, Pearson, Roach and Fraser

AN ACT Relating to the expiration date of the invasive species council and account; and amending RCW 79A.25.310 and 79A.25.370.

Referred to Committee on Natural Resources & Parks.

SB 6163 by Senators Billig, Baumgartner, Sheldon and McAuliffe

AN ACT Relating to charter schools; amending RCW 28A.710.010, 28A.710.020, 28A.710.030, 28A.710.040, 28A.710.050, 28A.710.060, 28A.710.100, 28A.710.130, 28A.710.140, 28A.710.160, 28A.710.170, 28A.710.180, 28A.710.190, 28A.710.200, 28A.710.210, 28A.710.220, 28A.710.230, 28A.710.240, 28A.150.010, 28A.315.005, 41.32.033, 41.35.035, 41.40.025, 41.56.0251, 41.59.031, and 28A.150.220; reenacting and amending RCW 41.05.011; adding new sections to chapter 28A.710 RCW; and repealing RCW 28A.710.005, 28A.710.070, 28A.710.080, 28A.710.090, 28A.710.110, 28A.710.120, 28A.710.150, and 28A.710.250.

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

SB 6164 by Senators Rivers, O'Ban and Hasegawa

AN ACT Relating to vacating prior misdemeanor convictions of youthful offenders; and reenacting and amending RCW 9.96.060.

Referred to Committee on Law & Justice.

SB 6165 by Senators Takko, Pearson, Sheldon and Benton

AN ACT Relating to short-barreled rifles; and amending RCW 9.41.190.

Referred to Committee on Law & Justice.

SB 6166 by Senators Takko, Rivers, Ericksen, Chase, Roach, Becker, Sheldon and Benton

AN ACT Relating to allowing incremental electricity produced as a result of certain capital investment projects to qualify as an eligible renewable resource under the energy independence act; and amending RCW 19.285.030 and 19.285.080.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6167 by Senators Angel and Mullet

AN ACT Relating to the filing and public disclosure of health care provider compensation; reenacting and amending RCW 42.56.400; reenacting RCW 48.46.243; creating a new section; repealing RCW 48.44.070; and repealing 2015 c 122 s 24, 2015 c 17 s 16, and 2013 c 277 s 6 (uncodified).

Referred to Committee on Health Care.

SB 6168 by Senators Angel, Becker, Warnick and Benton

AN ACT Relating to removing drainage ditches from the definition of fish and wildlife habitat conservation areas in chapter 36.70A RCW; and amending RCW 36.70A.030.

Referred to Committee on Government Operations & Security.

SB 6169 by Senators Angel and Habib

AN ACT Relating to easements in property tax foreclosures; and amending RCW 36.35.290.

Referred to Committee on Government Operations & Security.

SB 6170 by Senators Roach, Darneille and Benton

AN ACT Relating to an exemption from disclosure of certain financial, commercial, and proprietary information submitted to or obtained by a city retirement board on behalf of its employees' retirement system; and amending RCW 42.56.270.

Referred to Committee on Government Operations & Security.

SB 6171 by Senators Roach, Liias and Benton

AN ACT Relating to civil penalties for knowing attendance by a member of a governing body at a meeting held in violation of the open public meetings act; amending RCW 42.30.120; and prescribing penalties.

Referred to Committee on Government Operations & Security.

SB 6172 by Senators Ericksen and Benton

AN ACT Relating to preliminary certifications under section 401 of the federal clean water act; adding a new section to chapter 90.48 RCW; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6173 by Senators Ericksen and Sheldon

AN ACT Relating to prohibiting rules and policies that limit greenhouse gas emissions; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6174 by Senators Ericksen, Fain and Sheldon

AN ACT Relating to ballot titles for initiatives to the people; amending RCW 29A.72.050; creating a new section; and declaring an emergency.

Referred to Committee on Government Operations & Security.

SB 6175 by Senator Ericksen

AN ACT Relating to watershed management actions by watershed improvement districts; amending RCW 39.34.190, 77.55.021, and 87.03.019; adding a new section to chapter 36.70A RCW; adding a new section to chapter

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

43.21C RCW; adding a new section to chapter 90.48 RCW; and adding a new section to chapter 90.58 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6176 by Senator Ericksen

AN ACT Relating to requiring the utilities and transportation commission to consider policies that allow electrical companies to establish a user fee or other similar charge for electric vehicle supply equipment that is deployed for the benefit of ratepayers; and amending RCW 80.28.360.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6177 by Senator Rivers

AN ACT Relating to the marijuana research license; and amending RCW 69.50.372 and 43.350.030.

Referred to Committee on Commerce & Labor.

SB 6178 by Senator Honeyford

AN ACT Relating to outdoor burning of organic waste derived from pruning by commercial berry growers; amending RCW 70.94.6514, 70.94.6524, and 70.94.6528; and creating a new section.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6179 by Senator Honeyford

AN ACT Relating to water banking; and amending RCW 90.42.100 and 90.42.130.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6180 by Senators King, Schoesler and Hasegawa

AN ACT Relating to the creation of a disadvantaged business enterprise advisory committee within the transportation commission; amending RCW 47.01.071; adding a new section to chapter 47.01 RCW; and making an appropriation.

Referred to Committee on Transportation.

SB 6181 by Senators Becker, Cleveland, Rivers, Hasegawa and McAuliffe

AN ACT Relating to changing the words "massage practitioner" and "animal massage practitioner" to "massage therapist" and "animal massage therapist"; amending RCW 18.108.025, 18.108.030, 18.108.040, 18.108.045, 18.108.070, 18.108.073, 18.108.085, 18.108.095, 18.108.115, 18.108.125, 18.108.131, 18.108.220, 18.108.230, 18.108.250, 18.120.020, 18.130.040, 18.240.005, 18.240.010, 18.240.020, 18.250.010, 35.21.692, 35A.82.025, 36.32.122, and 50.04.223; reenacting and amending RCW 18.108.010 and 18.74.010; creating a new section; and providing an effective date.

Referred to Committee on Health Care.

SB 6182 by Senators McAuliffe, Lias, Hasegawa, Fraser and McCoy

AN ACT Relating to high school assessments; amending RCW 28A.180.100, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.655.061, 28A.655.068, 28A.655.070, 28A.155.170, 28A.195.010, 28A.200.010, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.415.360, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070, 28A.700.080, 28B.15.067, and 28B.15.520; adding a new section to chapter 28A.300 RCW; creating a new section; repealing RCW 28A.155.045, 28A.600.405, 28A.655.063, 28A.655.065, and 28A.655.066; and providing a contingent effective date.

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

SB 6183 by Senators McAuliffe, Rolfes, Conway, McCoy, Fraser and King

AN ACT Relating to local school district levy authority; amending RCW 84.52.0531, 28A.500.020, 28A.500.020, and 28A.500.030; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010 c 237 ss 9, 8, and 10, and 2013 2nd sp.s. c 4 s 1905 (uncodified); reenacting and amending RCW 84.52.0531 and 28A.500.030; providing effective dates; and providing expiration dates.

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

SB 6184 by Senators Habib, Roach, McAuliffe and Hasegawa

AN ACT Relating to the excise taxation of martial arts; amending RCW 82.04.050; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6185 by Senators Roach, Chase and Baumgartner

AN ACT Relating to repealing advisory votes; amending RCW 29A.32.031, 29A.32.070, 29A.72.040, 29A.72.250, and 29A.72.290; repealing RCW 29A.72.283, 29A.72.285, and 43.135.041; and creating a new section.

Referred to Committee on Government Operations & Security.

SB 6186 by Senators Roach, Dammeier, Padden, Braun and Baumgartner

AN ACT Relating to fee restrictions; amending RCW 43.135.031; and repealing RCW 43.135.055.

Referred to Committee on Government Operations & Security.

SB 6187 by Senators Litzow, Ranker, Fraser and Sheldon

AN ACT Relating to the authority of the pollution liability insurance agency; amending RCW 70.148.020, 70.148.900, 70.149.900, 82.23A.020, and 82.23A.902; reenacting and amending RCW 43.84.092 and 43.84.092; adding a new chapter to Title 70 RCW; making an appropriation; providing an effective date; providing a contingent effective date; providing expiration dates; and providing a contingent expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6188 by Senators McCoy, Keiser, Rolfes, Chase, Ranker and Frockt

AN ACT Relating to distributed generation; amending RCW 82.16.120, 82.16.130, 82.08.962, 82.08.963, 82.12.962, and 82.12.963; adding new sections to chapter 82.16 RCW; adding a new section to chapter 70.95N RCW; and creating a new sections.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6189 by Senators McCoy, Rolfes, Hasegawa, Chase, Conway, Lias, Roach, Fraser, McAuliffe, Jayapal and Frockt

AN ACT Relating to requiring teacher preparation programs to integrate Native American curriculum developed by the office of the superintendent of public instruction into existing Pacific Northwest history and government requirements; amending RCW 28B.10.710; and creating a new section.

Referred to Committee on Higher Education.

SB 6190 by Senators McCoy, Hasegawa, Rolfes, Chase, Lias, Pedersen, Fraser, Jayapal and Ranker

AN ACT Relating to prohibiting the term "Redskins" for school or athletic team names, mascots, or nicknames; adding a new section to chapter 28A.320 RCW; and creating a new section.

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

SB 6191 by Senators McCoy and Chase

AN ACT Relating to the treatment of wastewater; and amending RCW 90.48.160, 90.48.490, and 90.48.520.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6192 by Senators McCoy, Rolfes, Hasegawa, Nelson, Jayapal, Chase, Conway, Lias, Fraser, McAuliffe and Frockt

AN ACT Relating to implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee; amending RCW 28A.600.490, 28A.600.015, 28A.600.020, 28A.600.022, 43.41.400, 28A.405.106, 28A.405.120, 28A.180.040, 28A.180.090, 28A.300.042, 28A.300.505, 28A.300.507, 28A.165.035, 28A.165.055, and 28A.300.130; reenacting and amending RCW 13.50.010; adding a new section to chapter 28A.320 RCW; adding new sections to chapter 28A.345 RCW; adding new sections to chapter 28A.415 RCW; adding new sections to chapter 28A.657 RCW; adding a new section to chapter 43.215 RCW; adding a new section to chapter 28A.300 RCW; creating new sections; and providing expiration dates.

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

SB 6193 by Senator King

AN ACT Relating to clarifying the collection of fuel taxes within tribal jurisdictions; amending RCW 82.36.022,

82.36.026, 82.38.031, 82.38.035, and 82.38.035; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SB 6194 by Senators Litzow, Mullet, Fain, Hobbs, Becker, Rivers, O'Ban, Dammeier, Angel, Hill, Bailey, Sheldon, Miloscia, Braun, Baumgartner and King

AN ACT Relating to public schools that are not common schools; amending RCW 28A.150.310, 28A.185.040, 28A.193.080, 28A.205.070, 28A.215.060, 28A.715.040, and 28B.76.526; reenacting and amending RCW 28A.710.010, 28A.710.020, 28A.710.030, 28A.710.040, 28A.710.050, 28A.710.060, 28A.710.070, 28A.710.080, 28A.710.090, 28A.710.100, 28A.710.110, 28A.710.120, 28A.710.130, 28A.710.140, 28A.710.150, 28A.710.160, 28A.710.170, 28A.710.180, 28A.710.190, 28A.710.200, 28A.710.210, 28A.710.220, 28A.710.230, 28A.710.250, 28A.150.010, and 28A.315.005; reenacting RCW 28A.710.240, 28A.710.260, 41.32.033, 41.35.035, 41.40.025, 41.05.011, 41.56.0251, and 41.59.031; adding new sections to chapter 28A.710 RCW; adding a new section to chapter 28A.300 RCW; creating a new section; repealing RCW 28A.710.005; making appropriations; and declaring an emergency.

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

SB 6195 by Senators Rivers, Rolfes, Litzow and Billig

AN ACT Relating to basic education obligations; creating new sections; making appropriations; providing an expiration date; and declaring an emergency.

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

SJM 8015 by Senators Takko, Nelson, Conway, Rolfes and Frockt

Asking congress to call a limited convention, authorized under Article V of the United States Constitution, for the purpose of proposing a free and fair elections amendment to that Constitution.

Referred to Committee on Government Operations & Security.

SJM 8016 by Senators Rivers, Angel, Sheldon and Becker

Applying for a convention to propose amendments to the United States Constitution relating to fiscal restraints on the federal government, the power and jurisdiction of the federal government, and terms of office for federal officials and for members of Congress.

Referred to Committee on Government Operations & Security.

SJR 8208 by Senators Roach, Benton and Baumgartner

Requiring a two-thirds majority vote of the legislature to raise taxes, a majority vote to raise certain fees, and no advisory vote by the people on tax legislation.

Referred to Committee on Government Operations & Security.

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

SJR 8209 by Senators Roach, Pearson, O'Ban, Dammeier, Padden, Braun, Benton and Baumgartner
Requiring legislative action that raises taxes be approved by at least a two-thirds vote of both the senate and house of representatives.

Referred to Committee on Government Operations & Security.

SCR 8406 by Senators Fain and Rolfes
Establishing cutoff dates for the consideration of legislation during the 2016 regular session of the sixty-fourth legislature.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 6156, which was referred to the Committee on Accountability & Reform, and Senate Bill No. 6160, which was referred to the Committee on Law & Justice, and Senate Concurrent Resolution No. 8406, which was placed on the second reading calendar.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8406, by Senators Fain and Rolfes

Establishing cutoff dates for the consideration of legislation during the 2016 regular session of the sixty-fourth legislature.

The measure was read the second time.

MOTION

On motion of Senator Fain, Senate Concurrent Resolution No. 8406 was advanced to third reading, and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8406.

SENATE CONCURRENT RESOLUTION NO. 8406 having received a majority was adopted by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the third order of business, messages from the Governor and state officers.

MESSAGE FROM THE GOVERNOR
VETO ON ENGROSSED SUBSTITUTE SENATE BILL
NO. 5785

May 18, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 5785 entitled:

"AN ACT Relating to the definition of official duties of state officers."

This bill changes definition of official duty for a state officer holding an elective office in the state Ethics Act. The definition is expanded to mean not only those duties prescribed in the state Constitution, state statutes or agency rules, legislatively funded or mandated authority and responsibilities, but also any activities described in an agency's strategic plan and tasks or action directly related to carrying out the state officer's other official duties.

I believe this is an unnecessary change to the Ethics Act. First, this legislation creates a different standard of ethics for elected officials. While they have different roles, I believe all public employees should be held to the same rules. Moreover, elected officials - as head of agencies - already define much of their job duties. There is no need to create an expanded definition of official duty. By doing so, we unnecessarily risk endangering the public's trust.

For these reasons I have vetoed Engrossed Substitute Senate Bill No. 5785 in its entirety.

Respectfully submitted,
Jay Inslee
Governor

MESSAGES FROM THE SECRETARY OF STATE

April 27, 2015

The Honorable Brad Owen
Lieutenant Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Lieutenant Governor Owen:

I respectfully transmit for your consideration Second Substitute Senate Bill 5052 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington the 27th day of April 2015

Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SECOND SUBSTITUTE SENATE
BILL NO. 5052

April 24, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 36, 42, 43, 44, 45, 46, and 52, Second Substitute Senate Bill No. 5052 entitled:

"AN ACT Relating to establishing the cannabis patient protection act."

After tremendous deliberation, compromise and hard work from our outstanding bipartisan sponsors and co-sponsors, committee chairs and ranking members from both houses, we have a measure that will create a medical marijuana system that works for our state.

I am committed to ensuring a system that serves patients well and makes medicine available in a safe and accessible manner, just like we would do for any medicine. That's what this bill strives to provide. It will help families of patients in real need.

As significant an accomplishment as this bill is for our state - and for patients to be ensured of having a safe place to get medicine they need - I know some remain concerned. These perspectives are important and compelling. I recognize the solution is not perfect. However, I do think this is far better than today's wholly unregulated system.

We will have options for patients and a system of strong enforcement to ensure public safety, especially for children. It is a good thing that this bill allows immediate enforcement of dispensaries to ensure they are not selling marijuana to kids.

I want to be clear that I am committed to implementing this law effectively by ensuring cooperatives are safe for patients in need, not sources of illicit diversion in our communities. To this end, I have directed the Liquor Control Board to work with the Attorney General's Office and local law enforcement to consider all options to ensure patient and public safety.

I also want to reassure you that the Department of Health will create an authorization form that will continue to honor the doctor-patient relationship.

While this bill takes a tremendous step forward, a large volume remains of unfinished work on marijuana tax policy, enforcement, local revenue sharing and funding for public health prevention programs. I strongly support efforts to address these items - and call on legislators to finish the job and provide the tools necessary to ensure a well-regulated and functioning marijuana market in our state.

I am vetoing the following sections:

Section 36. This section prohibits employers of health care providers from limiting medical marijuana recommendations to patients. This is an employment law provision that may cause confusion and potential unintended consequences. This section was added without adequate input. The sponsors of this legislation have also requested this provision be vetoed to allow time for further discussion to develop appropriate policy.

Sections 42 and 43. These sections remove from Schedule I of our state's Controlled Substances Act any medical marijuana product. This is a laudable idea and I appreciate the intent to reduce the stigma of medical marijuana by rescheduling it from a Schedule I - an illegal - controlled substance to something more appropriate. However, our state's rescheduling system has very limited effect, and rescheduling just medicinal marijuana - not the entire cannabis plant and derivatives - may cause serious problems such as having the unintended effect of limiting the types of marijuana that are considered medicine. To that end, I have instructed the Department of Health to thoroughly consider this idea in consultation with medical professionals and stakeholders, and bring an appropriate resolution to me and the Legislature by next year. Furthermore, I will continue to advocate for the federal government to consider a national rescheduling solution, which may be most beneficial, considering the limited power that state rescheduling has in this respect.

Sections 44, 45 and 46. These sections create new felonies in our criminal code. Washington state does not need additional criminal penalties related to medical marijuana. Moreover, these sections were added as part of the same amendment that created sections 42 and 43 that would have rescheduled medical

marijuana. Because I have vetoed sections 42 and 43, sections 44, 45, and 46 are also unnecessary.

Section 52. This section makes Senate Bill 5052 contingent on the enactment of some version of House Bill 2136 by October 1, 2015. This contingent effective date causes confusion and potentially conflicts with other effective dates in Senate Bill 5052. In addition, if the Legislature is unable to pass a version of House Bill 2136, the Code Reviser's Office has advised me that this provision acts as a null and void clause, in which case we risk jeopardizing the integrity of the system created in this bill. I strongly agree with the need for additional policy and administrative changes to ensure a well-regulated and functioning marijuana market. However, this bill should not be made contingent on those changes.

For these reasons I have vetoed Sections 36, 42, 43, 44, 45, 46, and 52 of Second Substitute Senate Bill No. 5052.

With the exception of Sections 36, 42, 43, 44, 45, 46, and 52, Second Substitute Senate Bill No. 5052 is approved.

Respectfully submitted,
Jay Inslee
Governor

MESSAGES FROM THE SECRETARY OF STATE

April 27, 2015

The Honorable Brad Owen
Lieutenant Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Lieutenant Governor Owen:

I respectfully transmit for your consideration Substitute Senate Bill 5824 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington the 27th day of April 2015.

Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR PARTIAL VETO ON SUBSTITUTE SENATE BILL NO. 5824

April 24, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 6, and 8, Substitute Senate Bill No. 5824 entitled:
"AN ACT Relating to certain recreational guides."

Sections 6 and 8 of this bill are technical changes that are meant to simplify this chapter by placing game fish guide license fees in the same section as food fish guide license fees (RCW 77.64.440). However, House Bill 1232 and Senate Bill 5464 both contain a reference to the original location of the game fish guide license (RCW 77.65.480). To avoid creating a reference error, I am vetoing sections 6 and 8.

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

For these reasons I have vetoed Sections 6 and 8 of Substitute Senate Bill No. 5824.

With the exception of Sections 6 and 8, Substitute Senate Bill No. 5824 is approved.

Respectfully submitted,
Jay Inslee
Governor

MESSAGES FROM THE SECRETARY OF STATE

May 12, 2015

The Honorable Brad Owen
Lieutenant Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Lieutenant Governor Owen:

I respectfully transmit for your consideration Senate Bill 5024 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington the 12th day of May 2015

Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SENATE BILL NO. 5024

May 11, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 19, 25, 48, 49, and 127, Senate Bill No. 5024 entitled:

"AN ACT Relating to conforming amendments made necessary by reorganizing and streamlining central service functions, powers, and duties of state government."

The following sections contain conflicting or double amendments to sections of law amended in legislation I have already signed into law and are not necessary:

Section 19 amends RCW 19.27A.020, which was also amended in House Bill No. 1011, already signed into law.

Section 25 amends RCW 27.48.040, which was also amended in Senate Bill No. 5176, already signed into law.

Sections 48 and 49 amend RCW 39.35C.050 and 39.35C.090, which were also amended in Senate Bill No. 5075, already signed into law.

Section 127 decodifies RCW 43.19.533, which was repealed in Senate Bill No. 5075, already signed into law.

For these reasons I have vetoed Sections 19, 25, 48, 49, and 127 of Senate Bill No. 5024.

With the exception of Sections 19, 25, 48, 49, and 127, Senate Bill No. 5024 is approved.

Respectfully submitted,
Jay Inslee

Governor

MESSAGES FROM THE SECRETARY OF STATE

May 12, 2015

The Honorable Brad Owen
Lieutenant Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Lieutenant Governor Owen:

I respectfully transmit for your consideration Substitute Senate Bill 5501 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington the 12th day of May 2015

Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SUBSTITUTE SENATE BILL NO. 5501

May 11, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 7, Substitute Senate Bill No. 5501 entitled:

"AN ACT Relating to the prevention of animal cruelty."

Section 7, by expanding the exceptions for "accepted husbandry practices" used in commercial farming to noncommercial farming, could potentially leave livestock and other animals subject to neglect or cruelty. Contrary to the purpose of this bill, animal control officers and prosecutors will have more difficulty enforcing animal cruelty laws in cases involving backyard farming and hobby farms.

For these reasons I have vetoed Section 7 of Substitute Senate Bill No. 5501.

With the exception of Section 7, Substitute Senate Bill No. 5501 is approved.

Respectfully submitted,
Jay Inslee
Governor

MESSAGES FROM THE SECRETARY OF STATE

May 18, 2015

The Honorable Brad Owen
Lieutenant Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Lieutenant Governor Owen:

I respectfully transmit for your consideration Engrossed Second Substitute Senate Bill 5564 which have been partially

vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington the 18th day of May 2015

Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON ENGROSSED SECOND
SUBSTITUTE SENATE BILL NO. 5564

May 14, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 39(2), Engrossed Second Substitute Senate Bill No. 5564 entitled:

"AN ACT Relating to decreasing the barriers to successful community participation for individuals involved with the juvenile justice system."

This bill lowers the financial burden on juvenile offenders and their families, making it more likely that they will be able to turn their lives around and be productive members of society. Section 39(2) eliminates the legal financial obligation associated with a diversion program. The revenue from the financial obligation in section 39(2) provides substantial funding for Community Youth Services, a diversion program in Thurston county that is very successful in providing diversion services to juveniles. It is vital to continue to provide adequate funds for these diversion services.

For these reasons I have vetoed Section 39(2) of Engrossed Second Substitute Senate Bill No. 5564.

With the exception of Section 39(2), Engrossed Second Substitute Senate Bill No. 5564 is approved.

Respectfully submitted,
Jay Inslee
Governor

MESSAGES FROM THE SECRETARY OF STATE

July 1, 2015

The Honorable Brad Owen
Lieutenant Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Lieutenant Governor Owen:

I respectfully transmit for your consideration Engrossed Substitute Senate Bill 6052 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington the 1st day of July 2015

Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR

PARTIAL VETO ON ENGROSSED SUBSTITUTE
SENATE BILL NO. 6052

June 30, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Sections 130, page 27, line 29; 204(2)(f); 501(1)(f); 950(3); 963; and 1213, page 381, lines 6-7, Engrossed Substitute Senate Bill No. 6052 entitled:

"AN ACT Relating to fiscal matters."

Section 130, page 27, line 29, Office of Financial Management, Data Processing Revolving Account

The Data Processing Revolving Account will be abolished, effective January 1, 2016, pursuant to passage of Engrossed Second Substitute Senate Bill No. 5315. Because this appropriation to the Office of Financial Management is no longer necessary, I have vetoed Section 130, page 27, line 29.

Section 204(2)(f), pages 58-59, Department of Social and Health Services, Study on Clinical Role of Psychiatrists

This proviso requires the Department of Social and Health Services, within existing resources, to contract with a consultant to conduct a workload study and to examine the clinical role of psychiatrists at the state psychiatric hospitals with respect to patients who are the subject of both forensic and civil commitment. In addition to findings and recommendations on those topics, the consultant must identify factors other than compensation that are negatively affecting job retention for psychiatrists and make recommendations for addressing those issues. Although I welcome additional expertise to address factors that may influence job retention, funding is not provided for the cost of an independent contractor. For this reason, I have vetoed Section 204(2)(f).

Section 501(1)(f), page 126, Superintendent of Public Instruction, School District Accounting Rules and Reporting

This proviso requires the Superintendent of Public Instruction to revise the accounting rules for school districts, as well as accounting and financial information technology systems, to separate expenditures of levy and local effort assistance revenues from all other expenditures. It also requires additional detailed reporting of school district compensation data. The Superintendent estimated \$400,000 would be needed to implement this proviso, and no funding was provided. In addition, the new rules and systems must be in place by the 2016-17 school year, leaving no time for the Superintendent to test the system with pilot districts prior to implementation. For these reasons, I have vetoed Section 501(1)(f).

Section 950(3), page 257, Law Enforcement Officers' and Firefighters' Retirement System (LEOFF) Distribution in 2017

I support funding for the Local Law Enforcement Officers' and Firefighters' Retirement System Benefits Improvement Account, and included funding for this account in my budget proposal. Rather than provide a General Fund--State appropriation to this account, the Legislature transferred money from the LEOFF retirement system pension fund to the benefits improvement account. While I am approving this one-time transfer, I am concerned that repeated transfers would undermine the stability of the pension fund and increase the cost of existing pension benefits for plan members, local governments, and the state of Washington. Because I believe that future funding for the benefits improvement account should be made through General Fund

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

appropriations, as envisioned by the legislation that created that account, I am vetoing language that indicates legislative intent for future transfers from the pension fund. For this reason, I have vetoed Section 950(3).

Section 963, page 268, Life Sciences Discovery Fund

The Life Sciences Discovery Fund Authority (LSDFA) provides valuable and innovative research that improves the health of all Washingtonians. I am disappointed the Legislature could not come to an agreement on providing some new funding for the LSDFA. I am concerned that Section 963 unduly restricts the awarding of grants with money currently in the Life Sciences Discovery Fund and abruptly ends the work of the LSDFA. This prohibition also restricts the LSDFA from using new revenue provided by marijuana research licenses pursuant to Senate Bill No. 5121. We must provide maximum flexibility for the LSDFA to carry out its mission and expend all remaining money in the Life Sciences Discovery Fund. For these reasons, I have vetoed Section 963.

Section 1213, page 381, lines 6-7, Health Care Authority, Savings Through Waiver Request

The budget assumes that the Health Care Authority (HCA) can achieve General Fund--State savings in state fiscal year 2015 by, among several savings steps, seeking a waiver from the federal Centers for Medicare and Medicaid Services. This waiver would provide federal flexibility in the area of innovative reimbursement methods. The Centers for Medicare and Medicaid Services has indicated that it will not approve this waiver request, and therefore, the savings cannot be achieved. For this reason, I have vetoed Section 1213, page 381, lines 6-7, and directed HCA to place any unused funds in reserve status.

For these reasons I have vetoed Sections 130, page 27, line 29; 204(2)(f); 501(1)(f); 950(3); 963; and 1213, page 381, lines 6-7 of Engrossed Substitute Senate Bill No. 6052.

With the exception of Sections 130, page 27, line 29; 204(2)(f); 501(1)(f); 950(3); 963; and 1213, page 381, lines 6-7, Engrossed Substitute Senate Bill No. 6052 is approved.

Respectfully submitted,
Jay Inslee
Governor

MESSAGES FROM THE SECRETARY OF STATE

July 7, 2015

The Honorable Brad Owen
Lieutenant Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Lieutenant Governor Owen:

I respectfully transmit for your consideration Second Engrossed Substitute Senate Bill 5996 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington the 7th day of July 2015

Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SECOND ENGROSSED
SUBSTITUTE SENATE BILL NO. 5996

July 6, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 9, Second Engrossed Substitute Senate Bill No. 5996 entitled:

"AN ACT Relating to Washington state department of transportation projects."

This bill is one of several substantive transportation reform bills I am signing into law today. The goal of this particular bill is to streamline the environmental decision making process for transportation projects without sacrificing environmental protections. Section 9 contains additional reporting requirements for the Washington State Department of Transportation (WSDOT) on lean efforts and to complete a Baldrige assessment. I wholeheartedly support adequately measuring and reporting on performance metrics and lean management efforts. The transportation investment package, however, already includes a number of studies and reports WSDOT must complete and prioritize within available funding. The unfunded requirements in Section 9 of this bill unnecessarily hinder efforts to implement this and other reform bills.

For these reasons I have vetoed Section 9 of Second Engrossed Substitute Senate Bill No. 5996.

With the exception of Section 9, Second Engrossed Substitute Senate Bill No. 5996 is approved.

Respectfully submitted,
Jay Inslee
Governor

MESSAGES FROM THE SECRETARY OF STATE

July 17, 2015

The Honorable Brad Owen
Lieutenant Governor of Washington
Legislative Building
Olympia, WA 98504

Dear Lieutenant Governor Owen:

I respectfully transmit for your consideration Second Engrossed Substitute Senate Bill 5988 which have been partially vetoed by the Governor, along with his objection to the bill, as required by Article III, section 12, of the Washington State Constitution.

IN TESTIMONY WHEREOF, I have signed and affixed the seal of the state of Washington the 17 day of July 2015

Kim Wyman
Secretary of State

MESSAGE FROM THE GOVERNOR
PARTIAL VETO ON SECOND ENGROSSED
SUBSTITUTE SENATE BILL NO. 5988

July 15, 2015

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning herewith, without my approval as to Section 204, page 3, lines 31-35, and page 4, lines 1-15, Second Engrossed Substitute Senate Bill No. 5988 entitled:

"AN ACT Relating to additive transportation funding and appropriations."

Section 204, page 3, lines 31-35, and page 4, lines 1-15, Department of Transportation, Beaver Dams

This proviso creates a complicated process for managing beaver dams on private property that pose a threat to Washington state highways, individual personal property, and public safety. The proposed process would require the Washington State Department of Transportation to notify private property owners of impending threats from beaver dam failure, to produce wildlife management plans, and to provide potential remedies that could create liability for the state. Therefore, I have vetoed Section 204, page 3, lines 31-35, and page 4, lines 1-15.

For these reasons I have vetoed Section 204, page 3, lines 31-35, and page 4, lines 1-15 of Second Engrossed Substitute Senate Bill No. 5988.

With the exception of Section 204, page 3, lines 31-35, and page 4, lines 1-15, Second Engrossed Substitute Senate Bill No. 5988 is approved.

Respectfully submitted,
Jay Inslee
Governor

MOTION

On motion of Senator Fain, and without objection, the vetoes and partial vetoes by the Governor were held at the desk.

MESSAGE FROM THE GOVERNOR

September 15, 2015

To the Honorable, the Senate
Of the State of Washington

Ladies and Gentlemen:

In compliance with the provisions of Article III, Section 11, of the Constitution of the state of Washington, the Governor hereby submits his report of each case of reprieve, commutation or pardon that he has granted since the adjournment of the 2015 Regular and Special Sessions of the 64th Legislature, copies of which are attached.

Sincerely,
Nicholas W. Brown
General Counsel

Cc: Joby Shimomura, Chief of Staff

**FULL AND UNCONDITIONAL PARDON
OF
ANTONY LOLO XCZAR**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on July 25, 2001, Antony Lolo Xczar assaulted an acquaintance. Mr. Xczar arrived home that evening and found a homeless acquaintance – who Mr. Xczar had allowed to stay at his home – and his acquaintance's guest using drugs in Mr. Xczar's apartment. After the two refused to leave Mr. Xczar's apartment, he announced that he was going to phone the police.

Mr. Xczar's acquaintance then grabbed Mr. Xczar and began choking him. Mr. Xczar reached for a nearby golf club and swung it over his shoulder, striking his acquaintance in the head.

WHEREAS, on February 21, 2002, Mr. Xczar pleaded guilty to third degree assault in King County Superior Court, Cause No. 01-1-9798-5. The trial court sentenced Mr. Xczar to 90 days of confinement, including 60 days in partial confinement, and 30 days of community service under the supervision of the Department of Corrections. The trial court also imposed \$1,920.00 in restitution to the victim and \$10,919.07 to the Department of Social and Health Services.

WHEREAS, Mr. Xczar has accepted full responsibility for his actions and satisfied all of his sentence requirements. Following his sentence, he continued his education, earning two associate's degrees from Seattle Central Community College, a bachelor's degree from The Evergreen State College, and a master's degree from the University of Washington. He has also devoted his life to serving others.

WHEREAS, Mr. Xczar has had no further criminal law violations since this 2001 incident.

WHEREAS, the Clemency and pardons Board reviewed Mr. Xczar's petition for a pardon. The testimony before the Board was that Mr. Xczar has committed his life to service through a variety of church programs and social work. He also excelled in the classroom, achieving high academic marks and earning over 30 certificates of continued of continued education in addition to his degrees.

WHEREAS, Mr. Xczar's conviction prevents him from pursuing a career in counseling, his desired profession. Some of the counseling-related licenses that Mr. Xczar obtained are temporary and only become permanent through completion of a given number of work hours. But many employers of counselors maintain policies that bar convicted felons from employment because those counselors must work in facilities in which convicted felons may not work.

WHEREAS, over 25 faith community members, school colleagues and instructors, potential employers, and friends voiced support for Mr. Xczar before the Clemency and Pardons Board either in person or in writing.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Xczar be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the State of Washington, hereby grant to Antony Lolo Xczar this FULL AND UNCONDITIONAL pardon of his conviction for third degree assault, King County Cause No. 01-1-9798-5.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10th day of February, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
TIMO TOIVO TORISTOJA**

To All to Whom These Presents Shall Come, Greetings:

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

WHEREAS, on November 28, 1995, Timo Toivo Toristoja sold a baggy of what he believed to be controlled substance to an undercover detective from the Clark Skamania Drug Task Force.

WHEREAS, on October 7, 1996, Mr. Toristoja pleaded guilty to the amended charge, unlawful delivery of a controlled substance, amphetamine, in Clark County, Cause No. 95-1-02099-2. The trial court sentenced Mr. Toristoja to 135 days in Clark County jail with credit for 10 days served, and he served the remaining 125 days in a work release program.

WHEREAS, Mr. Toristoja accepted full responsibility for his actions and completed all of his sentence requirements, including a successful term in his work release program.

WHEREAS, Mr. Toristoja has had no further criminal law violations since this 1995 incident.

WHEREAS, the Clemency and Pardon's Board twice reviewed Mr. Toristoja's petition for a pardon. The testimony before the Board was that upon completion of his work release program, he secured employment for six years at a local shipyard. In the years since, Mr. Toristoja has started two Clark County business that employ approximately 60 people and generate approximately \$7 million for the local economy. Mr. Toristoja works seven days a week to support his immediate family and many members of his extended family.

WHEREAS, Mr. Toristoja has partnered his businesses with the Clark County Work Release program, and he has hired 15 to 20 former felons as a work release program employer. He requires work release employees to pass urinalysis tests; and Mr. Toristoja estimates that half of his work release employees have not lapsed into criminal behavior. Though one of Mr. Toristoja's businesses does not generate enough profit for him to take a salary, he continues to operate the business to provide these employment opportunities for others.

WHEREAS, Mr. Toristoja's conviction prevents him from pursuing federal government contracts or securing larger lines of credit, opportunities that would otherwise allow his businesses to further expand and provide greater opportunities for employees in the Clark County area.

WHEREAS, community members, family members, employees, business clients and partners, and friends all voiced support for Mr. Toristoja before the Clemency and Pardons Board either in person or in writing.

WHEREAS, the Clemency and Pardons Board twice voted unanimously to recommend that Mr. Toristoja be granted a full pardon.

WHEREAS, I, have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Timo Toivo Toristoja this FULL AND UNCONDITIONAL pardon of his conviction for unlawful delivery of a controlled substance, amphetamine, Clark County Cause No 95-1-02099-2.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10th day of February, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
JOSE ANTONIO FELICIANO**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Jose Antonio Feliciano pleaded guilty to two counts of fourth degree assault—domestic violence against his ex-wife, with offense dates of March 3, 1997, and May 20, 2001. During the 2001 incident, he also interfered with the victim's reporting of the domestic violence.

WHEREAS, Mr. Feliciano accepts full responsibility for his past conduct in these incidents and expresses remorse, and he has satisfied all the conditions of his judgement and sentence, including completing a domestic violence program. He has continued his treatment and education beyond that mandated by his sentence; Mr. Feliciano has spoken with counselors and has attended meetings to better understand how domestic violence impacts one's family and surrounding community.

WHEREAS, Mr. Feliciano has had no further criminal law violations since the 2001 incident involving his ex-wife, and his current wife has never feared Mr. Feliciano during their relationship together.

WHEREAS, Mr. Feliciano met his current wife in 2002 and together they have built what appears to be a stable family with five children.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Feliciano's pardon petition. The testimony before the Board was that Mr. Feliciano volunteers at the Saint Francis House in Puyallup, feeding the homeless. Also, Mr. Feliciano has accrued 26 years of military service time, including two tours of duty overseas in Iraq. He currently serves full-time in the Washington Army National Guard.

WHEREAS, the presence of these two convictions on Mr. Feliciano's record may prevent him from completing his military service and obtaining his full active-duty retirement.

WHEREAS, Mr. Feliciano's ex-wife, the victim in these domestic violence incidents, fully supports Mr. Feliciano's request for a pardon. Mr. Feliciano's military superiors also support his petition so that he may continue his service.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Feliciano receive a full pardon and the Pierce County Prosecuting Attorney does not object to pardoning Mr. Feliciano.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding, this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Jose Antonio Feliciano this FULL AND UNCONDITIONAL pardon of his convictions for fourth degree assault—domestic violence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10th day of February, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
TERAN DOLORES-CORTEZ**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on December 11, 1996, a Tacoma police officer stopped then 20-year old Teran Dolores-Cortez as he was driving his vehicle. Five other individuals were with Mr. Dolores-Cortez in his vehicle, one of whom had an outstanding arrest warrant. The officer searched Delores-Cortez's car incident to his

passenger's arrest and found cocaine on the vehicle's passenger side.

WHEREAS, on January 9, 1997, Mr. Dolores-Cortez pleaded guilty to unlawful possession of a controlled substance, cocaine, in Pierce County Superior Court, Cause No. 96-1-4742-4. The trial court sentenced Mr. Dolores-Cortez to 29 days of confinement with credit for 29 days served.

WHEREAS, Mr. Dolores-Cortez has accepted full responsibility for his actions and completed all of his sentence requirements. Following this incident, Mr. Dolores-Cortez married and started a family, which he has worked full time to support. And he has become involved in his church, shuttling churchgoers to services, and volunteering at a local drug and alcohol rehabilitation center.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Dolores-Cortez's petition for a pardon. The testimony before the Board was that Mr. Dolores-Cortez provides financial and emotional support to his family, which includes a wife and five children.

WHEREAS, Mr. Dolores-Cortez's conviction will force his deportation from the United States and permanently bar him from legalizing his status and returning here to live with and support his family.

WHEREAS, Mr. Dolores-Cortez's wife, friends coworkers, former employers, and pastor expressed support for Mr. Dolores-Cortez before the Clemency and Pardons Board either in person or in writing. They described Mr. Dolores-Cortez as a man of professionalism, honesty, and integrity.

WHEREAS, the Clemency and Pardons Board noted that this conviction, relating to a non-violent, victimless offense, dated to 1996. The Board voted unanimously to recommend that Mr. Dolores-Cortez be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Teran Dolores-Cortez this FULL AND UNCONDITIONAL pardon of his conviction for unlawful possession of a controlled substance, cocaine, Pierce County Cause No. 96-1-4742-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 10th day of February, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**CONDITIONAL PARDON
OF
MUBARAK FAWWAZ ABDUR RAHEEM**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on November 9, 1999, Mubarak Fawwaz Abdur Raheem pleaded guilty to third degree theft and fourth degree assault in Kitsap County Superior Court, Cause No. 99-1-1194-3. This misdemeanor charges arose after Mr. Abdur Raheem took a pizza from a pizza delivery person without paying. At the time of this incident, Mr. Abdur Raheem was 18 years old.

WHEREAS, Mr. Abdur Raheem accepts full responsibility for his past conduct and expresses remorse, and he has satisfied all the conditions of his judgment and sentence, including completion of an anger management program and payment of his legal financial obligations. He has also completed a substance abuse program and overcome the addictions that contributed to

his past criminal troubles. He continues to participate in this substance abuse program, sharing his story with others.

WHEREAS, Mr. Abdur Raheem has overcome a difficult upbringing and his past addictions, and he has had no criminal law violations since 2006. Mr. Abdur Raheem has earned two bachelor's degrees from the University of Washington and a law degree from Lewis & Clark Law School. He has gained admission to the Washington State Bar Association. He now speaks to others struggling with substance abuse or criminal histories to offer his story to inspire and mentor students at an alternative high school.

WHEREAS, Mr. Abdur Raheem is now married and raising a young daughter.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Abdur Raheem's pardon petition, which included written support from friends, his substance abuse counselor, and members of the legal community, among others. Mr. Abdur Raheem also explained to the Board that he volunteers with the Oregon Islamic Chaplains Organization, feeding Portland's homeless community, and raising public awareness for the needs of homeless public school children.

WHEREAS, the presence of these two misdemeanor convictions on Mr. Abdur Raheem's record prevents him from pursuing his desired career goals, employment as a prosecuting attorney, or as an attorney in the United States Armed Forces.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Abdur Raheem receive a conditional pardon. The Kitsap County Prosecuting Attorney does not object to pardoning Mr. Abdur Raheem and supports him in his future endeavors.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vest in me as Governor of the state of Washington, hereby grant to Mubarak Fawwaz Abdur Raheem this CONDITIONAL pardon of his convictions for third degree theft and fourth degree assault, in Kitsap County Cause No. 99-1-1194-3. This pardon is conditioned upon Mr. Abdur Raheem collecting no new criminal convictions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 11th day of February, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**REVOCATION OF CONDITIONAL COMMUTATION
OF
JOSEPH SCOTT WHARTON**

To All to Whom these Presents Shall Come, Greetings:

WHEREAS, Joseph Scott Wharton was convicted on April 22, 1997, of five counts of Robbery in the Second Degree in King County Superior Court Cause Number 97-1-00657-7 and sentenced to serve life without the possibility of parole under Washington's persistent offender law, otherwise known as the "Three Strikes" law.

WHEREAS, Mr. Wharton submitted a petition to the Washington State Clemency and Pardons Board in 2012, requesting that his Life Sentence without the Possibility of Parole on Cause Number 97-1-00657-7 be commuted by Governor Christine Gregoire.

WHEREAS, Mr. Wharton showed considerable rehabilitation during his period of incarceration. Even though Mr. Wharton had

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

no reason to believe he would ever be released from prison, he proactively sought out and participated in whatever classes or programs were available to improve his life skills and enhance his education, in addition to counseling and treatment for his previous substance abuse and his ongoing recovery from addiction.

WHEREAS, following Mr. Wharton’s Clemency and Pardons Board hearing on December 7, 2012, the Board issued a unanimous recommendation in support of a commutation of Mr. Wharton’s life without the possibility of parole sentence. King County Prosecutor Daniel Satterberg supported his conditional release; and the sentencing judge for his “third strike” offense, then-retired King County Superior Court Judge Michael J. Fox, supported a commutation.

WHEREAS, on July 30, 2013, I granted Mr. Wharton a conditional commutation subject to his completing a 24-month community custody term following his release and complying with numerous community custody conditions. These conditions required Mr. Wharton to, among other things, refrain from drug and alcohol use, participate in a residential treatment program and regularly report with a community corrections officer and subject himself to random urinalysis testing.

WHEREAS, in early October 2013, Mr. Wharton left his residential substance treatment program without permission. Following Mr. Wharton’s departure from his program, the Department of Corrections had reason to believe that he had consumed drugs and alcohol.

WHEREAS, on October 28, 2013, the Department of Corrections held a hearing to determine whether Mr. Wharton violated his community custody conditions. At this hearing, Mr. Wharton pleaded guilty to six different violations, including the use of methamphetamine. The hearing officer entered findings that Mr. Wharton violated these six different community custody conditions.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington under RCW 10.01.120, revoke Mr. Wharton’s conditional commutation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 19th day of February, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
ANGUS BRENT TATE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Angus Brent Tate pleaded guilty to SECOND DEGREE ARSON in July 1968, Yakima County Superior Court Cause No. 14894. He also pleaded guilty to SECOND DEGREE BURGLARY in February 1972, Yakima County Superior Court Cause No. 16735.

WHEREAS, Mr. Tate accepts full responsibility for his past conduct in these incidents, expresses remorse, and has satisfied the conditions of his judgements and sentences.

WHEREAS, Mr. Tate has had no further criminal law violations since the 1972 burglary, and following his release from prison, he has devoted his life to improving the lives of others in his community.

WHEREAS, Mr. Tate is married and has 16 grandchildren, 13 of whom he and his wife have helped raise. Mr. Tate and his wife currently have temporary custody of three of their young grandchildren whose parents suffer from addiction and are in and out of the justice system. When Mr. Tate and his wife took custody of these three grandchildren, the grandchildren were underweight and developmentally behind where they should be at

their age. Since moving in with Mr. Tate and his wife, the grandchildren have made significant strides and are doing much better.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Tate’s pardon petition, which included over 40 letters of support from friends, family, and community members. The testimony before the Board was that, since his release from incarceration, Mr. Tate has dedicated his life to serving his community. He has been continuously employed for roughly 40 years. He has worked as a social worker for the state since 1986 and served as his church’s pastor for over 20 years.

WHEREAS, the presence of these two convictions on Mr. Tate’s record may prevent him from obtaining full legal custody of his grandchildren; and, if he does not obtain permanent custody, the grandchildren may be forced into foster care.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Tate receive a full pardon. The Yakima County Prosecuting Attorney does not object to pardoning Mr. Tate and commends his commitment to the community. Furthermore, the Indeterminate Sentence Review Board supports Mr. Tate’s petition.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Angus Brent Tate this FULL AND UNCONDITIONAL pardon of his 1968 conviction for SECOND DEGREE ARSON and his 1972 conviction for SECOND DEGREE BURGLARY.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 13th day of March, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
TAYLOR ROBINSON CHOYCE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Taylor Robinson Choyce pleaded guilty to SECOND DEGREE ASSAULT in April 2001, Thurston County Superior Court Cause No. 00-1-1733-6. He was 18 years old at the time of the assault, when he chased, with a decorative sword, his two college roommates and their associate who had broken into his bedroom and were rummaging through his private belongings. In the course of the chase, Mr. Choyce stabbed the victim in the lower back with his sword, causing a two to three centimeter wound which resulted in no permanent damage.

WHEREAS, Mr. Choyce accepts full responsibility for his conduct in this incident, expresses remorse, and he has satisfied the conditions of his judgment and sentence, including paying all fines and costs.

WHEREAS, Mr. Choyce had no prior criminal conduct and has had no further criminal law violations in his life, aside from this single incident.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Choyce’s pardon petition, which included numerous letters of support from friends, family, and community members. The testimony before the Board was that, since this incident, Mr. Choyce has flourished, completing his education, finding steady employment, and starting a family.

WHEREAS, the sentencing judge, Judge Richard Strophy, testified at Mr. Choyce's clemency hearing. He characterized Mr. Choyce's conviction as "a miscarriage of justice," given Mr. Choyce's lack of criminal history and the circumstances of the offense. During the case's prosecution, Judge Strophy felt so compelled by what he perceived as an injustice, that he did something he had never done before and would never do again during his 24 years on the Superior Court bench—he encouraged the parties to work out a deal whereby Mr. Choyce could avoid facing a felony. And because Judge Strophy felt so passionately that the State had overstepped its bounds by prosecuting Mr. Choyce for a felony, Judge Strophy testified on Mr. Choyce's behalf before the Board.

WHEREAS, this conviction's presence on Mr. Choyce's record prevents him from pursuing his desired career opportunities. The conviction also prevents Mr. Choyce the opportunity to volunteer at Big Brothers.

WHEREAS, the Clemency and Pardons Board voted to recommend that Mr. Choyce receive a full pardon. The Thurston County Prosecuting Attorney expressed no objection to the pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interest of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Taylor Robinson Choyce this FULL AND UNCONDITIONAL pardon of his 2001 conviction for SECOND DEGREE ASSAULT.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 16th day of April, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**COMMUTATION
OF
SHAYNE LYLE ROCHESTER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Shayne Lyle Rochester was found guilty of ATTEMPTED FIRST DEGREE ROBBERY including a firearm enhancement, in January 2010, King County Superior Court Cause No. 09-C-4235-3-SEA. Mr. Rochester drove to his former roommate's residence with two women, who he knew were both armed with handguns, and directed them to collect money that Mr. Rochester's former roommate owed him. The women entered the roommate's home without permission and, after refusing to leave, produced their weapons and demanded money, before discharging an errant shot and fleeing. The State prosecuted Mr. Rochester as an attempted robbery accomplice; Mr. Rochester was found guilty and sentenced to 37 months for the robbery and 36 months on the firearm enhancement.

WHEREAS, Mr. Rochester successfully challenged an alleged jury instruction error on direct appeal, and Division One of the Court of Appeals overturned his firearm enhancement and its 36 month sentence, basing its decision on the Washington State Supreme Court's opinion in *State v. Bashaw*, 169 Wn.2d 133, 234 P.3d 195 (2010). The State then appealed Division One's ruling to the Washington Supreme Court, where it was stayed pending an anticipated ruling in a case that would reconsider the *Bashaw* opinion, *State v. Nunez*, 174 Wn.2d 707, 285 P.3d 21 (2012).

WHEREAS, following his successful direct appeal at Division One, Mr. Rochester was released from prison on his own personal recognizance, pending the stay in his case. At the time of his release, Mr. Rochester had served approximately 28 months of his 37 month sentence on his attempted first degree robbery conviction. The Department of Corrections, after factoring his earned release time, determined that Mr. Rochester had completed his robbery sentence.

WHEREAS, the Washington Supreme Court subsequently issued its anticipated decision in *Nunez*, overturning the decision in *Bashaw*. Consequently, our Supreme Court remanded Mr. Rochester's case to Division One for action consistent with the *Nunez* opinion, and Division One affirmed Mr. Rochester's firearm enhancement, along with its 36 month sentence. When Division One issued its opinion on remand, Mr. Rochester had been out of prison on his own personal recognizance for over 13 months. Mr. Rochester has now been out of custody since October 2011, pending ongoing appeals associated with his case. Since his release from custody, Mr. Rochester has complied with the terms of his release.

WHEREAS, Mr. Rochester accepts full responsibility for his conduct in this incident and has expressed remorse. He has taken affirmative steps to confront and overcome his substance abuse additions, which led to this offense. Mr. Rochester has also established custody of his young son and has cultivated a strong relationship. He has dedicated himself to community groups that provide social rehabilitative support to parents in the child welfare and prison system.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Rochester's clemency petition, which included several letters of support from his family, social workers, and other community members, including retired King County Superior Court Judge Anthony Wartnik. The victim of the offense and the King County Prosecuting Attorney's Office also support Mr. Rochester's clemency petition.

WHEREAS, denial of this clemency petition would return Mr. Rochester to prison for 36 months and cause great upheaval to his family. In a letter supporting Mr. Rochester's petition, the Department of Social And Health Services expressed that the best interests of Mr. Rochester's son would be served if Mr. Rochester were not returned to prison.

WHEREAS, at a March 14, 2014, clemency hearing, the Clemency and Pardons Board unanimously voted to recommend that Mr. Rochester's 36 month sentence on his firearm enhancement be commuted; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Shayne Lyle Rochester's 36 month sentence for his 2010 firearm enhancement on his ATTEMPTED FIRST DEGREE ROBBERY conviction.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 23rd day of July, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
COREY JAMES EVERETT**

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Corey James Everett pleaded guilty to SECOND DEGREE ARSON in November 1985, Adams County Superior Court Cause No. 85-1-44-7. He was 17 years old at the time of the arson, when, after a night of partying, he and another young friend ignited an onion storage shed that covered onion crates.

WHEREAS, Mr. Everett accepts full responsibility for his conduct in this incident, expresses remorse, and has satisfied the conditions of his judgement and sentence, paying fines and costs amounting to \$3,126.99.

WHEREAS, at the time of the crime in 1985, Mr. Everett was 17 years old. Since that time, the scientific and criminal justice communities have learned a significant amount about juvenile brain development and the difficulty juveniles have in engaging in behavior control, often leading to transient rashness, proclivity for risk, and inability to assess the full consequences of one's actions.

WHEREAS, Mr. Everett had no prior criminal conduct and has had no further criminal convictions in his life. Furthermore, since the date of the incident, Mr. Everett has not consumed drugs, and he has also quit drinking alcohol.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Everett's clemency petition, which included a letter of support from Benton County Sheriff's Lieutenant Robert Guerrero, Jr, and, the testimony before the Board was that from the time he was 16 years old, Mr. Everett lived alone and supported himself. Following this incident, Mr. Everett committed himself to his high school education and ultimately graduated.

WHEREAS, Mr. Everett is a valuable, contributing member of his Othello community. He has a family and for over 18 years he has been employed as a sanitation truck driver. He is also a member of a "Relay for Life" team as well as a long-time volunteer with the Othello Rodeo, Othello Sun Fair, and Adams County Fair. Recently, he was elected to serve the public as a member of the Othello City Council.

WHEREAS, the Clemency and Pardons Board voted to recommend that Mr. Everett receive a full pardon. Neither the Adams County Prosecuting Attorney, nor any victims of the crime, have expressed any objection to the pardon; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardon's board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Corey James Everett this FULL AND UNCONDITIONAL pardon of his 1985 conviction for SECOND DEGREE ARSON.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 23rd day of July, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
PATRICK BRYAN HITCHCOCK**

To All to Whom these Presents Shall Come, Greetings:

WHEREAS, Patrick Bryan Hitchcock pleaded guilty to SECOND DEGREE THEFT in January 1990, Yakima County Superior Court Cause No. 89-1-2269-4. He was 18 years old at the time of the theft, when he and two friends took rolls of iron wired from an open field to recycle for cash.

WHEREAS, Mr. Hitchcock accepts full responsibility for his conduct in this incident, expresses remorse, and has satisfied the conditions of his judgment and sentence, paying fines and costs amounting to the \$852.51.

WHEREAS, in 1995 Mr. Hitchcock took the initiative to successfully overcome the addictions that fueled his earlier criminal behavior by committing himself to a 28 day inpatient treatment program followed by a 90 day out-patient program. Since 1995, he has had no criminal law convictions.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Hitchcock's clemency petition, which included several letters of support from current and former employers, his landlord, and other community members. Retired Washington State Patrol Lieutenant Jeff Jones also offered his "highest recommendation" for Mr. Hitchcock.

WHEREAS, the testimony before the Board was that since Mr. Hitchcock conquered his addictions, he has become an upstanding citizen and contributing member in his community. He has been married for over 16 years and has a family, and he has been steadily employed.

WHEREAS, this conviction on Mr. Hitchcock's record prevents him from volunteering to help his wife in her preschool classroom, and it precludes him from taking his son hunting.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Mr. Hitchcock receive a full pardon. The Yakima County Prosecuting Attorney wrote in support of Mr. Hitchcock's petition, as did the victim of the theft; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Patrick Bryan Hitchcock this FULL AND UNCONDITIONAL pardon of his 1990 conviction for SECOND DEGREE THEFT.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 23rd day of July, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
DeEDRA MARIE WATKINS**

To All to Whom these Presents Shall Come, Greetings:

WHEREAS, DeEdra Marie Watkins was found guilty in Seattle Municipal Court of PROSTITUTION in November 1983, and PROSTITUTION and ESCAPE in July 1984. Ms. Watkins was just 16 and 17 years old at the time of these misdemeanor crimes, when an older man force her into the sex trade by beating her and threatening her and her family with violence.

WHEREAS, Ms. Watkins has overcome many of the difficulties from her past. She successfully completed her General Educational Development (GED) test. She also took the initiative to conquer her struggles with substance abuse. Ms. Watkins even launched her own cleaning business, which employed five people and served low-income customers before succumbing to the economic woes of recent years.

WHEREAS, the Clemency and Pardons Board reviewed Ms. Watkins' clemency petition. It heard from Ms. Watkins and her cousin and former employer, who spoke of Ms. Watkins' work ethic, her responsible character, and emotional growth over the years.

WHEREAS, these crimes on Ms. Watkins' record have hindered her pursuit of the educational and career opportunities for which she was qualified and interested. This difficulty in finding work has challenged Ms. Watkins' ability to support her family.

WHEREAS, these crimes also prevent Ms. Watkins from engaging in her grand-daughter's school activities. Ms. Watkins also feels that she is uniquely positioned to help at-risk youth, but her criminal record precludes her from volunteering with many community organizations.

WHEREAS, the Seattle City Attorney's Office does not oppose Ms. Watkins' clemency petition.

WHEREAS, the Clemency and pardons Board unanimously voted to recommend that Ms. Watkins be pardoned; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to DeEdra Marie Watkins this FULL AND UNCONDITIONAL pardon of her 1983 conviction for PROSTITUTION and her 1984 convictions for PROSTITUTION and ESCAPE.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 23rd day of July, A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
KATIE ELIZABETH ARNDT**

To All to Whom these Presents Shall Come, Greetings:

WHEREAS, in 2004, Katie Elizabeth Arndt pleaded guilty to THIRD DEGREE MALICIOUS MISCHIEF—DOMESTIC VIOLENCE in Bremerton Municipal Court, Cause No. 10290612 and was sentenced to 365 days of confinement, with 335 suspended, and a \$5,000 fine with \$4,250 suspended. This gross misdemeanor charge arose after Ms. Arndt broke a window at her ex-boyfriend's home in 2000.

WHEREAS, Ms. Arndt accepts full responsibility for her past conduct and expresses remorse, and she has satisfied all the conditions of her judgement and sentence, including completion of a domestic violence perpetrator's treatment program and payment of her legal financial obligations.

WHEREAS, Mr. Arndt has overcome a difficult upbringing and past addictions, and she has engaged in no criminal activity since 2000. Ms. Arndt has earned an Associate of Arts degree from Spokane Falls Community College with honors, and is currently in nursing school, preparing to become a registered nurse. This gross misdemeanor domestic violence conviction on Ms. Arndt's record, however, prevents her from pursuing her goal of a nursing career.

WHEREAS, the Clemency and Pardons Board reviewed Ms. Arndt's pardon petition, which included numerous letters of support including a letter from the victim; and, the Office of the Kitsap County Prosecuting Attorney has commended her rehabilitation efforts and does not oppose her petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Ms. Arndt be granted a full pardon.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the

involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Katie Elizabeth Arndt this FULL AND UNCONDITIONAL pardon of her conviction for THIED DEGREE MALICIOUS MISCHIEF—DOMESTICE VIOLENCE, in Kitsap County Cause No. 10290612, so that she may fully pursue her career goals and employment opportunities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 17th day of October A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDTIONAL PARDON
OF
JAMIE STEPHEN SETTLE**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 1997, Jamie Stephen Settle pleaded guilty to THIRD DEGREE ASSAULT in Thurston County Superior Court, Cause No. 97-1-2163-8 and was sentenced to confinement for 30 days, community supervision for 12 months, and \$610.00 in fines. This felony charge arose from a 1997 incident in which Mr. Settle unlawfully entered the victim's home, searching for his ex-girlfriend, and struck the victim with his fists.

WHEREAS, Mr. Settle accepts full responsibility for his conduct and expresses remorse, and he has satisfied all the conditions of his judgement and sentence, including completion of an anger management program and prompt payment of his legal financial obligations. Since this offense, he has had no further criminal convictions.

WHEREAS, Mr. Settle is now married and raising two young children, and he built the home in which they currently live. In February 2013 Mr. Settle was diagnosed with terminal Glioblastoma Multiform State IV brain cancer. Prior to his diagnosis, Mr. Settle was a full-time student at Centralia Community College pursuing a career in electrical; engineering.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Settle's petition for a pardon, which included letters of support that indicate that since this criminal incident, Mr. Settle has found steady employment, pursued education, and devoted himself to his family. The Clemency and Pardons Board voted unanimously to recommend that Mr. Settle receive a full pardon. The Thurston County Prosecuting Attorney expressed no objection to Mr. Settle's petition.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Jamie Stephen Settle this FULL AND UNCONDITIONAL pardon of his conviction for THIRD DEGREE ASSAULT in Thurston County Superior Court, Cause No. 97-1-2163-8.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 17th day of October A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**CONDITIONAL COMMUTATION
OF
ORLANDO WADE AMES**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on December 7, 1994, Orlando Wade Ames was charged with SECOND DEGREE ASSAULT in King County Superior Court, Cause No. 94-1-08084-5, and sentenced to Life Without the Possibility of Parole (LWOP) under the Persistent Offender Accountability Act, otherwise known as the “Three Strikes” law, after he assaulted a male who was unknown to him at the time. Prior to this, in the 1980s, Mr. Ames had been convicted of first degree robbery for threatening a taxi driver in order to take the driver’s money; he had also been convicted of second degree robbery for assaulting a commuter and taking some of the commuter’s belongings. Mr. Ames served lengthy sentences on each of these earlier convictions.

WHEREAS, Mr. Ames accepts full responsibility for his conduct in this incident, and he expresses remorse. He has been in prison since 1995, almost 20 years. Since 1998, Mr. Ames has received just three minor infractions while incarcerated, and since 2004 he has been a model prisoner, receiving no infractions. Mr. Ames has also seized every opportunity to improve himself while in prison. He has completed anger management, conflict resolution, and non-violence related courses; and, in 2012 he earned his Associates’ Degree from Ohio University.

WHEREAS, Mr. Ames has developed heart disease that has resulted in multiple surgeries, and doctors inserted a stent and implantable cardioverter defibrillator into his chest.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Ames’s clemency petition, which included several letters of support from his family and other community members. King County Prosecutor Daniel Satterberg personally voiced support for Mr. Ames’s commutation and testified at his hearing, explaining that if the King County Prosecutor’s Officer were prosecuting Mr. Ames’s case today, it would seek a determinate sentence much shorter than the life sentence Mr. Ames received. The judge that sentenced Mr. Ames also conveyed his support for Mr. Ames’s commutation.

WHEREAS, the testimony before the Board was that Mr. Ames’s support network will not only support him emotionally and help him transition to life outside of prison, but it will provide him a place to live and employment opportunities upon his release. The State believes that Mr. Ames’ risk of reoffending is low.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor CONDITIONALLY COMMUTE Mr. Ames’s sentence based upon a transition plan directed by the Department of Corrections.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Orlando Wade Ames’s sentence for his 1995 SECOND DEGREE ASSAULT conviction, conditioned on his agreement to comply with all terms outlined by the Department of Corrections in a transition plan, as well as any conditions set forth by the Department of Corrections and its community corrections officers. These conditions shall include, but not be limited to, the following:

Mr. Ames shall:

1. Obey all laws;

2. Fully comply and abide by all conditions set forth by the Department of Corrections and his community corrections officer;
3. Enter and successfully complete identified interventions, based on his eligibility, to assist in improving his skills, relationships, and ability to stay crime free;
4. Not consume or possess alcohol;
5. Not consume or possess controlled substances, including marijuana;
6. Not possess firearms or other dangerous weapons;
7. Obtains a substance abuse evaluation and follow all treatment recommendations;
8. Participate in and successfully complete Thinking for a Change or other programs as directed by his community corrections officer; and
9. Submit to searches of himself, his home, vehicle, and property.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 14th day of November A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**AMENDED CONDITIONAL COMMUTATION
OF
ORLANDO WADE AMES**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on December 7, 1994, Orlando Wade Ames was charged with SECOND DEGREE ASSAULT in King County Superior Court, Cause No. 94-1-08084-5, and sentenced to Life Without the Possibility of Parole (LWOP) under the Persistent Offender Accountability Act, otherwise known as the “Three Strikes” law, after he assaulted a male who was unknown to him at the time. Prior to this, in the 1980s, Mr. Ames had been convicted of first degree robbery for threatening a taxi driver in order to take the driver’s money; he had also been convicted of second degree robbery for assaulting a commuter and taking some of the commuter’s belongings. Mr. Ames served lengthy sentences on each of these earlier convictions.

WHEREAS, Mr. Ames accepts full responsibility for his conduct in this incident, and he expresses remorse. He has been in prison since 1995, almost 20 years. Since 1998, Mr. Ames has received just three minor infractions while incarcerated, and since 2004 he has been a model prisoner, receiving no infractions. Mr. Ames has also seized every opportunity to improve himself while in prison. He has completed anger management, conflict resolution, and non-violence related courses; and, in 2012 he earned his Associates’ Degree from Ohio University.

WHEREAS, Mr. Ames has developed heart disease that has resulted in multiple surgeries, and doctors inserted a stent and implantable cardioverter defibrillator into his chest.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Ames’s clemency petition, which included several letters of support from his family and other community members. King County Prosecutor Daniel Satterberg personally voiced support for Mr. Ames’s commutation and testified at his hearing, explaining that if the King County Prosecutor’s Officer were prosecuting Mr. Ames’s case today, it would seek a determinate sentence much shorter than the life sentence Mr. Ames received. The judge that sentenced Mr. Ames also conveyed his support for Mr. Ames’s commutation.

WHEREAS, the testimony before the Board was that Mr. Ames’s support network will not only support him emotionally and help him transition to life outside of prison, but it will provide him a place to live and employment opportunities upon his

release. The State believes that Mr. Ames' risk of reoffending is low.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the Governor CONDITIONALLY COMMUTE Mr. Ames's sentence based upon a transition plan directed by the Department of Corrections.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE Orlando Wade Ames's sentence for his 1995 SECOND DEGREE ASSAULT conviction, conditioned on his agreement to comply with all terms outlined by the Department of Corrections in a transition plan. Under this transition plan, Mr. Ames will complete 12 months in custody, to terminate no later than December 1, 2015. Following this in-custody period, Mr. Ames will serve an additional 12 months of community custody, to end no later than December 1, 2016. During this transition, Mr. Ames will comply with any conditions set forth by the Department of Corrections its community corrections officers. These conditions shall include, but not be limited to, the following:

Mr. Ames shall:

1. Obey all laws;
2. Fully comply and abide by all conditions set forth by the Department of Corrections and his community corrections officer;
3. Enter and successfully complete identified interventions, based on his eligibility, to assist in improving his skills, relationships, and ability to stay crime free;
4. Not consume or possess alcohol;
5. Not consume or possess controlled substances, including marijuana;
6. Not possess firearms or other dangerous weapons;
7. Obtains a substance abuse evaluation and follow all treatment recommendations;
8. Participate in and successfully complete Thinking for a Change or other programs as directed by his community corrections officer; and
9. Submit to searches of himself, his home, vehicle, and property.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 26th day of November A. D., two thousand and fourteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
SIGIFREDO BUENO**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, in 2005, Sigifredo Bueno pleaded guilty to CONSPIRACY TO DELIVER A CONTROLLED SUBSTANCE—METHAMPHETAMINE in Yakima County Superior Court, Cause No. 04-1-01707-1. Mr. Bueno had been riding in a vehicle with his brother-in-law, when they picked up two other individuals, who were then dropped off and picked up again later after participating in a methamphetamine delivery. Mr. Bueno pleaded guilty to conspiring to commit the delivery, in

large part on the advice of his counsel, who had expressed that a conspiracy conviction would not be a deportable offense.

WHEREAS, Mr. Bueno accepts full responsibility for his past conduct and expresses remorse, and he has satisfied all the conditions of his judgement and sentence, including paying \$2,810 in legal financial obligations.

WHEREAS, Mr. Bueno's conviction puts him at risk for deportation. And, Mr. Bueno's wife was severely injured years ago in a work accident; now disabled, she relies on Mr. Bueno to support and care for her. Mr. Bueno is also raising two young children, who to date, have excelled in school and extracurricular activities, and he has been a driving factor behind their success. Additionally, in its past, Mr. Bueno's family has been a victim of extreme violence in Mexico, and if deported, he fears that he would be subject to continued violence.

WHEREAS, the Clemency and Pardon's Board reviewed Mr. Bueno's pardon petition, which included numerous letters of support from community members. The Yakima County Prosecuting Attorney does not oppose his petition.

WHEREAS, the Clemency and Pardons Board voted unanimously to recommend that Mr. Bueno be granted a full pardon. In recommending a pardon, the Board noted the disproportionate effect that this relatively minor crime would have on Mr. Bueno, his family, and his community, were he to be deported; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Sigifredo Bueno this FULL AND UNCONDITIONAL PARDON of his conviction for CONSPIRACY TO DELIVER A CONTROLLED SUBSTANCE—METHAMPHETAMINE, in Yakima County Superior Court Cause No. 04-1-01707-1.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 7th day of January A. D., two thousand and fifteen.

Jay Inslee
Governor of Washington

**FULL AND UNCONDITIONAL PARDON
OF
PETER JOHN NEVERS**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, Peter John Nevers pleaded guilty to THIRD DEGREE RAPE OF A CHILD in May of 1997, Spokane County Superior Court Cause No. 96-1-2457-1. When Mr. Nevers was 26 years old in 1996, he engaged in a sexual relationship with his then 14-year old girlfriend.

WHEREAS, Mr. Nevers accepts full responsibility for his conduct in this incident, expresses remorse, and has satisfied the conditions of his judgement and sentence, including paying fines and costs. And, he has no other criminal history on his record.

WHEREAS, following his incarceration for this conviction, Mr. Nevers rekindled his relationship with the victim in this case. They married in 2002 and are now raising a family.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Nevers' clemency petition, which included several letters of support from his family and other community members. The Board also received letters of strong support from the victim and her family.

FIRST DAY, JANUARY 11, 2016

2016 REGULAR SESSION

WHEREAS, Mr. Nevers' wife passionately advocated on Mr. Nevers' behalf, describing Mr. Nevers as a great person, husband, and father who has sufficiently paid his debt to society for his past conduct. She discussed how the conviction on Mr. Nevers' record prevents him from securing meaningful, steady employment, thus hurting not only Mr. Nevers, but also her and their family.

WHEREAS, Mr. Nevers agreed to undergo a psychological/sexual risk assessment, and the test results concluded that he poses a "very low risk" of sexual recidivism.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that Mr. Nevers be pardoned; and,

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby grant to Peter John Nevers this FULL AND UNCONDITIONAL pardon of his 1997 conviction for THIRD DEGREE RAPE OF A CHILD.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 7th day of January A. D., two thousand and fifteen.

Jay Inslee
Governor of Washington

**CONDITIONAL COMMUTATION
OF
JOHN WILLIAM WHEELER**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on April 13, 1999, John William Wheeler was found guilty of two counts of SECOND DEGREE ROBBERY in King County Superior Court, Cause No. 98-1-01231-1, and he was sentenced to Life Without the Possibility of Parole under the Persistent Offender Accountability Act, otherwise known as the "Three Strikes" law. These convictions are the last of four total second degree robbery convictions on Mr. Wheeler's record that date to 1988. During none of Mr. Wheeler's robberies did he carry a firearm, nor did he ever cause serious physical injury to any victim.

WHEREAS, Mr. Wheeler accepts full responsibility for his conduct in this incident, and he expresses remorse. He has overcome the chemical addictions that contributed to his criminal behavior. He has been in prison since 1999, and since 2001, Mr. Wheeler has been a model prisoner, receiving no infractions. Mr. Wheeler has also seized numerous opportunities to improve himself while in prison, completing various classes and programs; and, in 2000 he earned his General Education Diploma.

WHEREAS, Mr. Wheeler is now 65 years old, and suffers from diabetes, mild hypertension, and Hepatitis C.

WHEREAS, the Clemency and Pardons Board reviewed Mr. Wheeler's clemency petition, which included several letters of support from his family and other community members. The King County Prosecuting Attorney's Office also supported Mr. Wheeler's commutation petition and testified at this hearing, explaining the Mr. Wheeler has served a disproportionately lengthy sentence for the low-level strike offenses that he committed, and he currently exhibits a low-risk of recidivism.

WHEREAS, the testimony before the Board was that Mr. Wheeler's support network will not only support him emotionally and help him transition to life outside of prison, but it will provide him a place to live and employment opportunities upon release.

WHEREAS, the Clemency and Pardons Board unanimously voted to recommend that the governor conditionally COMMUTE Mr. Wheeler's sentence, contingent upon his completion of a substance abuse class. Since his clemency hearing, Mr. Wheeler has completed this substance abuse class; and

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crime, and the favorable recommendation of the Washington State Clemency and Pardons Board and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, adopt the recommendation of the Clemency and Pardons Board and hereby COMMUTE John William Wheeler's 1999 sentence for two SECOND DEGREE ROBBERY convictions, conditioned on his agreement to comply with all terms outlined by the Department of Corrections (DOC) in a transition plan. Under this transition plan, Mr. Wheeler will complete 12 months in custody, to terminate no later than January 1, 2016. Following this in-custody period, Mr. Wheeler will serve an additional 12 months of community custody, to end no later than January 1, 2017. During this transition, Mr. Wheeler will comply with any conditions set forth by the DOC and its community corrections officers (CCO). These conditions shall include, but no be limited to the following:

Mr. Wheeler shall:

- 1 Report as directed and be available for contact with the DOC;
- 2 Remain in a geographic area as directed by his CCO;
- 3 Participate in DOC approved education, employment and/or community service obligations, to include additional chemical dependency treatment if appropriate;
- 4 Receive prior approval from DOC for living arrangements and residence locations;
- 5 Notify his CCO before changing residence or employment;
- 6 Abide by written and verbal instructions issued by the CCO;
- 7 Not possess, receive, ship, or transport any explosive device, dangerous weapons, ammunition or firearms;
- 8 Not consume or possess controlled substances without a legal prescription;
- 9 Abstain from alcohol and marijuana use and possession;
- 10 Have no direct or indirect contact with any victims and/or their families;
- 11 Participate in electronic monitoring as directed by the CCO; and
- 12 Comply with all conditions of community custody as directed by the CCO.

PROVIDED that Mr. Wheeler shall remain under the supervision of the DOC and explicitly follow conditions established by that agency during the term of his community custody. Violation of any of the above conditions shall result in sanctions as deemed appropriate by the DOC and may result in the termination of this conditional commutation as provided below. The Department may require Mr. Wheeler to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants or detain Mr. Wheeler if he violates a condition.

ADDITIONALLY PROVIDED that in the event Mr. Wheeler is convicted anywhere at any time of any offense the elements of which would classify the crime as a gross misdemeanor or felony in the state of Washington or violates the conditions of this conditional commutation as determined by the Governor, this conditional commutation is revoked and the sentence of the court reinstated, whereupon Mr. Wheeler will be immediately returned to a corrections facility as the Secretary of the DOC deems appropriate. The DOC shall provide a written report to the Governor regarding any violation of this conditional commutation. A written notice of the Governor's intent to revoke the conditional commutation will be mailed to the most recent address Mr. Wheeler has provided to the Office of the Governor

or, if Mr. Wheeler is in custody, to his place of detention. If within 14 calendar days of the mailing of the notice Mr. Wheeler submits a sworn statement made under penalty of perjury that he has complied with all conditions of this commutation, the Governor shall appoint a hearing officer. The hearing officer will provide Mr. Wheeler an opportunity to be heard and to present witnesses and documentary evidence that he has met all conditions upon which the conditional commutation is granted. The hearing officer shall present findings of fact and a transcript of the hearing to the Governor for the Governor's final and conclusive decision on whether Mr. Wheeler has violated the conditions of this conditional commutation.

ADDITIONALLY PROVIDED that Mr. Wheeler may be detained pending judicial disposition of any new criminal charge or a final determination of whether a condition of this conditional commutation has been violated if the Governor determines there are reasonable grounds to believe he has violated the above conditions of this conditional commutation, reason to be concerned that he would pose a risk to any person or to the community, or that there is a possibility that Mr. Wheeler may abscond if not detained. If detained, Mr. Wheeler will be provided a preliminary hearing as promptly as convenient after arrest, to determine whether there are reasonable grounds to believe he has violated the above conditions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 7th day of January A. D., two thousand and fifteen.

Jay Inslee
Governor of Washington

MESSAGES FROM OTHER STATE OFFICERS

January 11, 2016

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentleman:

For your information, the following reports have been submitted by the various agencies, departments, and taskforces and received by the Office of the Secretary of the Senate since the close of the previous session:

From the Department of Agriculture - "Cost-Recovery Mechanism to Support Raw Milk Inspections and Testing Activities", in accordance with Engrossed Substitute Senate Bill No. 6052 and "Levels of Nonnutritive Substances in Fertilizers, 2015 Report", pursuant to 15.54.433 RCW;

From the Department of Corrections - "Prison Overtime Usage 2015 Report", in accordance with Engrossed Substitute Senate Bill No. 6052;

"Staff Safety, 2015 Report", pursuant to 72.09.680 RCW;

"Staff Safety, 2011 Report", in accordance with Engrossed Senate Bill No. 5907;

"Staff Safety, 2011 Report Appendix", in accordance with Engrossed Senate Bill No. 5907, and

"Felony Drug Grid Sentencing Comparison, 2015 Preliminary Report to the Legislature", in accordance with Second Engrossed Substitute Senate Bill No. 5892

From the Administrative Office of the Courts - "Dependent Children in Washington: Case Timeliness and Outcomes, 2014 Annual Report", pursuant to 13.34.820 RCW,

"Dependent Children in Washington: Timeliness of Dependency Case Processing, 2009 Annual Report", pursuant to 13.34.820 RCW,

"Dependent Children in Washington: Timeliness of Dependency Case Processing, 2010 Annual Report", pursuant to 13.34.820 RCW,

"Dependent Children in Washington: Timeliness of Dependency Case Processing, 2011 Annual Report", pursuant to 13.34.820 RCW,

"Dependent Children in Washington: Case Timeliness and Outcomes, 2013 Annual Report", pursuant to 13.34.820 RCW,

"Dependent Children in Washington: Case Timeliness and Outcomes, 2012 Annual Report", pursuant to 13.34.820 RCW,

"Residential Time Summary Report, July 2009 - June 2010", pursuant to 26.18.230 RCW, and

"Residential Time Summary Report, January - December 2013", pursuant to 26.18.230 RCW;

From the Department of Early Learning - "Early Learning Compensation Rates Comparison", pursuant to 43.215.020 RCW and "Child Welfare and Early Learning Partnerships", in accordance with Engrossed Substitute House Bill No. 2519;

From the Department of Ecology - "Mitigation Options for Domestic Water Use in the Yakima Basin", in accordance with Engrossed Substitute Senate Bill No. 6052, "Levels of Nonnutritive Substances in Fertilizers, 2015 Report", pursuant to 15.54.433 RCW and "Cleanup Settlement Account, Report for Fiscal Years 2014 and 2015", pursuant to 70.105D.130 RCW;

From the Employment Security Department - "WorkFirst Wage Progression and Returns Report: through second quarter 2014", pursuant to 74.08A.411 RCW and "WorkFirst Wage Progression and Returns Report: through first quarter 2014", pursuant to 74.08A.411 RCW;

From the Office of Financial Management - "Information Technology Expenditures", in accordance with 3Engrossed Substitute Senate Bill No. 5034 and "Independent Examination of Department of Commerce Expenditure for Private for-Profit Rental Housing", in accordance with Engrossed Substitute Senate Bill No. 5875;

From the Health Care Authority - "PEBB Annual Report of Customer Service Complaints and Appeals, 2015 Report", pursuant to 41.05.630 RCW and "Bree Collaborative Annual Report", in accordance with Engrossed Substitute House Bill No. 1311;

From the Washington State Health Insurance Pool (WSHIP) - "Health Insurance Pool after the Affordable Care Act", pursuant to 48.41.240 RCW;

From the Office of the Insurance Commissioner - "K-12 School District Health Benefits and Data Collection Project, Year 3 Report", in accordance with Engrossed Substitute Senate Bill No. 5940;

From the Department of Labor and Industries - "Contractor Compliance Activity - 2015 Report to the Legislature", pursuant to 18.27.342 RCW;

From the Department of Licensing - "Facial Recognition Matching System Annual Report", pursuant to 46.20.0371 RCW, "Tribal Fuel Tax Agreement, 2014 Report", pursuant to 82.38.310 RCW and "Driver & Vehicle Services Fee Study, 2013-2015 Report", pursuant to 46.01.360 RCW;

From the Office of the Superintendent of Public Instruction - "Kindergarten Inventory of Developing Skills (WaKIDS) Workgroup Recommendations", pursuant to 28A.655.080 RCW;

"School Transportation Efficiency", pursuant to 28A.160.117 RCW;

"Gang Activities in Schools", pursuant to 28A.300.490 RCW; "Open Educational Resources Project", pursuant to 28A.300.803 RCW;

"Safety Net Survey, 2014-15", pursuant to 28A.150.392 RCW; "Educational Technology Assessments, 2014-15 School Year", pursuant to 28A.655.075 RCW;

"Post-School Outcomes for Students with Disabilities", pursuant to 28A.155.220 RCW;

FIRST DAY, JANUARY 11, 2016

"Dual Credit Demographic Data Among Academic Acceleration Grantees", pursuant to 28A.320.196 RCW;

"Dropout Prevention, Intervention and Reengagement, 2015 Report (Building Bridges)", pursuant to 28A.175.075 RCW;

"Collaborative Schools for Innovation and Success Pilot Project", pursuant to 28A.630.106 RCW;

"Financial Education Public-Private Partnership", pursuant to 28A.300.460 RCW;

From the Department of Revenue - "Underground Economy Benchmark Report for 2015", pursuant to 18.27.800 RCW and "Tax Incentive Programs Descriptive Statistics, Report Covering Calendar Year 2014 Activity", pursuant to 82.32.534 RCW;

From Sea Grant Washington - "Shellfish Aquaculture in Washington State", in accordance with Third Engrossed Substitute Senate Bill No. 5034;

From the Office of the Secretary of State - "Paper Records Reduction Workgroup Report to the Legislature", in accordance with Engrossed Substitute Senate Bill No. 6002;

From the Sexual Assault Forensic Examination Best Practices Task Force - "2015 Preliminary Report", in accordance with Substitute House Bill No. 1068;

From the County of Snohomish - "Substance Abuse Treatment Options, Snohomish County", in accordance with Second Substitute House Bill No. 2627;

From the Department of Social & Health Services - "WorkFirst Wage Progression and Returns Report, January - March 2014", pursuant to 74.08A.411 RCW;

"WorkFirst Wage Progression and Returns Report, April - June 2014", pursuant to 74.08A.411 RCW;

"Children's Administration Annual Quality Assurance Report, July 1, 2013 - June 30, 2014", pursuant to 43.20A.870 RCW;

"Workplace Safety in State Hospitals, September 2015 Report", pursuant to 72.23.451 RCW;

"WorkFirst Program, 2015-17 Spending Plan", in accordance with Engrossed Substitute Senate Bill No. 6052;

"Child Fatality Report, July - September 2014", pursuant to 74.13.640 RCW;

"Child Fatality Report, October - December 2014", pursuant to 74.13.640 RCW;

"Timeliness of Services Related to Competency to Proceed or Stand Trial - 2014 Annual Report", in accordance with Substitute Senate Bill No. 6492;

"Reducing Racial and Ethnic Disparity in the Juvenile Justice System", pursuant to 13.06.050 RCW;

"Washington Connection Benefit Portal 2015 Report", pursuant to 74.04.225 RCW;

From the Department of Transportation - "Diesel Fuel Price Hedging, FY 2013-15", pursuant to 47.60.830 RCW,

"Transit Integration Report for 2015, Puget Sound Regional Council", in accordance with Engrossed Substitute House Bill No. 1842,

"Commute Trip Reduction Program for State Agencies 2015 Report", pursuant to 70.94.551 RCW,

"Regional Mobility Grant Program 2015 Report", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Transportation Demand Models Report", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Feasibility of EB-5 Financing for a SOLAS-Certified Ferry Vessel", in accordance with Second Engrossed Substitute Senate Bill No. 5988,

"On-the-Job Training / Support Service Program Annual Report, October 2014 - September 2015", pursuant to 47.01.485 RCW,

"Regional Mobility Grant Program, 2015-2017 Recommended Projects", pursuant to 47.66.030 RCW,

"Public Transportation, 2014 Summary", in accordance with Second Engrossed Substitute House Bill No. 1299,

2016 REGULAR SESSION

"Pedestrian and Bicycle and Safe Routes to School Grant Programs", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Fund Transfers Report (Nickel and TPA accounts), July - September 2015", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Edmonds Waterfront Analysis Report", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Use of Steel Slag Aggregate in Pavements", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Fund Transfers Report, July - September 2015", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Capital Projects Quarterly Report - 2015-17 Biennium Quarter 1", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Capital Projects Benefits to Transit, Bicycle, or Pedestrian Elements", in accordance with Second Engrossed Substitute Senate Bill No. 5988,

"Civil Penalty Process for Toll Violations, April - June 2015", in accordance with Engrossed Substitute Senate Bill No. 6001,

"Shoreline Vacancy, Seattle Area Consolidation Update and Goldsmith Lease Termination", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Rail Division Applications for Federal Funds, June 2015 Report", in accordance with Engrossed Substitute Senate Bill No. 5024,

"Regional Mobility Grant Program, 2nd Quarter 2015 Report", pursuant to 47.01.330 RCW,

"Toll Division Customer Service Center Procurement Quarterly Report April - June 2015", in accordance with Engrossed Substitute Senate Bill No. 6001,

"Freight Rail Investment Bank Project and Loan Status Update", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Civil Penalty Process for Toll Violations, January - March 2015", in accordance with Engrossed Substitute Senate Bill No. 6001,

"Short Line Rail Inventory and Needs Assessment", in accordance with Engrossed Substitute Senate Bill No. 6001,

"Practical Planning and Design Leads to Low Cost Transportation Solutions", in accordance with Engrossed Substitute Senate Bill No. 6001,

"Fund Transfers Report, January - March 2015", in accordance with Engrossed Substitute Senate Bill No. 6001,

"Regional Mobility Grant Program, 1st Quarter 2015 Report", pursuant to 47.01.330 RCW,

"Capital Projects Quarterly Report -- 2013-15 Biennium Quarter 8", in accordance with Engrossed Substitute Senate Bill No. 5024,

"Fund Transfers Reports, April - June 2015", in accordance with Engrossed Substitute Senate Bill No. 6001,

"Allocation Adjustments for Highway Projects Funded by the Nickel and TPA Accounts", in accordance with Second Engrossed Substitute House Bill No. 1299,

"Project Delivery Status Report, October - December 2014", in accordance with Engrossed Substitute Senate Bill No. 5024, and

"Commute Trip Reduction 2015 Report", pursuant to 70.94.537 RCW;

From the Office of the State Treasurer - "Public Deposit Protection Commission 2015 Report", pursuant to 43.08.300 RCW and "Short-term Bond Financing for Capital Projects 2005-15", in accordance with Second Engrossed House Bill No. 1115;

From the University of Washington - "Interagency Agreements on 340B Drug Pricing", in accordance with Engrossed Substitute Senate Bill No. 6052;

From the Utilities and Transportation Commission -
"Effectiveness of the Damage Protection Program", pursuant to
 19.122 RCW, and

From the Washington State University Energy Program -
*"Inventory and Assess the Condition of Washington's Schools,
 Initial Report to the Legislature"*, in accordance with Second
 Engrossed House Bill No. 1115.

Respectfully Submitted,
 Hunter G. Goodman
 Secretary of the Senate
 Washington State Senate

REPORT OF COMMITTEE

The Committee of honor composed of Senators Dansel and Takko appeared before the bar of the Senate and reported that the Governor had been notified that the Senate was organized and ready to conduct business.

The President received the report of the committee and the committee was discharged.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 11, 2016

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4413,
 HOUSE CONCURRENT RESOLUTION NO. 4414.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

SUPPLEMENTAL INTRODUCTION AND FIRST
 READING

HCR 4413 by Representatives Sullivan and Kretz

Specifying the status of bills, resolutions, and memorials.

HCR 4414 by Representatives Sullivan and Kretz

Convening the House of Representatives and Senate in Joint Session to receive the State of the State message of Governor Jay Inslee.

MOTION

On motion of Senator Fain, under suspension of the rules House Concurrent Resolution No. 4413 and House Concurrent Resolution No. 4414 were placed on the day's second reading calendar.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4413, by Representatives Sullivan and Kretz

Specifying the status of bills, resolutions, and memorials.

The measure was read the second time.

MOTION

On motion of Senator Fain, House Concurrent Resolution No. 4413 was advanced to third reading, and was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4413.

SENATE CONCURRENT RESOLUTION NO. 4413 having received a majority was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4414, by Representatives Sullivan and Kretz

Convening the House of Representatives and Senate in Joint Session to receive the State of the State message of Governor Jay Inslee.

The measure was read the second time.

MOTION

On motion of Senator Fain, House Concurrent Resolution No. 4414 was advanced to third reading, and placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4414.

SENATE CONCURRENT RESOLUTION NO. 4414 having received a majority was adopted by voice vote

MOTION

At 1:05 p.m., on motion of Senator Fain, the Senate adjourned until 11:30 o'clock a.m., Tuesday, January 12, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, January 12, 2016

The Senate was called to order at 11:30 a.m. by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGES FROM THE SECRETARY OF STATE

**PROVISIONAL CERTIFICATION
INITIATIVE TO THE LEGISLATURE NO.732**

Pursuant to Article II, Section 1, of the Washington State Constitution and RCW 29A.72.230, prior to the deadline of December 31, 2015, the Office of the Secretary of State received signature petitions submitted in support of Initiative to the Legislature No. 732, "Carbon Pollution Tax Act."

The Office of the Secretary of State is currently examining signatures. Article II, Section 1, of the Washington State Constitution requires 246,372 valid signatures.

I hereby attach a true and correct copy of Initiative to the Legislature No. 732.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 6 day of January, 2016.

Kim Wyman, Secretary of State

**PROVISIONAL CERTIFICATION
INITIATIVE TO THE LEGISLATURE NO.735**

Pursuant to Article II, Section 1, of the Washington State Constitution and RCW 29A.72.230, prior to the deadline of December 31, 2015, the Office of the Secretary of State received signature petitions submitted in support of Initiative to the Legislature No. 735, "Government of, by, and for the People Act."

The Office of the Secretary of State is currently examining signatures. Article II, Section 1, of the Washington State Constitution requires 246,372 valid signatures.

I hereby attach a true and correct copy of Initiative to the Legislature No. 735.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 6 day of January, 2016.

Kim Wyman, Secretary of State

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 11, 2016

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4413,

HOUSE CONCURRENT RESOLUTION NO. 4414,

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

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

HOUSE CONCURRENT RESOLUTION NO. 4414,

HOUSE CONCURRENT RESOLUTION NO. 4415.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6196 by Senators McCoy and Ericksen

AN ACT Relating to administrative processes for the utilities and transportation commission in managing deposits and cost reimbursements of the energy facility site evaluation council; amending RCW 80.50.071; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6197 by Senators Miloscia, Roach, Hill and Benton

AN ACT Relating to cybercrime; amending RCW 9.94A.515; reenacting and amending RCW 9A.52.010; adding a new chapter to Title 9A RCW; creating new sections; repealing RCW 9A.52.110, 9A.52.120, and 9A.52.130; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6198 by Senators Padden, Pearson, Miloscia and Benton

AN ACT Relating to requiring fingerprints for all driving under the influence arrests; and amending RCW 43.43.735.

Referred to Committee on Law & Justice.

SB 6199 by Senators Pearson, Chase, Roach, Bailey and Benton

AN ACT Relating to providing for legislative review of the updated North Cascade elk herd plan; and creating a new section.

Referred to Committee on Natural Resources & Parks.

SB 6200 by Senators Hewitt, Rolfes and Benton

AN ACT Relating to providing funding for steelhead conservation through the issuance of Washington's fish license plate collection; amending RCW 46.68.425; reenacting and amending RCW 46.18.200, 46.17.220, and

77.12.170; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 6201 by Senators Honeyford and Keiser

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 43.83B.430 and 70.148.020; amending 2015 3rd sp.s. c 3 ss 1036, 1037, 1076, 1077, 1083, 1095, 1114, 2004, 2016, 2023, 2035, 2038, 3054, 3058, 3059, 3060, 3066, 3084, 3165, 3166, 3200, 3224, 3235, 4002, 5010, 5011, 5012, 5013, 5085, 5086, 5089, 5098, 5101, 7001, 7002, 7012, 7023, 7037, and 7038 (uncodified); adding new sections to 2015 3rd sp.s. c 3 (uncodified); creating a new section; repealing 2015 3rd sp.s. c 3 s 1072 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6202 by Senators Hobbs, Angel, Roach, Bailey, Conway, Rivers, Rolfes, McCoy, McAuliffe and Benton

AN ACT Relating to the enforcement of employment rights arising from state active duty service by a member of the national guard; and amending RCW 73.16.061.

Referred to Committee on Government Operations & Security.

SB 6203 by Senators Parlette, Becker, Keiser and Conway

AN ACT Relating to updating statutes relating to the practice of pharmacy including the practice of pharmacy in long-term care settings; amending RCW 18.64.011, 69.50.308, 74.42.230, 69.41.032, 69.41.042, 69.41.044, 69.41.055, 69.41.220, 18.64.245, and 18.64.500; reenacting and amending RCW 69.41.010 and 69.41.030; adding new sections to chapter 18.64 RCW; and adding a new section to chapter 69.41 RCW.

Referred to Committee on Health Care.

SB 6204 by Senators Roach and McCoy

AN ACT Relating to removing disincentives to the voluntary formation of regional fire protection service authorities by equalizing certain provisions with existing laws governing fire protection districts and by clarifying the formation process; amending RCW 52.26.030, 52.26.230, 84.52.043, 84.52.043, 84.52.125, and 84.55.092; reenacting and amending RCW 52.26.020, 84.52.010, and 84.52.010; adding a new section to chapter 52.26 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Government Operations & Security.

SB 6205 by Senators Pedersen, O'Ban, Frockt and Fain

AN ACT Relating to clarifying when a person is an acquiring person of a target corporation with more than one class of voting stock; and amending RCW 23B.19.020, 23B.19.030, and 23B.19.040.

Referred to Committee on Law & Justice.

SB 6206 by Senators Hasegawa, Takko, Chase, Schoesler and Sheldon

AN ACT Relating to authorizing the growing of industrial hemp; adding a new chapter to Title 15 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6207 by Senators Rivers and Liias

AN ACT Relating to public disclosure of information submitted to the liquor and cannabis board regarding marijuana product traceability and operations; and amending RCW 42.56.270.

Referred to Committee on Commerce & Labor.

SB 6208 by Senators Billig, Carlyle and Mullet

AN ACT Relating to standardizing disclosure requirements for political committees; and amending RCW 42.17A.250.

Referred to Committee on Government Operations & Security.

SJR 8210 by Senators Schoesler, Nelson and Mullet

Amending the Constitution to advance the date for completion of the redistricting plan.

Referred to Committee on Government Operations & Security.

SCR 8405 by Senators Roach and Fraser

Renaming "Office Building 2" as the "Human Services Building."

Referred to Committee on Government Operations & Security.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 11:35 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President for the purpose of a Joint Session with the House of Representatives.

JOINT SESSION

Pursuant to House Concurrent Resolution No. 4414, the Senate appeared at the Chamber doors and requested admission. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate, Lieutenant Governor Brad Owen, Senator Tim Sheldon and Senator Karen Fraser to seats on the Rostrum. The senators were invited seats within the chamber.

The Deputy Speaker Pro Tempore, Representative Tina Orwall presiding, called upon President Owen to preside.

The President of the Senate, Lieutenant Governor Owen called the Joint Session to order. The Clerk called the roll of

SECOND DAY, JANUARY 12, 2016

2016 REGULAR SESSION

House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

President Owen: "This Joint Session has been convened to receive the state of the state message from His Excellency, Governor Jay Inslee."

The President appointed a special committee to escort the Supreme Court Justices to the House Chamber: Representatives Patty Kuderer and Drew Stokesbary and Senators Karen Keiser and Steve O'Ban.

The President appointed a special committee to escort the statewide elected officials to the House Chamber: Representatives Noel Frame and Gina McCabe and Senators Don Benton and Maralyn Chase.

The President appointed a special committee to advise His Excellency, Governor Jay Inslee, that the Joint Session has been assembled and to escort him from his Chambers to the House Chamber: Representatives J.D. Rossetti and Teri Hickel and Senators Jan Angel and Reuven Carlyle.

Sergeant of Arms Arras announced the arrival of The State Supreme Court Justices at the chamber door. They were escorted to seats at the front of the House Chamber and were introduced by the President: Chief Justice Barbara Madsen, Associate Chief Justice Charles Johnson and Justices Susan Owens, Mary Fairhurst, Debra Stephens, Charles Wiggins, Steven Gonzalez and Mary Yu.

Sergeant of Arms Arras announced the arrival of State elected officials at the chamber door. They were escorted to the front of the House Chamber and were introduced: Secretary of State Kim Wyman, Treasurer Jim McIntire, Attorney General Bob Ferguson, Superintendent of Public Instruction Randy Dorn, Insurance Commissioner Mike Kreidler and Commissioner of Public Lands Peter Goldmark.

The President introduced the officers and members of the Consular Association of Washington: Consular Generals Masahiro Omura of Japan; Moon Duk-ho of the Republic of Korea; Khalit Aisin of the Russian Federation; Eduardo Baca Cuena of Mexico; Robin Twyman of the United Kingdom; Harkiran Rajasansi of Canada; Clary Aída Monzon de Pineda of El Salvador; H. Ronald Masnik of Belgium; Vassos M. Demetriou of Cyprus; Luis Fernando Esteban of Spain; Jack Cowan of France; Helen Szablya of Hungary; Matti Suokko of Finland; Daravuth Huoth of Cambodia, Philippe Goetschel of Switzerland; Lars Jonsson of Sweden; President of the Consular Association Kim Nesselquist of Norway; Stephen Zirschky of Latvia; Rachel Jacobsen of New Zealand; Pedro Augusto Leite Costa of Brazil; Teresa Indelak Davis of Poland; Eva Kammel of Austria; Valeriy Goloborodko of Ukraine; Mark Gantar of Ethiopia; Miguel Angel Velásquez; Republic of Peru; Andy Chin of Taiwan; and Victor Lapatinskas of Lithuania.

The President introduced First Lady Trudi Inslee and members of the Inslee family, who were recognized by the Joint Session.

The President introduced representatives of the tribal nations: Timothy Ballew II, Chairman of the Lummi Nation; Carol Evans, Chairwoman of the Spokane Tribe; Bill Iyall, Chairman of the Cowlitz Tribe; Naomi Jacobson, Quileute Tribal Councilmember;

Jay Julius, Lummi Tribal Councilmember; Fawn Sharp, President of the Quinault Indian Nation; and Tom Strong, Skokomish Tribal Councilmember.

The President introduced leaders from the state's institutions of higher education: Bill Ayer, Chair, University of Washington Board of Regents; Dan Bernardo, President of Washington State University; and George Bridges, President of The Evergreen State College.

The President introduced civic leaders in attendance: Carol Anders, Mayor of Pateros; Pat McCarthy, Pierce County Executive; Ed Murray, Mayor of Seattle; Ray Stephanson, Mayor of Everett; Ron Sims, former King County Executive; and Ralph Munro, former Secretary of State.

The President also recognized Carmento Floyd, widow of former Washington State University President Elson Floyd.

Sergeant of Arms Arras announced the arrival His Excellency Governor Jay Inslee. The Governor was escorted to the Rostrum and was introduced.

The Washington State Patrol Honor Guard, commanded by Sergeant Jason Greer presenting the Colors. The National Anthem was performed by the Ballard High School Concert Choir led by Ms. Courtney Rowley. The President led the Chamber in the Pledge of Allegiance. The prayer was offered by Father Steve Werner, St. Patrick Catholic Parish, Pasco.

Father Werner: "Let us pray. Creator and Ruler of the universe, we give You thanks for the beauty and richness of our state, from the arid Snake River Canyon to the temperate rainforest of the western Olympic Peninsula. From the Salmo-Priest Wilderness Area to the Willapa National Wildlife Refuge; from Mount Adams to Mount Baker; from the Blues Mountains to the San Juan Islands; from the waves of grain on the Palouse to the waves of the ocean on the Pacific Coast; from the Spokane Valley to the Puget Sound; from the Columbia River's entrance near Northport to its delta near Ilwaco.

You entrusted Your world to us as a gift. Help us to care for it and all people, that we may live in right relationship--with You, with ourselves, with one another, and with creation.

You created human beings in Your image and likeness. Help us to imitate your love for the human family by recognizing that we are all connected. To our brothers and sisters around our state, around our nation, around our world, and to past and future generations.

Giver of wisdom and love, You breathe life in us and guide us. Help us to hear the cry of those in need, and the cry of creation, so that we may care for our common home.

Help us as a state to be merciful as You are merciful. May all who live in poverty be nourished, sheltered, clothed and cared for. May families be strengthened, and workers who support those families receive just compensation and treatment. May all children have access to a quality education. May the immigrant, refugee and unborn be welcomed. May the physically and mentally ill receive adequate medical care, and the healthy have access to preventative care. May the imprisoned be rehabilitated. May the elderly and vulnerable be revered and respected.

Help us to live according to Your vision, stirring to action the hearts of all—individuals and families, communities of faith and goodwill, and civil and political leaders.

Spirit of God, in Your goodness, guide those in authority. Bless our Governor and the servants of our state who are engaged in the noble profession of legislation for the common good of all.

Give them wisdom in all of their decision-making, so that people throughout our state may enjoy freedom, security and peace.

Amen.”

The President introduced the Governor Jay Inslee

STATE OF THE STATE

Governor Inslee: “Good afternoon and thank you, Father Werner, for those inspirational words. And thank you to the Ballard High School Concert Choir for that beautiful rendition of a most beautiful anthem.”

“Mr. President, Mr. Speaker, Madam Chief Justice, distinguished justices of the court, honored officials, members of the Washington State Legislature, tribal leaders, local government officials, members of our Consular Corps and my fellow Washingtonians:

It is an honor to stand here once again to talk about the great state of Washington.

And I do consider it a tremendous privilege to serve as governor of the most innovative, the most forward-thinking, and most dynamic state in the nation.

And I couldn’t do this job without the incredible support of the people who are a constant reminder of why everything we do here matters: My family, Trudi, my sons, and my three grandchildren. Thank you, Trudi.

Now since we all last met here, we have celebrated some big moments in the state of Washington. And I’d like to begin today by just taking a moment to highlight some of these.

We witnessed a new milestone in space exploration. Remember those incredible photos of Pluto we saw last year? We know how that spacecraft got there. Because nine years ago, brilliant propulsion engineers over at Aerojet Rocketdyne in Redmond, Washington were working on the rockets for the New Horizons mission.

And now we’re at the forefront with companies like Blue Origin and Space X. They’ve brought the future of space travel to our state, successfully launching and landing rockets over the past year. It’s exciting that these companies recognize that the greatest aerospace workers in the world are found right here in the state of Washington.

We’ve saluted the accomplishments of amazing educators like Jennifer Cullison, a science teacher from Woodland High School in Clark County. She was named a Claes Nobel Educator of the Year. Isn’t it great this prestigious honor was given to one of our own outstanding, hard-working teachers? Please join me in welcoming Jennifer and thanking her for her achievements.

We also celebrated the nation’s oldest working registered nurse, Seesee Rigney, who is still practicing at 90 years of age. If you want to be inspired, if any of you Legislators get tired a little bit during session, go down to see Seesee making the rounds at Tacoma General Hospital, where she has been working for nearly 70 years.

Now we’ve also had some sad moments over the past year in our state. For me, one of those moments was when we said goodbye to Washington State University President Elson Floyd.

Elson was one of my most-trusted advisers. He played a key role in shaping my administration. And I miss him. And I know we all miss him. But his legacy will live on in our state’s second medical school, a school that will carry his name.

And I hope you’ll honor again Elson’s widow, Carmenta, for her individual help in education in our state as well. Carmenta, thank you for accepting my invitation here today. Thank you. Thank you.

We also lost a member of our Washington State National Guard in Afghanistan last week, Staff Sergeant Matthew McClintock. Our thoughts our prayers are with his family, especially his wife and infant son in Des Moines. Please join me in a moment of silence to honor his sacrifice and his service.

Thank you.

One year ago, I stood here and said it was time to reinvest in ourselves, to reinvest in our future, to reinvest in our children’s future. And to do these things, we knew then we’d have to work in a bipartisan way. And let’s be honest — that’s not always easy.

But I’m happy to say that we did exactly that. We accomplished some big things last year in a bipartisan fashion, like transportation.

Remember back in the fall of 2014, there were those who thought we ought to just fix a few potholes and call it good.

But I didn’t give up. And I continued working together with the House and the Senate, with Republicans and Democrats, with business and labor. And together, we passed a \$16 billion package, the largest, and the greenest, transportation package in the history of the state of Washington.

We also authorized another \$15 billion for Sound Transit light rail expansion.

And not only will this help in congestion relief, but this package supports 200,000 family-wage jobs across our state.

We’ve been out formally kicking off these projects. I’ve been to Everett, Tacoma, and tomorrow, I’ll be in Vancouver, celebrating the projects funded by this package. And we were able to get that done because we worked together.

Speaking of investments, let’s talk about the most important investment we know we can make, and that’s in our children. Last year we put an additional \$2.3 billion in early learning, K through 12 and higher education funding and we did it on a bipartisan basis. Since 2013, education funding in our state has increased by 35 percent.

I believe it is altogether fitting and proper we take a moment to recognize this incredible investment. We should be proud that we have made the largest dollar-amount investment in education in the history of the state of Washington. This is a significant achievement.

At the same time, no one should believe we’re done. We have more work to do, and I’ll talk about that in a moment. But we have taken major steps that will have major impacts in the lives of our children.

We’ve given nearly 7,000 more children access to high-quality early education over the past three years.

We’ve provided funding for every child to have all-day kindergarten. This and early learning were some of my highest priorities because they are critical educational opportunities that come along only once in the life of a child.

Of all the things we do, I believe this will have the most impact in our communities, and do the most to close the opportunity gap.

And I believe this because in our state, every single child deserves a great education in our public schools. Every single child.

We’ve reduced class sizes in our kindergarten-through-third grade classrooms.

And because we know that a high-quality teacher is the single most important asset in every classroom, we provided funding for more teacher mentoring opportunities, especially for new teachers.

And we were able to provide them with a modest and fully justified cost-of-living adjustment, the first since 2008.

We also did something to make paying for college easier on family budgets.

SECOND DAY, JANUARY 12, 2016

2016 REGULAR SESSION

Isn't it great we're the only state in the United States that passed a tuition cut this year for our students? I think this has been a good thing.

Republicans had a great idea to do that. And I gladly give them credit.

I also gladly give Democrats credit for coming in and saying that we ought to cut tuition for everyone, including for students at our community and technical colleges. And together, we found a way to pay for this. So this is something everyone in this chamber, I believe, can celebrate.

And finally, we restored funding for one of our most precious public assets, our state parks. It was heartbreaking to have to even consider having to close these parks.

You know, one day last year I stopped down at Twanoh State Park on Hood Canal and there was this family just frolicking with this young child in the water on this little beach, this little swim area. And when I saw it, it really took me back to my own childhood, when my dad and mom would throw us in the back of the station wagon and take us out to Twanoh for the day or if we were lucky maybe the weekend.

And just knowing this tradition will continue is extremely gratifying, and it keeps with the spirit of one of our state's biggest outdoor recreation proponents, my friend, the late Doug Walker. Doug's deep love of Washington's wilderness will continue to be felt through the impact of his philanthropic efforts and his work on the Blue Ribbon Task Force on Parks and Outdoor Recreation. Our thoughts are with the Walker family as they mourn his recent passing.

Finally, we gave state employees their first wage increase since 2008, and I'd like to take a moment to speak directly to our state employees.

A lot of you are doing really great work. I was happy to finally be able to get you a modest raise.

Under my Results Washington initiative, our state has become a national leader in using performance management strategies to improve government. This fellow named John Shook, he's known for being the godfather of lean management in the country, and he's told us that he believes Washington is at the very forefront of this effort in the country. And we know that thousands of you are showing the world how the public sector can use lean thinking to manage growing workloads, to increase efficiency and improve quality. I commend you for that.

And those of you on the front lines of our state agencies really do important work. In part of that effort is that we hold ourselves to the highest standards. So if the public trust is violated, we blow the whistle on it, and we provide absolute accountability. And that is what is happening with the sentencing errors that went on for 13 years at the Department of Corrections.

Now you are often the first ones to see when something is not working right. That's why you should feel empowered to bring these things to management's attention and know that you are being heard. And I expect all state employees, and especially your managers, to act responsibly in this regard, and you can expect that those who do not will be held accountable.

We always have to remember that our core mission is serving the people of Washington. And every single thing we do ought to reflect that mission.

Now, I came into office focused on creating jobs and growing our economy. It's why I've pushed for these investments in education, in transportation, and in our quality of life. So let's look at how we're doing.

I'm pleased to report that Washington continues to rank in the top five states in the country in job growth.

We have the fastest GDP growth in the nation, more than twice the national growth rate.

And over the past few years, Washington exports grew a whopping 20 percent more than any other state. California, New York, Texas, we beat them all.

Look, I've been focused on jobs since I took this office. So it's very gratifying to be able to say that we have added nearly a quarter million jobs since 2013.

There are more than 30,000 people working today in the building trades sector than there were three years ago. And I'm so glad they are able to get up every day and go to good-paying jobs, and help us build our economy.

And although our economic growth has not been uniform, we do know that unemployment in all our state's counties is now, for the first time in eight years, back in the single digits.

Folks, there is a lot of good economic news in our state these days. And it means that we are doing something right.

And we should have confidence, because we know what we've already achieved together in these past three years.

So with all of us gathered here, I'd like to talk about what I think our business now is for the next 60 days. Between now and March 10th, there are four things that must get done for our state.

First, we have a serious statewide teacher shortage from Kennewick to Kent, from Yakima to Everett. All told, we need more than 7,000 teachers in our schools.

Now, I've proposed a way to do this. It's a small but important first step to address a very real problem.

To recruit and retain teachers, my plan would raise their beginning salary from just under \$36,000 to \$40,000 per year. Nearly 8,800 beginning teachers would see a raise next year under this proposal.

Then, to help make all teacher salaries more competitive, my plan also provides a minimum 1 percent raise to all other teachers. It also increases funding for our teacher mentoring programs, so teachers in their first or second year on the job have the support they need and don't end up leaving the profession, which half of them are now doing.

And I propose we pay for it through elimination of some tax breaks whose benefits simply do not outweigh our obligations to our students, to our teachers and to our schools.

And for those who wonder how we're going to get this done, here's a reminder what we've done before. In the past three years, we've closed tax breaks on a bipartisan basis that generate \$1.1 billion over six years. We did it because we recognized we had some critical needs in our state. And we can do it again.

And the reason is pretty simple. Because it doesn't matter if we have the best mentors for our teachers, or the smallest class sizes in the nation. If nobody is standing in front of the classroom, we've got zip.

The second thing we need to focus on is last year's record-setting wildfires.

A million acres of our state were scorched an area larger than the state of Delaware. More than 300 homes primarily in Eastern Washington were destroyed. And tragically, three firefighters lost their lives.

I've proposed using our Budget Stabilization Account to cover the \$180 million dollars in costs related to battling these wildfires. It's exactly what these reserves were meant for.

Additionally, I've proposed using \$29 million dollars from the Disaster Response Account to help communities recover from these devastating fires and to help to ensure we are better prepared to fight them in the upcoming fire season.

The third thing we need to focus on is our mental health system. We know this, during the Great Recession, the state made devastating cuts to services for our most vulnerable, and we continue to be hobbled by those cuts.

And while we have acted together to add more than \$700 million dollars to our state's mental health system, we still have significant work to do.

It is not acceptable to let people with severe mental illness languish in our emergency rooms and in our jails.

In the last legislative session, we added hundreds of treatment beds, psychologists and psychiatrists, nurses and other staff to get people treated more quickly.

My December supplemental budget also included a number of investments to keep people out of our hospitals and keep them safely in their communities, with their family and their friends. I think this is important.

After all, only three percent of the people who access mental health services in our state go to our state hospitals. So the other 97 percent are served in our communities, and we need to make sure that we have the appropriate services in place for them.

These aren't nameless, faceless people. They are our loved ones. They are our colleagues. They are our friends. We're talking about the elderly person with dementia, or the college freshman who experiences a psychotic break, or the wounded veteran with a traumatic brain injury. And we need to make sure they get the treatment to stabilize them and to help them.

This is why my budget proposal funds four new 16-bed crisis triage facilities and three new mobile crisis teams across the state to reach these folks in need.

But all of these investments we've made requires skilled staff to set them up and keep them running. Right now, we know we have a serious staffing shortage, particularly at our state psychiatric hospitals.

We need to ensure we have enough doctors, nurses, social workers and treatment staff so that everyone is safe and that's patients and staff.

These are investments we ought to have confidence in, because we know when people get the mental health treatment they need, they can improve dramatically. People walk out of Western State Hospital and they go on to have great, productive lives.

So we have urgent short-term needs. But we also need to take the long view on how to organize and deliver a stronger mental health care system for our citizens. That's why my budget includes funding for just this purpose.

Our aim is simple here: timely access to high-quality treatment in the appropriate setting.

We've all known someone struggling with mental illness. Let's get this job done for these folks this year.

Now, let's talk about our fourth pressing need. We need to put in place a framework for our future K through 12 education investments. This is absolutely necessary this session.

We are on track. I convened a bipartisan group of legislators who met during the summer and fall to develop this framework for the next, the most complex, part of our K through 12 financing plan. Legislation has been introduced that contains the first step so we can be successful when we return next year.

And I'm confident we'll take the second step next year because legislators have met every deadline they've set for themselves. Our next deadline requires the legislature to fully fund basic education in the 2017 session, and there's no reason we can't do that too. And we're not going to just fix a few potholes, we're going to finish the job. That means actually financing these critical investments so our kids and grandkids get the education they deserve.

And we are going to do this not just because it's a constitutional imperative, not just because it's a judicial decree, but because it's the right thing to do for our kids. That's why we are going to do this.

I'd also like to talk today about other issues that engage people beyond this chamber, and are important enough for a statewide conversation.

There are a variety of ways our state can move forward, and one way is the voters take things into their own hands through the initiative process.

And first and foremost is the issue of working families not being able to keep up, even as our economy improves.

There's a simple fact, our economy is not working for everyone. On the one hand, we have the biggest boomtown in North America. On the other hand, we have working families and communities falling behind even though they're working hard and even though they are doing a great job.

I'm seeing Washingtonians hard-working people in every corner of this state struggling with rising housing prices, with student loan debt, with medical bills.

That's why I'm supporting the initiative that was filed yesterday that phases in a true minimum wage and provides paid sick leave for hard-working Washingtonians.

I stand on this rock-solid belief: if you work 40 hours a week, you deserve a wage that puts a roof over your head and food on the table. Period. And you shouldn't have to give up a day's pay if you or your kids get sick.

But it is not just minimum-wage workers who are falling behind in this economy. The problem is that most workers are not sharing in the fruits of their own increased productivity. Workers are producing more goods and services per hour than at any time in our state's history.

In a nutshell: People are working harder, they're working longer hours and they're getting paid less in real dollars.

Now, this is not true for corporate executives. The CEO-to-worker pay ratio was 20-to-1 in 1965. Today it's more than 300-to-1.

And look, I'm fine paying for exceptional results and investing in talent. I believe in that. But I also believe that these gaps and practices should be transparent.

I think the State Investment Board can help.

As a shareholder in companies, the board currently votes against executive compensation packages if they do not align with the company's financial performance.

I've asked the investment board to go further, and exercise its voting authority to reduce the widening pay gap between CEOs and their workers.

And I'm encouraging the board to promote this policy with other states and institutional investors.

Small steps like this can be the beginnings of bigger journeys. I started a different journey last week with my new executive order on public health and firearms.

You know, more people in Washington are dying from firearm fatalities than even from traffic accidents. We have a public health crisis and we need a public health solution. Every single day, someone in our state dies from gun violence. We can and must reduce accidental shootings, gun crime and suicide by gun.

My executive order will strengthen the background check system approved by voters in 2014. It will also allow us to collect information that will drive smart, data-driven solutions to gun violence. And it implements the statewide Suicide Prevention Plan recommended by a task force I convened.

And no matter how this conversation advances, these are important actions that we can take now.

Now we also need to continue to take action on protecting our clean air and our clean water, particularly from the threat of carbon pollution.

In my mind's eye, the older I get, the more beautiful Washington becomes. Our verdant and healthy place for our kids

SECOND DAY, JANUARY 12, 2016

2016 REGULAR SESSION

to grow up is just a wonder. So I'm glad that the needle is moving on this because the problem of carbon pollution is not going away.

Everyone knows I'm a technology optimist about this. We need and are getting more of our homegrown leaders and innovators devising solutions to this problem.

I'm also heartened by the engagement we're getting from the business community as our Department of Ecology drafts its Clean Air Rule. People are robustly participating in the process. They're looking for solutions. And I'm really excited about that progress, and I invite everyone to get involved as part of this.

And in this effort, we know we're not alone. The world is moving on this, and so are we.

Three years ago, I stood up here as the newly inaugurated Governor and said that as Washington moves forward, we need to remember who we are as a state.

And looking at what we've accomplished together, I believe we've stayed true to the values we cherish as Washingtonians.

We've remained confident in our ability to innovate, because we're continually recognized for the groundbreaking things our businesses and our universities are doing.

We've remained confident in the brightness of our future because we've invested record amounts of money in our children's education — which is the truest measure of our commitment.

We've remained confident in the inclusiveness that has built our economy and today is building our communities. Whether it's at big companies or at small businesses, we're one of the most successful economies in the world because we embrace diversity and because we welcome all people to our great state.

This is a confident state. It deserves a confident Legislature. It deserves a confident Governor. And I have to tell you, as a fifth-generation Washingtonian, I stand here today with confidence.

I see the greatness of this state. I feel it. And I believe it. It's who we are.

And that is how we're going to approach this session. Not with temerity. But with confidence. With recognition of the depths of our challenges, and with confidence that together we can solve them.

So now together let's get to work. And Go Hawks."

The President thanked the Governor for his remarks and asked the special committee escorted His Excellency, Governor Inslee from the House Chamber.

The President called upon the special committee of Representatives Gina McCabe and Noel Frame and Senators Don Benton and Maralyn Chase to escort the State elected officials from the House Chamber.

The President called upon the special committee of Representatives Patty Kuderer and Drew Stokesbary and Senators Karen Keiser and Steve O'Ban to escort the Supreme Court Justices from the House Chamber.

On motion of Representative Sullivan, the Joint Session was dissolved. The Speaker Pro Tempore, Representative Orwall presiding, assumed the chair.

The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Owen, Senator Sheldon, Senator Fraser and members of the Washington State Senate from the House Chamber.

AFTERNOON SESSION

The Senate was called to order at 1:17 p.m. by President of the Senate, Lt. Governor Owen presiding.

MOTION

At 1:17 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Wednesday, January 13, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 13, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6209 by Senators Rivers, Cleveland and Rolfes
AN ACT Relating to prescription drug insurance continuity of care; and amending RCW 48.43.515.

Referred to Committee on Health Care.

SB 6210 by Senators Dammeier, O'Ban, Fain, Darneille, Rivers, Becker, Conway and Hargrove
AN ACT Relating to the creation of the Washington achieving a better life experience program; amending RCW 43.33A.190; reenacting and amending RCW 43.79A.040; adding new sections to chapter 43.330 RCW; and providing an expiration date.

Referred to Committee on Health Care.

SB 6211 by Senators Dammeier, Rolfes, Fraser, Conway, McCoy, O'Ban, Litzow, Fain, Rivers, Becker, Darneille, McAuliffe, Habib, Chase and Benton
AN ACT Relating to the exemption of property taxes for nonprofit homeownership development; amending RCW 84.36.812; adding a new section to chapter 84.36 RCW; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6212 by Senators Rivers, Cleveland, Fraser, Keiser, Rolfes, McAuliffe and Chase
AN ACT Relating to the creation of an office of the homeowners' association ombuds; reenacting and amending RCW 64.38.010 and 43.84.092; and adding new sections to chapter 64.38 RCW.

Referred to Committee on Financial Institutions & Insurance.

SB 6213 by Senators Pearson, Takko and Liias
AN ACT Relating to job order contracts by public hospital districts; and reenacting and amending RCW 39.10.420.

Referred to Committee on Government Operations & Security.

SB 6214 by Senators Pearson, Takko and Liias
AN ACT Relating to public hospital district contracts for material and work; and amending RCW 70.44.140.

Referred to Committee on Government Operations & Security.

SB 6215 by Senators Padden, Warnick, Pearson and Becker
AN ACT Relating to identifying water rights for municipal water supply purposes; and amending RCW 90.03.560.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6216 by Senators Padden, Takko, Miloscia, Pearson, Angel, Becker, Schoesler, Rivers, O'Ban, Bailey, Dammeier, Warnick, Sheldon, Roach, Hobbs, Conway, McAuliffe and Chase

AN ACT Relating to providing tax relief for small businesses by increasing the small business tax credit; amending RCW 82.04.4451 and 82.32.045; creating new sections; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6217 by Senators Brown, Braun, Hewitt, Rivers and Sheldon
AN ACT Relating to nuclear power generation in the state plan submitted to the United States environmental protection agency under the clean power plan; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6218 by Senators Brown, Braun, Hewitt, Rivers, Roach and Sheldon

AN ACT Relating to the clean energy education program; adding a new section to chapter 28B.30 RCW; and creating a new section.

Referred to Committee on Higher Education.

SB 6219 by Senators Brown, Angel, Padden, Hewitt, O'Ban, Roach and Pearson

AN ACT Relating to sentencing for vehicular homicide; and amending RCW 9.94A.515.

Referred to Committee on Law & Justice.

SB 6220 by Senators Brown, Angel, Braun, Hewitt, Roach, Parlette and Sheldon

AN ACT Relating to promoting economic development by maximizing the use of federal economic development funding opportunities; and amending RCW 43.330.040 and 43.330.050.

Referred to Committee on Trade & Economic Development.

THIRD DAY, JANUARY 13, 2016

2016 REGULAR SESSION

SB 6221 by Senators Brown, Angel, Braun, Hewitt and Roach
AN ACT Relating to promoting economic development through improving regulatory processes and providing technical assistance to businesses; and amending RCW 43.330.060, 43.330.090, and 43.330.440.

Referred to Committee on Trade & Economic Development.

SB 6222 by Senators Brown, Angel, Braun, Hewitt, Rolfes, Parlette and Mullet
AN ACT Relating to development of a one-stop portal for Washington businesses; and adding new sections to chapter 43.105 RCW.

Referred to Committee on Trade & Economic Development.

SB 6223 by Senators Brown, Angel, Braun and Hewitt
AN ACT Relating to enhancing regulatory agency coordination; amending RCW 43.42.005, 43.42.010, 34.05.320, 43.30.550, 43.42.030, 43.42.090, 43.42.092, 43.42.095, 43.42.100, 43.42A.030, 43.88.585, 43.155.070, 43.157.020, 43.157.030, 43.160.060, 43.330.440, 47.80.090, and 77.55.181; reenacting and amending RCW 34.05.328; and adding a new section to chapter 43.42 RCW.

Referred to Committee on Trade & Economic Development.

SB 6224 by Senators Brown, Braun, Hewitt and Rivers
AN ACT Relating to energy facility site evaluation council procedure; amending RCW 80.50.075, 80.50.100, 80.50.330, and 80.50.340; and reenacting and amending RCW 80.50.090.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6225 by Senators Brown, Braun, Hewitt, Rivers and Sheldon
AN ACT Relating to including carbon sequestration among the principles guiding development and implementation of the state energy strategy; and amending RCW 43.21F.088.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6226 by Senators Warnick, Becker, Schoesler, Dammeier, Rivers and Braun
AN ACT Relating to adoption of the International Plumbing Code as an alternative recognized building code and updating the related state plumbing examination requirements; amending RCW 19.27.031 and 18.106.050; and creating new sections.

Referred to Committee on Commerce & Labor.

SB 6227 by Senators Honeyford, Keiser, Rolfes, Conway, Ranker, McAuliffe, Mullet and Chase
AN ACT Relating to implementing the recommendations of the 2015 review of the Washington wildlife and recreation program; amending RCW 79A.15.010, 79A.15.030, 79A.15.040, 79A.15.050, 79A.15.070, 79A.15.080, 79A.15.110, and 79A.15.130; reenacting and amending RCW 79A.15.060; creating a new section; and repealing RCW 79A.15.120.

Referred to Committee on Natural Resources & Parks.

SB 6228 by Senators Parlette, Keiser, Hobbs and Conway
AN ACT Relating to the interstate medical licensure compact; amending RCW 43.70.250; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Health Care.

SB 6229 by Senators O'Ban, Darneille, Carlyle and Rolfes
AN ACT Relating to streamlining foster care licensing; reenacting and amending RCW 74.15.100; and adding new sections to chapter 74.15 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6230 by Senators O'Ban and Padden
AN ACT Relating to the school warrantless search exception; amending RCW 28A.600.230 and 28A.600.240; adding a new section to chapter 28A.600 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6231 by Senators Hasegawa, Warnick, Conway, Keiser, Roach and Chase
AN ACT Relating to eliminating the reference to the standard industrial classification system in the worker and community right to know fund; and amending RCW 49.70.170.

Referred to Committee on Commerce & Labor.

SB 6232 by Senators Fain, Pedersen, Litzow, McAuliffe, Braun, Carlyle, Hill, Miloscia and Chase
AN ACT Relating to the funding of civics education and campaign compliance; amending RCW 82.04.4282; and adding a new section to chapter 82.32 RCW.

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

SB 6233 by Senators Fain, Liias, Rivers, Rolfes, Litzow, Billig, Carlyle and Mullet
AN ACT Relating to the freedom of expression rights of students at public schools and institutions of higher education; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28B.10 RCW; and prescribing penalties.

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

SB 6234 by Senators Fain, Rolfes, Sheldon, Pedersen, Hill, Nelson, Becker, Litzow, Keiser, Liias, Conway, McAuliffe, Mullet and Chase
AN ACT Relating to the creation of an animal abuse registry; adding a new chapter to Title 16 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6235 by Senators Padden and Conway

AN ACT Relating to guardianships in respect to an incapacitated person's right of communication, visitation, and interaction with others; and adding new sections to chapter 11.88 RCW.

Referred to Committee on Law & Justice.

SB 6236 by Senator Padden

AN ACT Relating to the 24/7 sobriety program; amending RCW 10.21.055, 46.61.5055, 46.20.3101, and 36.28A.390; and repealing RCW 36.28A.310.

Referred to Committee on Law & Justice.

SB 6237 by Senators Rolfes, Sheldon, McCoy, Takko, Hasegawa, Cleveland and Chase

AN ACT Relating to ensuring economic development by authorizing public utility districts to provide retail telecommunications services; amending RCW 54.16.005 and 54.16.330; adding a new section to chapter 54.16 RCW; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6238 by Senators Rivers, Keiser, Cleveland, Miloscia and Chase

AN ACT Relating to the prescribing of schedule II controlled substances; and amending RCW 69.50.402.

Referred to Committee on Health Care.

SB 6239 by Senators Fain, Frockt, Cleveland, Rolfes, Keiser, Darneille, McAuliffe and Chase

AN ACT Relating to providing local governments with options to preserve affordable housing in their communities; and adding a new chapter to Title 84 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6240 by Senators Parlette, Keiser, Becker, Cleveland, Bailey, McAuliffe and Hobbs

AN ACT Relating to nursing home facilities; amending RCW 74.46.561, 74.42.360, and 74.42.010; reenacting and amending RCW 74.46.020; repealing RCW 74.46.803 and 74.46.807; and prescribing penalties.

Referred to Committee on Health Care.

SB 6241 by Senators Billig, Rolfes, Keiser, Lias, Conway, McAuliffe, Habib and Chase

AN ACT Relating to improving the recruitment and retention of qualified teachers by raising salaries and strengthening teacher mentoring; creating new sections; and making appropriations.

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

SB 6242 by Senators O'Ban, Pedersen, Padden, Roach, Hargrove, Pearson, Darneille, Frockt and Sheldon

AN ACT Relating to the indeterminate sentence review board; adding a new section to chapter 9.95 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 6243 by Senators Litzow, Fain, McAuliffe, Dammeier, Rivers, O'Ban, Bailey, Hill, Warnick, Becker, Hewitt, Keiser, Carlyle, Darneille, Rolfes, Conway and Mullet

AN ACT Relating to a training program for educators and parents to develop students' social and emotional skills to help prevent youth suicide; amending RCW 28A.310.500; and creating a new section.

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

SB 6244 by Senators Litzow, Fain, Dammeier, Rivers, Becker, Hill and Bailey

AN ACT Relating to implementing strategies to close the educational opportunity gap; amending RCW 28A.300.042, 28A.300.505, 28A.300.507, 28A.600.015, 28A.600.020, 28A.180.040, and 28A.180.090; adding new sections to chapter 28A.235 RCW; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.345 RCW; adding new sections to chapter 28A.660 RCW; adding a new section to chapter 28A.405 RCW; creating new sections; and providing expiration dates.

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

SB 6245 by Senators Litzow, Hill, Fain, Rolfes, McAuliffe and Mullet

AN ACT Relating to visual screening in schools; and amending RCW 28A.210.020.

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

SB 6246 by Senators Hill and Hargrove

AN ACT Relating to fiscal matters; amending RCW 19.02.210, 38.52.105, 41.80.010, 43.79.201, 43.79.460, 43.79.496, 43.83B.360, 43.350.070, 43.372.070, 69.50.530, 90.56.335, and 90.76.100; amending 2015 3rd sp.s. c 4 ss 101, 102, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 504, 505, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 601, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 701, 704, 705, 712, 725, 801, 802, 803, and 805 (uncodified); adding new sections to 2015 3rd sp.s. c 4 (uncodified); repealing 2015 3rd sp.s. c 4 s 715 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6247 by Senators Angel, Takko and Bailey

AN ACT Relating to exempting from state and local taxes on-site sewage system fees required by a local government

THIRD DAY, JANUARY 13, 2016

2016 REGULAR SESSION

to be paid by an on-site sewage system owner to an on-site sewage system contractor or inspector; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6248 by Senators Ericksen and Ranker

AN ACT Relating to risk mitigation plans to promote the transition of eligible coal units; amending RCW 80.80.060; adding a new chapter to Title 80 RCW; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6249 by Senators O'Ban, Bailey, Darneille, Miloscia, Dammeier, Hasegawa, Carlyle, Litzow, Padden and McAuliffe

AN ACT Relating to host home programs; amending RCW 74.15.020; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6250 by Senators Braun and Takko

AN ACT Relating to providing public fire department employees the right to volunteer for or obtain employment with another fire department; adding a new section to chapter 52.30 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Commerce & Labor.

SB 6251 by Senators Hill and Hargrove

AN ACT Relating to eliminating accounts; amending RCW 19.146.205, 43.330.418, 70.95.165, 72.72.030, and 72.72.050; reenacting and amending RCW 43.84.092; creating a new section; decodifying RCW 43.83.310; repealing RCW 38.40.220, 43.63A.315, 43.72.902, 43.83.310, 43.83.330, 43.83.320, 43.83.350, 43.330.094, 43.83.370, 43.167.040, 43.330.415, and 70.146.100; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6252 by Senators Hill and Hargrove

AN ACT Relating to criminal history record checks; adding a new section to chapter 43.22 RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 82.01 RCW; and adding a new section to chapter 50.12 RCW.

Referred to Committee on Ways & Means.

SB 6253 by Senators Sheldon, Rolfes, Rivers, Takko, Roach, Becker, Bailey, Miloscia, Warnick, Hargrove, Hobbs and Hewitt

AN ACT Relating to public utility districts owning community solar projects within or without district boundaries; amending RCW 82.16.110; and adding a new section to chapter 54.16 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6254 by Senators Sheldon, Bailey, Rivers, Roach, O'Ban, Hill, Becker, Miloscia, Angel, Warnick, Honeyford, Padden, Hobbs, Pearson, Hargrove, Braun, Dammeier, Fain, Parlette, Hewitt, Schoesler, Baumgartner, Ericksen, Rolfes, Conway, Mullet and Chase

AN ACT Relating to Purple Heart license plates; amending RCW 46.18.280, 46.68.425, and 43.60A.140; and reenacting and amending RCW 46.17.220.

Referred to Committee on Transportation.

SB 6255 by Senators Sheldon, Rivers, Roach, Becker, Bailey, Miloscia, Warnick, Honeyford, Braun, Schoesler, O'Ban and Hewitt

AN ACT Relating to judge impartiality; adding a new section to chapter 2.64 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6256 by Senators Sheldon, Rivers, Brown, Honeyford and Hewitt

AN ACT Relating to the Washington state energy financing voter approval act; and amending RCW 80.52.030.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6257 by Senator Takko

AN ACT Relating to updating specified environmental statutes of the department of ecology to improve efficiency and provide for increased flexibility for local governments; amending RCW 43.21B.305, 43.21B.110, 43.21B.110, 70.95.240, 70.95.300, 70.95M.080, 70.105.095, 70.107.010, 70.107.030, 70.107.060, 70.240.050, 86.16.081, 90.56.060, and 90.58.190; reenacting and amending RCW 43.21B.300 and 90.58.090; reenacting RCW 43.21B.005; creating a new section; repealing RCW 43.21A.610, 43.21A.612, 43.21A.614, 43.21A.616, 43.21A.618, 43.21A.620, 43.21A.622, 43.21A.624, 43.21A.626, 43.21A.628, 43.21A.630, 43.21A.632, 43.21A.634, 43.21A.636, 43.21A.638, 43.21A.640, 43.21A.642, 70.95.205, 70.95.700, 70.107.040, 70.107.050, and 90.56.335; repealing 2010 1st sp.s. c 7 s 39 and 2010 c 84 s 4; providing an effective date; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6258 by Senators Carlyle, Pedersen, Habib, Liias and Mullet

AN ACT Relating to employment after public service in state government; amending RCW 42.52.080 and 42.52.900; adding a new section to chapter 42.52 RCW; creating new sections; and providing an effective date.

Referred to Committee on Government Operations & Security.

SB 6259 by Senators Carlyle, Litzow, Pedersen, Frockt, McAuliffe and Chase

AN ACT Relating to increasing compensation for school directors; and amending RCW 28A.343.400.

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

SB 6260 by Senators Hewitt, Hargrove, Fain and McAuliffe
AN ACT Relating to providing postsecondary education to enhance education opportunities and public safety; amending RCW 72.09.460 and 72.09.465; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

SB 6261 by Senators Padden, Pedersen and Miloscia
AN ACT Relating to human remains; amending RCW 68.50.050 and 68.50.020; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6262 by Senators O'Ban, Pedersen and Padden
AN ACT Relating to a coroner's warrant authority; amending RCW 36.24.100; and repealing RCW 36.24.110 and 36.24.120.

Referred to Committee on Law & Justice.

SB 6263 by Senators Warnick, Ranker, Rivers, Hobbs, Darneille, Liias and Conway
AN ACT Relating to benefits for certain retirement system members who die or become disabled in the course of providing emergency management services; amending RCW 41.26.510 and 41.26.470; and reenacting and amending RCW 41.26.520.

Referred to Committee on Ways & Means.

SB 6264 by Senators Dammeier, Conway, Bailey, Rivers, Hasegawa, O'Ban, Frockt, Schoesler, Darneille, Liias and Rolfes
AN ACT Relating to allowing certain law enforcement officers' and firefighters' plan 2 retirees to purchase annuities; and adding a new section to chapter 41.26 RCW.

Referred to Committee on Ways & Means.

SB 6265 by Senators King, Warnick, Bailey, Schoesler, Hasegawa, Conway, Takko, Nelson, Padden, Benton, Ericksen, Honeyford, Parlette and Hewitt
AN ACT Relating to vehicle weight limits for the movement of agricultural commodities; and amending RCW 46.44.041, 46.44.091, and 36.75.270.

Referred to Committee on Transportation.

SB 6266 by Senators Warnick, Keiser, Conway, Angel, Pearson, Frockt, Dammeier, Rolfes and Benton
AN ACT Relating to mitigating barriers to patient access to care resulting from health insurance contracting practices; amending RCW 41.05.074 and 48.43.016; and providing an effective date.

Referred to Committee on Health Care.

SB 6267 by Senators Schoesler, Bailey, Warnick, Hobbs, Takko, Padden, Carlyle, Ericksen, Hargrove, Brown, Conway, Honeyford, Keiser, Dinsel, Parlette, Hewitt, Pearson, Sheldon and Chase

AN ACT Relating to notice to the licensee before a concealed pistol license expires; and amending RCW 9.41.070.

Referred to Committee on Law & Justice.

SB 6268 by Senators Schoesler and Hargrove
AN ACT Relating to the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington; amending RCW 43.320.017, 70.95.532, 80.01.080, 48.18A.035, 48.25.140, 48.29.015, 43.70.900, 29A.04.510, 35A.39.010, 44.05.080, 47.06.110, 82.42.090, and 82.80.070; reenacting 21.20.400; adding a new section to chapter 42.30 RCW; recodifying RCW 42.32.030; decodifying RCW 43.320.012, 43.320.013, 43.320.014, 43.320.015, 43.320.016, 43.320.901, 15.13.940, 15.14.920, 15.15.900, 15.17.940, 15.19.900, 50.06.010, 50.13.010, 50.13.910, 50.38.900, 50.38.902, 50.60.902, 50.65.905, 50.70.902, 28A.165.900, 28A.315.075, 28A.315.901, 28A.655.901, 28A.700.901, 28A.900.103, 29A.04.903, 29A.04.904, 29A.04.905, 42.30.920, 42.56.901, 42.56.902, 42.56.903, 70.22.900, 71A.10.805, 71A.10.900, 10.77.900, 10.77.910, 10.77.920, 10.77.930, 71.05.900, 71.05.910, 71.05.920, 71.05.930, 71.24.900, 71.24.901, 71.34.900, 71.34.901, 5.45.920, 43.41.035, 43.41.940, 43.41.950, 43.41.980, 43.41.981, 43.88.901, 43.88.902, 43.88.903, and 43.88.910; and repealing RCW 66.08.230, 66.08.250, 66.12.020, 28A.305.900, 28A.305.901, 28A.630.005, 70.94.505, 70.95N.270, 70.104.070, 70.104.090, 80.36.901, 70.104.100, 21.20.886, 31.04.501, 48.102.190, 35.13A.0301, 70.22.005, 71A.20.190, 28B.65.010, 28B.65.020, 28B.65.030, 28B.65.040, 28B.65.050, 28B.65.060, 28B.65.070, 28B.65.080, 28B.65.110, 28B.65.900, 28B.65.905, 2.56.031, 10.77.810, 10.77.820, 71.24.055, 2.56.250, 9.04.040, 43.30.8351, 76.01.080, 76.01.090, 76.09.380, 77.12.605, 77.12.710, 79A.20.005, 79A.20.010, 79A.20.030, 79A.20.900, 79A.20.901, 79A.20.902, 43.31.088, 43.31.522, 43.31.524, 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 43.31.850, 47.01.141, 47.60.645, 47.78.010, 82.44.180, 82.80.040, 82.80.050, 82.80.060, 82.14.046, and 82.50.510.

Referred to Committee on Accountability & Reform.

SB 6269 by Senators Becker, Dammeier, Bailey, Parlette, Brown and Warnick
AN ACT Relating to defining "reasonable effort" for the purposes of health data and charity care; and amending RCW 70.170.020.

Referred to Committee on Health Care.

SB 6270 by Senators Becker, Keiser, Dammeier, Cleveland, Bailey, Fain, Parlette, Schoesler, Conway, Warnick, Frockt, Brown, O'Ban, Rolfes, McAuliffe, Mullet and Chase
AN ACT Relating to prenatal vitamin coverage; adding a new section to chapter 74.09 RCW; and creating a new section.

THIRD DAY, JANUARY 13, 2016

2016 REGULAR SESSION

Referred to Committee on Health Care.

SB 6271 by Senators Becker, Keiser, Dammeier, Bailey, Parlette, Brown, Conway and Warnick
AN ACT Relating to the Washington state health insurance pool; and amending RCW 48.41.100 and 48.41.160.

Referred to Committee on Health Care.

SB 6272 by Senators Becker, Bailey, Dammeier, Parlette, Brown, O'Ban, Cleveland, Frockt, Keiser, Conway, Warnick, Carlyle, Darneille, Rolfes and Chase
AN ACT Relating to ensuring access to primary care services for medicaid beneficiaries by applying the medicare payment rate floor to primary care services furnished under medicaid by providers of primary care services; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 6273 by Senators Liias, Litzow, Rolfes, Fain, Mullet, Carlyle, Billig, Fraser and McAuliffe
AN ACT Relating to safe technology use and digital citizenship in public schools; adding a new section to chapter 28A.650 RCW; and creating a new section.

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

SB 6274 by Senators Parlette, Takko, Pearson, Rolfes, Hargrove, Schoesler, Becker, Warnick and Hewitt
AN ACT Relating to the Columbia river recreational salmon and steelhead endorsement program; amending RCW 77.12.712, 77.12.714, 77.12.716, 77.12.718, and 77.32.580; amending 2009 c 420 s 7 and 2011 c 339 s 40 (uncodified); creating a new section; and providing expiration dates.

Referred to Committee on Natural Resources & Parks.

SB 6275 by Senators Rivers and Keiser
AN ACT Relating to dental office support services; and amending RCW 18.32.010, 18.32.020, 18.32.030, and 18.32.675.

Referred to Committee on Health Care.

SB 6276 by Senators Roach, Liias, McCoy and McAuliffe
AN ACT Relating to the authorization for a local jurisdiction to exempt certain residences from local property taxation under a residential energy efficiency incentive pilot program; and adding a new chapter to Title 84 RCW.

Referred to Committee on Government Operations & Security.

SB 6277 by Senators Roach and Fain
AN ACT Relating to the presidential primary; and amending RCW 29A.56.020.

Referred to Committee on Government Operations & Security.

SB 6278 by Senators Roach, McCoy, Takko, O'Ban and Conway
AN ACT Relating to the plumbing industry; amending RCW 18.106.110 and 18.106.270; and prescribing penalties.

Referred to Committee on Commerce & Labor.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator O'Ban moved adoption of the following resolution:

SENATE RESOLUTION
8691

By Senator O'Ban

WHEREAS, The service of all local law enforcement officers in Washington and the service of uniformed police in the Department of Corrections, Department of Fish and Wildlife, Department of Natural Resources, Liquor and Cannabis Board, Gambling Commission, State Fire Marshal's Office, Office of the Attorney General, and Washington State Patrol is vital to the safety, order, and peace of Washington State, and should be honored today for the commitment, diligence, and sacrifice of these officers; and

WHEREAS, The 11,411 sworn police officers in Washington State should be recognized for their willingness to place their very lives on the line to protect citizens and their property from the few that would do them great harm; and

WHEREAS, Each individual officer in this state is responsible for more citizens per capita than in any other state in the nation; and

WHEREAS, The heroism displayed by officers in the face of violence and tragedy in our cities, counties, parks, and tribal lands highlights their commitment to justice and public safety; and

WHEREAS, The prevalence of violent crime across the United States has increased, and the corresponding risk to officers has increased as well; and

WHEREAS, Throughout our state's history, the ultimate sacrifice was made by 282 officers in the line of duty to protect our people, and must never be forgotten;

NOW, THEREFORE, BE IT RESOLVED, That the Senate commend all members of law enforcement who put their lives in harm's way in continued service to the citizens of our state, and that the Senate express its deep gratitude for their unyielding resolve to protect our rights, our freedoms, our property, and our lives.

Senators O'Ban, Liias, Angel, Benton, Rolfes and Becker spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8691.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced members of the Washington Council of Police and Sheriffs who were seated in the gallery.

MOTION

At 10:19 a.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Thursday, January 14, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FOURTH DAY**NOON SESSION**

Senate Chamber, Olympia
Thursday, January 14, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 14, 2016

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8406, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6279 by Senators Hill and Darneille

AN ACT Relating to the caseload forecast council; amending RCW 43.88C.010, 43.88C.020, and 43.88C.050; and creating a new section.

Referred to Committee on Ways & Means.

SB 6280 by Senator Rolfes

AN ACT Relating to forest practices board rules to decrease risks to public safety from potentially unstable slopes; amending RCW 76.09.370; reenacting and amending RCW 76.09.020; and creating a new section.

Referred to Committee on Natural Resources & Parks.

SB 6281 by Senators Fain, Pedersen, Baumgartner and Frockt

AN ACT Relating to athlete agents; amending RCW 19.225.010, 19.225.020, 19.225.030, 19.225.040, 19.225.050, 19.225.060, 19.225.070, 19.225.080, 19.225.090, 19.225.100, and 19.225.120; and adding a new section to chapter 19.225 RCW.

Referred to Committee on Commerce & Labor.

SB 6282 by Senators Benton, Hasegawa, Mullet and Angel

AN ACT Relating to the mortgage lending fraud prosecution account; amending RCW 43.320.140 and 36.22.181; and providing expiration dates.

Referred to Committee on Financial Institutions & Insurance.

SB 6283 by Senators Benton, Mullet and Angel

AN ACT Relating to clarifying, and making department of financial institutions technical regulatory changes to, the securities act of Washington; amending RCW 21.20.040, 21.20.110, 21.20.120, 21.20.140, 21.20.270, 21.20.275, 21.20.280, 21.20.300, 21.20.325, 21.20.340, 21.20.360, 21.20.390, 21.20.710, 21.20.727, and 21.20.883; and reenacting RCW 21.20.400.

Referred to Committee on Financial Institutions & Insurance.

SB 6284 by Senators Takko and Roach

AN ACT Relating to preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems; and adding a new section to chapter 57.02 RCW.

Referred to Committee on Government Operations & Security.

SB 6285 by Senators Fain, Hobbs and Roach

AN ACT Relating to providing that the horse racing commission operating account is a nonappropriated account; and amending RCW 67.16.280.

Referred to Committee on Commerce & Labor.

SB 6286 by Senators Pearson, Roach, Padden, Takko, Hargrove, Billig, Hewitt and Conway

AN ACT Relating to reimbursement of correctional employees for offender assaults; and amending RCW 72.09.240.

Referred to Committee on Law & Justice.

SB 6287 by Senators Honeyford, Ericksen, Dandel, Pearson, Bailey, Schoesler, Brown, Parlette, Roach, Hobbs and Hewitt

AN ACT Relating to the definition of hydraulic project in relation to the hydraulic project approval permits; and reenacting and amending RCW 77.55.011.

Referred to Committee on Natural Resources & Parks.

SB 6288 by Senators Baumgartner, Billig, Frockt, Pedersen, Darneille, Mullet, Conway and Liias

AN ACT Relating to extending the motion picture competitiveness program; and amending RCW 82.04.4489.

Referred to Committee on Ways & Means.

SB 6289 by Senators Baumgartner and Hobbs

AN ACT Relating to employing certain independent contractors through the use of a digital platform; amending

RCW 51.12.020; and adding a new section to chapter 51.08 RCW.

Referred to Committee on Commerce & Labor.

SB 6290 by Senators Honeyford, Hobbs and Parlette
AN ACT Relating to the apple commission; amending RCW 15.24.010, 15.24.020, 15.24.030, 15.24.035, 15.24.073, 15.24.080, 15.24.090, 15.24.100, 15.24.110, 15.24.120, and 15.24.900; and repealing RCW 15.24.033, 15.24.040, 15.24.060, 15.24.086, and 15.24.170.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6291 by Senators Braun, Becker, Angel, Rivers, Sheldon and Liias
AN ACT Relating to using weighted grade point averages for accelerated courses; amending RCW 28A.230.125; and creating a new section.

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

SB 6292 by Senators Braun, Becker, Rivers and Sheldon
AN ACT Relating to eliminating the reduction in state basic education funding that occurs in counties with federal forest lands; amending RCW 28A.150.250 and 28A.520.020; creating a new section; and providing an effective date.

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

SB 6293 by Senators Braun, Bailey, Rivers, Conway and Sheldon
AN ACT Relating to student volunteers; and amending RCW 51.12.170.

Referred to Committee on Commerce & Labor.

SB 6294 by Senators Hasegawa, McCoy, Pedersen and Darneille
AN ACT Relating to collecting data regarding occasions of justifiable homicide or use of deadly force; and adding a new section to chapter 10.93 RCW.

Referred to Committee on Law & Justice.

SB 6295 by Senators Hasegawa and McCoy
AN ACT Relating to clarifying the venue in which coroner's inquests are to be convened and payment of related costs; and amending RCW 36.24.020.

Referred to Committee on Law & Justice.

SB 6296 by Senators Parlette, Ranker and Fraser
AN ACT Relating to extending the expiration date of the habitat and recreation lands coordinating group; amending RCW 79A.25.260; and providing an expiration date.

Referred to Committee on Natural Resources & Parks.

SB 6297 by Senators King and Takko
AN ACT Relating to the disposition of penalties paid for failure to comply with recreational site or lands pass/permit requirements; amending RCW 7.84.100; and reenacting and amending RCW 3.62.020.

Referred to Committee on Natural Resources & Parks.

SB 6298 by Senators Frockt, Litzow, O'Ban, Fain, Mullet, Dammeier, Jayapal, Billig, Rivers, Pedersen, Rolfes, Darneille, McAuliffe, Hasegawa, Carlyle, Habib, Keiser, Conway and Liias

AN ACT Relating to homeless student stability and opportunities; amending RCW 28A.300.540; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 43.185C RCW; adding a new section to chapter 28A.320 RCW; creating new sections; and making appropriations.

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

SB 6299 by Senators King and Hobbs
AN ACT Relating to correcting certain manifest drafting errors in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue); amending RCW 46.20.202 and 82.70.040; creating new sections; and declaring an emergency.

Referred to Committee on Transportation.

SB 6300 by Senators O'Ban, Hobbs, Fain, Dammeier and Conway
AN ACT Relating to pro bono legal services for military service members, veterans, and their families; and adding new sections to chapter 43.10 RCW.

Referred to Committee on Law & Justice.

SB 6301 by Senators Benton and Mullet
AN ACT Relating to employer agreements to reimburse certain employee costs for the use of personal vehicles for business purposes; and reenacting and amending RCW 48.110.015.

Referred to Committee on Financial Institutions & Insurance.

SB 6302 by Senators Rivers and Conway
AN ACT Relating to establishing crimes related to minors entering, remaining in, or being served by a marijuana retail outlet; amending RCW 69.50.357; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6303 by Senators Rivers, Conway and Hasegawa
AN ACT Relating to allowing for proper disposal of unsellable marijuana by a licensed marijuana retail outlet; amending RCW 69.50.357; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

SB 6304 by Senators Rivers, Conway and Hasegawa
AN ACT Relating to the sale of marijuana to regulated cooperatives; amending RCW 69.50.325 and 69.51A.250; and providing an effective date.

Referred to Committee on Commerce & Labor.

SB 6305 by Senators Rivers and Conway

FOURTH DAY, JANUARY 14, 2016

2016 REGULAR SESSION

AN ACT Relating to the authority of liquor enforcement officers; and amending RCW 66.44.010.

70.44.007; adding new sections to chapter 70.44 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

Referred to Committee on Government Operations & Security.

SB 6306 by Senator Hobbs

AN ACT Relating to creating a fossil fuel carbon pollution tax; reenacting and amending RCW 43.84.092; adding a new chapter to Title 82 RCW; and providing an effective date.

SB 6313 by Senators Fain and Mullet

AN ACT Relating to modifying the appointment process for trustees of rural county library districts in counties with one million or more residents; amending RCW 27.12.190; and adding a new section to chapter 27.12 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

Referred to Committee on Government Operations & Security.

SB 6307 by Senators King, Hobbs and Liias

AN ACT Relating to transportation funding and appropriations; amending RCW 46.20.202 and 81.53.281; amending 2015 1st sp.s. c 10 ss 101, 102, 103, 105, 106, 201-211, 213-223, 301-311, and 401-407 (uncodified); amending 2015 3rd sp.s. c 43 s 606 (uncodified); amending 2015 3rd sp.s. c 4 ss 728-735 (uncodified); adding new sections to 2015 1st sp.s. c 10 (uncodified); repealing 2015 3rd sp.s. c 43 ss 201-207, 301-309, and 401 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

SB 6314 by Senators Fain and Mullet

AN ACT Relating to county road administration and maintenance; amending RCW 35.21.790, 35A.21.210, 36.87.120, 36.80.015, 36.80.030, 36.80.040, 36.80.050, 36.80.060, and 36.32.235; adding a new section to chapter 36.75 RCW; and creating a new section.

Referred to Committee on Transportation.

Referred to Committee on Transportation.

SB 6315 by Senators Roach, Takko, Fain and Mullet

AN ACT Relating to local government modernization; amending RCW 19.360.020, 19.360.030, 19.360.040, 19.360.050, 19.360.060, and 36.32.245; and creating a new section.

SB 6308 by Senators Takko, Warnick and Ranker

AN ACT Relating to migratory bird hunting fees; amending RCW 77.32.350; and adding a new section to chapter 77.32 RCW.

Referred to Committee on Government Operations & Security.

Referred to Committee on Natural Resources & Parks.

SB 6316 by Senator Parlette

AN ACT Relating to designated disaster area financing; adding a new section to chapter 82.14 RCW; and adding a new chapter to Title 39 RCW.

SB 6309 by Senators Angel and Hobbs

AN ACT Relating to registered service contract and protection product guarantee providers; and amending RCW 48.110.030, 48.110.050, 48.110.055, 48.110.073, 48.110.130, and 48.110.902.

Referred to Committee on Government Operations & Security.

Referred to Committee on Financial Institutions & Insurance.

SB 6317 by Senators Padden, Takko, Dammeier, Hargrove and Hobbs

AN ACT Relating to the establishment of an office of superior courts; and adding a new chapter to Title 2 RCW.

SB 6310 by Senators Jayapal, Pedersen, Carlyle, Frockt, Ranker, Cleveland, Fraser, Hasegawa, Habib and Darneille

AN ACT Relating to promoting the safety of children and communities through responsible storage of firearms; amending RCW 9.41.010; adding new sections to chapter 9.41 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

Referred to Committee on Law & Justice.

SB 6318 by Senators Baumgartner, Conway, Litzow and Hobbs

AN ACT Relating to ownership, maintenance, and operation of an office within the practice of dentistry; amending RCW 18.32.020; and adding a new section to chapter 18.32 RCW.

SB 6311 by Senators Keiser, Darneille, Takko, Hobbs and Conway

AN ACT Relating to providing a property tax exemption for certain property within an affordable housing incentive zone; and adding new sections to chapter 84.36 RCW.

Referred to Committee on Health Care.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6319 by Senators Jayapal, Litzow, Billig, Mullet, Hobbs, Fain, Hasegawa and Habib

AN ACT Relating to civil service qualifications; amending RCW 41.08.070, 41.12.070, 41.14.100, 43.101.080, and 43.101.095; and adding a new section to chapter 41.04 RCW.

SB 6312 by Senators Keiser, Roach and Hasegawa

AN ACT Relating to the core legislative powers of elected commissioners of a public hospital district; amending RCW

Referred to Committee on Commerce & Labor.

SB 6320 by Senators Habib, Lias, Jayapal, Keiser, Conway and Frockt

AN ACT Relating to prescription drugs and capping consumer costs; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, pursuant to Rule 48, the rules were suspended and without objection the Committee on Rules was relieved of the following measures which were referred to the committees as designated: Senate Bill No. 5041, relating to sexual exploitation, Senate Bill No. 5124, relating to electronic smoking devices and Senate Bill No. 5277, relating to patronizing a prostitute, which were referred to the Committee on Law & Justice; Senate Bill No. 5245, relating to substance abuse

programs, which was referred to the Committee on Human Services, Mental Health & Housing; Senate Bill No. 5509, relating to occupational disease claims, which was referred to the Committee on Commerce & Labor; Senate Bill No. 5526, relating to bullying, etc., in schools, which was referred to the Committee on Early Learning & K-12 Education; Senate Bill No. 5604, relating to countywide planning policies, which was referred to the Committee on Government Operations & Security; Senate Bill No. 5778, relating to ambulatory surgical facility, Senate Bill No. 5443, relating to provider compensation disclosure and Senate Bill No. 5947, relating to integrated care psychiatry, which were referred to the Committee on Health Care; and Senate Bill No. 5816, relating to traffic safety education, which was referred to the Committee on Transportation.

MOTION

At 12:01 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Friday, January 15, 2016.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate

FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, January 15, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 14, 2016

SB 6091 Prime Sponsor, Senator Dammeier: Changing the definition of slayer. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

January 14, 2016

SB 6150 Prime Sponsor, Senator Honeyford: Increasing the available term of water pollution control revolving fund program loans to reflect the 2014 amendments to the federal clean water act allowing such an increase. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

January 14, 2016

SB 6166 Prime Sponsor, Senator Takko: Allowing incremental electricity produced as a result of certain capital investment projects to qualify as an eligible renewable resource under the energy independence act. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Brown; Honeyford and Ranker.

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

recommendation: That it be referred without recommendation: Signed by Senators Cleveland and Habib.

Passed to Committee on Rules for second reading.

January 14, 2016

SB 6194 Prime Sponsor, Senator Litzow: Concerning public schools that are not common schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6194 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Fain; Hill; Mullet and Rivers.

MINORITY recommendation: Do not pass. Signed by Senator McAuliffe, Ranking Member. MINORITY recommendation: That it be referred without recommendation: Signed by Senators Billig and Rolfes.

Passed to Committee on Ways & Means.

January 14, 2016

SB 6219 Prime Sponsor, Senator Brown: Concerning vehicular homicide sentencing. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

January 14, 2016

SB 6230 Prime Sponsor, Senator O'Ban: Including searches by school resource officers and local police school liaison officers within the warrantless school search exception. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6230 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member and Darneille. MINORITY recommendation: That it be referred without recommendation. Signed by Senator Frockt.

Passed to Committee on Rules for second reading.

January 14, 2016

SB 6317 Prime Sponsor, Senator Padden: Establishing an office of superior courts. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGES FROM THE GOVERNOR

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

OMAR ABDULLA, appointed November 9, 2015, for the term ending June 30, 2016, as a Member of the Edmonds Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CHERYL C. ADAMS, appointed May 5, 2015, for the term ending January 19, 2016, as a Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health Care.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MONA H. BAILEY, appointed July 7, 2015, for the term ending January 12, 2017, as a Member of the State Board of Education.

Sincerely,

JAY INSLEE, Governor

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

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TERESITA BATAYOLA, appointed August 28, 2015, for the term ending September 30, 2020, as a Member of the Seattle College District Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 14, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ELIZABETH BAUM, reappointed June 23, 2015, for the term ending June 30, 2019, as a Member of the Housing Finance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Financial Institutions & Insurance.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TIA BENSON TOLLE, appointed November 9, 2015, for the term ending September 30, 2020, as a Member of the Edmonds Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

NANCY BIERY, reappointed June 16, 2015, for the term ending July 15, 2019, as a Member of the Salmon Recovery Funding Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Natural Resources & Parks.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

BRIAN BLAKE, reappointed August 28, 2015, for the term ending June 30, 2019, as a Member of the Pacific States Marine Fisheries Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Natural Resources & Parks.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

FIFTH DAY, JANUARY 15, 2016

SETH BRICKEY-SMITH, appointed June 23, 2015, for the term ending June 30, 2016, as a Member of the Western Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HARRIETTE BRYANT, appointed September 28, 2015, for the term ending September 30, 2019, as a Member of the Olympic College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LOUISE CHERNIN, appointed June 5, 2015, for the term ending September 30, 2019, as a Member of the Seattle College District Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JAMES CURTIS, appointed April 2, 2015, for the term ending September 30, 2019, as a Member of the Tacoma Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JUNE DARLING, appointed September 8, 2015, for the term ending September 30, 2020, as a Member of the Wenatchee Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

2016 REGULAR SESSION

ELIZABETH DUNBAR, reappointed August 24, 2015, for the term ending September 30, 2020, as a Member of the Tacoma Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ANNE FENNESSY, reappointed April 27, 2015, for the term ending April 3, 2019, as a Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LINDSAY FIKER, reappointed September 8, 2015, for the term ending September 30, 2020, as a Member of the Skagit Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MICHAEL FINLEY, reappointed November 13, 2015, for the term ending September 30, 2021, as a Member of the Eastern Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

NANCY FITTA, reappointed June 23, 2015, for the term ending July 1, 2020, as a Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees.

Sincerely,
JAY INSLEE, Governor

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

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

AURORA FLORES, appointed August 12, 2015, for the term ending June 30, 2018, as a Member of the Professional Educator Standards Board.

Sincerely,
JAY INSLEE, Governor

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

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MARTHA FLORES, appointed December 29, 2014, for the term ending September 30, 2019, as a Member of the Wenatchee Valley College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ANNA FRANZ, reappointed August 24, 2015, for the term ending September 30, 2020, as a Member of the Big Bend Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RICHARD FUKUTAKI, appointed August 11, 2015, for the term ending September 30, 2019, as a Member of the Bellevue College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROBERT GREGORY, appointed November 9, 2015, for the term ending September 30, 2020, as a Member of the Lower Columbia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BILL GRINSTEIN, appointed November 4, 2015, for the term ending October 1, 2019, as a Member of the Life Sciences Discovery Fund Authority Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Trade & Economic Development.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JAMES GROVES, reappointed April 30, 2015, for the term ending September 30, 2019, as a Member of the Bellingham Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

STUART HALSAN, reappointed August 24, 2015, for the term ending September 30, 2020, as a Member of the Centralia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CLARENCE HENDERSON, reappointed June 16, 2015, for the term ending June 17, 2020, as a Member of the Human Rights Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

RUSSELL HEPFER, reappointed June 26, 2015, for the term ending June 25, 2019, as a Member of the Puget Sound Partnership Leadership Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Energy, Environment & Telecommunications.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

FIFTH DAY, JANUARY 15, 2016

NANCEE HOFMEISTER, reappointed August 24, 2015, for the term ending September 30, 2020, as a Member of the Cascadia College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROSS HUNTER, appointed September 8, 2015, for the term ending at the pleasure of the Governor, as a Director of the Department of Early Learning.

Sincerely,
JAY INSLEE, Governor

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

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

VANESSA KRITZER, appointed June 3, 2015, for the term ending June 30, 2016, as a Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KATHLEEN KYLE, reappointed September 18, 2015, for the term ending August 2, 2018, as a Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KEN LARSEN, appointed July 7, 2015, for the term ending June 30, 2019, as a Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Financial Institutions & Insurance.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

2016 REGULAR SESSION

WENDY LAWRENCE, appointed July 7, 2015, for the term ending June 30, 2019, as a Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Financial Institutions & Insurance.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LORRAINE LEE, reappointed July 1, 2015, for the term ending June 30, 2020, as a Chief Administrative Law Judge of the Office of Administrative Hearings.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROBERT LOPEZ, appointed October 21, 2015, for the term ending January 17, 2019, as a Member of the Horse Racing Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Commerce & Labor.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

WAYNE MARTIN, reappointed April 30, 2015, for the term ending April 3, 2019, as a Member of the State Board for Community and Technical Colleges.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOHN MEYER, appointed October 21, 2015, for the term ending September 30, 2021, as a Member of the Western Washington University Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TORAYA MILLER, appointed November 9, 2015, for the term ending September 30, 2020, as a Member of the Everett Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DAVID MITCHELL, reappointed August 24, 2015, for the term ending September 30, 2020, as a Member of the Columbia Basin College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

STEVEN MOSS, reappointed June 23, 2015, for the term ending June 30, 2019, as a Member of the Housing Finance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Financial Institutions & Insurance.

January 12, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DAN PACHOLKE, appointed October 16, 2015, for the term ending at the pleasure of the Governor as a Secretary of the Department of Corrections.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ALLYSON PAGE (*f/k/a* Dahlhauser), appointed January 16, 2015, for the term ending September 30, 2018, as a Member of the Columbia Basin College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JIM PAGE, reappointed September 9, 2015, for the term ending September 30, 2020, as a Member of the Olympic College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JEFF PATNODE, appointed November 16, 2015, for the term ending April 15, 2019, as a Member of the Indeterminate Sentence Review Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ERIC PATTISON, appointed July 7, 2015, for the term ending June 30, 2016, as a Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

CATHY PEARSALL-STIPEK, appointed October 21, 2015, for the term ending September 30, 2020, as a Member of the Bates Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

BRIDGET PIPER, reappointed September 8, 2015, for the term ending September 30, 2020, as a Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

FIFTH DAY, JANUARY 15, 2016

DENISE PORTMANN, reappointed October 1, 2015, for the term ending September 30, 2020, as a Member of the Grays Harbor College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SUSANA REYES, reappointed May 13, 2015, for the term ending June 30, 2019, as a Member of the Washington Student Achievement Council.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ROBERT A. ROEGNER, reappointed September 8, 2015, for the term ending September 30, 2020, as a Member of the Highline College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROGER S. ROGOFF, appointed September 18, 2015, for the term ending August 2, 2018, as a Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

January 8, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JADA RUPLEY, reappointed December 15, 2015, for the term ending September 30, 2020, as a Member of the Clark College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

2016 REGULAR SESSION

ARUNDHATI SAMBATARO, appointed May 5, 2015, for the term ending January 19, 2018, as a Member of the Pharmacy Quality Assurance Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Health Care.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CATHERINE SHAFFER, reappointed September 18, 2015, for the term ending August 2, 2018, as a Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

NANCY SINKOVITZ, reappointed June 23, 2015, for the term ending July 1, 2020, as a Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees.

Sincerely,
JAY INSLEE, Governor

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

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

VIKKI SMITH, appointed June 3, 2015, for the term ending at the pleasure of the Governor, as a Director of the Department of Revenue.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Ways & Means.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

HARRIET SPANEL, reappointed August 28, 2015, for the term ending June 30, 2019, as a Member of the Pacific States Marine Fisheries Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Natural Resources & Parks.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CHRIS STEARNS, reappointed April 30, 2015, for the term ending June 30, 2021, as a Member of the Gambling Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Commerce & Labor.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

FRIEDA TAKAMURA, appointed November 9, 2015, for the term ending September 30, 2020, as a Member of the Renton Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LUKE THOMAS, reappointed August 12, 2015, for the term ending June 30, 2019, as a Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

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

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JANSEN VANDERMEULEN, appointed June 23, 2015, for the term ending June 30, 2016, as Member, Board of Regents, Washington State University.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

STEPHEN VINCENT, reappointed April 17, 2015, for the term ending September 30, 2019, as a Member of the Lower Columbia College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 5, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MICHAEL WILSON, reappointed October 15, 2014, for the term ending September 30, 2019, as a Member of the Community Colleges of Spokane Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 15, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LISA WOO, reappointed September 30, 2015, for the term ending September 30, 2020, as a Member of the Bellingham Technical College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

EVELYN YENSON, appointed October 7, 2015, for the term ending September 25, 2016, as a Member of the Clemency and Pardons Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice.

December 18, 2015

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RINA YORK, appointed August 12, 2015, for the term ending June 30, 2018, as a Member of the Professional Educator Standards Board.

Sincerely,

JAY INSLEE, Governor

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

MOTION

On motion of Senator Fain, and without objection, the gubernatorial appointments were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6321 by Senators Baumgartner and Pedersen
AN ACT Relating to certain exclusions from the definition of worker under industrial insurance statutes; and amending RCW 51.08.181.

Referred to Committee on Commerce & Labor.

FIFTH DAY, JANUARY 15, 2016

2016 REGULAR SESSION

SB 6322 by Senators Pearson and Hewitt

AN ACT Relating to the payment of health services by hospitals for inmates; and amending RCW 72.10.030.

Referred to Committee on Law & Justice.

SB 6323 by Senator Chase

AN ACT Relating to insurers; adding a new section to chapter 48.31B RCW; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

SB 6324 by Senators Rivers, Cleveland, Conway, Keiser, Nelson, Schoesler and Hewitt

AN ACT Relating to authorizing preferential pricing for spirits and wine sold to on-premises licensees; amending RCW 66.28.170; creating a new section; and repealing RCW 66.24.440.

Referred to Committee on Commerce & Labor.

SB 6325 by Senators Baumgartner, Ranker and Bailey

AN ACT Relating to aligning the alcohol content definition of cider with the federal definition; and amending RCW 66.24.210.

Referred to Committee on Commerce & Labor.

SB 6326 by Senators King, Hobbs and Fain

AN ACT Relating to the retention and maintenance of auto dealer and repair facility records; and amending RCW 46.70.120 and 46.71.060.

Referred to Committee on Transportation.

SB 6327 by Senators Bailey, Keiser, Nelson, Conway, Mullet and Dammeier

AN ACT Relating to hospital discharge planning with lay caregivers; amending RCW 70.41.320; reenacting and amending RCW 70.41.020; and adding new sections to chapter 70.41 RCW.

Referred to Committee on Health Care.

SB 6328 by Senators Dammeier, Hasegawa, Conway, O'Ban, Becker, Darneille and Carlyle

AN ACT Relating to vapor products in respect to provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirements prohibiting vapor product sales to minors, prohibition of the purchase and possession of vapor products by minors, the liquor and cannabis board's enforcement authority over vapor products, preemption of certain local regulation of vapor products, and a requirement for vendor-assisted sales of vapor products in retail establishments; amending RCW 26.28.080 and 70.155.130; adding a new chapter to Title 70 RCW; prescribing penalties; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Health Care.

SB 6329 by Senators O'Ban, Conway, Becker, Fain, Cleveland, Dammeier, Keiser, Darneille, Rolfes, Hobbs, Litzow, Angel, McAuliffe, Habib and Jayapal

AN ACT Relating to creating the parent to parent program for individuals with developmental disabilities; adding new sections to chapter 71A.14 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 6330 by Senator Benton

AN ACT Relating to exempting documents recording a special purpose district lien from the surcharge for local homeless housing and assistance; and amending RCW 36.22.179.

Referred to Committee on Government Operations & Security.

SB 6331 by Senators Benton and Angel

AN ACT Relating to Washington state patrol officer compensation and training costs; amending RCW 43.43.380, 46.68.030, 43.43.050, 82.14.310, and 82.14.320; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 6332 by Senators Litzow, McAuliffe, Rivers, Rolfes, Billig, Fain, Mullet and Conway

AN ACT Relating to the shortage of public school teachers and substitute teachers; amending RCW 28A.410.250 and 28A.660.050; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 41.32 RCW; creating new sections; and making an appropriation.

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

SB 6333 by Senators Ericksen and Dansel

AN ACT Relating to fantasy sports contests; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Commerce & Labor.

SB 6334 by Senators Benton, Chase, Rivers, Cleveland, Warnick, Hobbs, King and Sheldon

AN ACT Relating to rail dependent uses for purposes of the growth management act and related development regulations; amending RCW 36.70A.030, 36.70A.060, 36.70A.070, 36.70A.070, and 36.70A.108; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Government Operations & Security.

SB 6335 by Senators Parlette, Cleveland and Becker

AN ACT Relating to nursing facility case mix classification methodology; and amending RCW 74.46.485.

Referred to Committee on Health Care.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6328 which was referred to the Committee on Health Care.

MOTION

At 10:03 a.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Monday, January 18, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 18, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 15, 2016

MR. PRESIDENT:

The Speaker has signed:
SENATE CONCURRENT RESOLUTION NO. 8406
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6336 by Senators Parlette, Keiser, Frockt, Becker and Carlyle
AN ACT Relating to health care provider credentialing; adding a new section to chapter 48.43 RCW; and adding a new section to chapter 18.130 RCW.

Referred to Committee on Health Care.

SB 6337 by Senators Darneille, Miloscia, McCoy, Hasegawa, Conway and Chase
AN ACT Relating to disposing tax foreclosed property to cities for affordable housing purposes; and amending RCW 36.35.150.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6338 by Senators Padden, Billig and Baumgartner
AN ACT Relating to the rights of dissenting members of cooperative associations in certain mergers; and amending RCW 23.86.145.

Referred to Committee on Law & Justice.

SB 6339 by Senators Roach, Hasegawa and Pearson

AN ACT Relating to recounts of statewide advisory measures; and amending RCW 29A.64.090.

Referred to Committee on Government Operations & Security.

SB 6340 by Senators Fain, Billig, Roach, Hasegawa, Sheldon, Liias, Rivers, Pedersen, Mullet, Litzow, Carlyle, McAuliffe, Conway, Darneille, Chase, Frockt and Jayapal

AN ACT Relating to voter preregistration of persons seventeen years of age including the designation of voter registration locations and voter preregistration locations; amending RCW 28A.230.150, 29A.08.110, 29A.08.125, 29A.08.210, 29A.08.310, 29A.08.615, 29A.08.710, 29A.08.720, 29A.08.760, 29A.84.140, 46.20.155, and 42.56.250; adding new sections to chapter 29A.08 RCW; creating a new section; prescribing penalties; and providing a contingent effective date.

Referred to Committee on Government Operations & Security.

SB 6341 by Senators Rivers and Conway

AN ACT Relating to the provision of personal services and promotional items by cannabis producers and processors; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Commerce & Labor.

SB 6342 by Senators Miloscia and Hobbs

AN ACT Relating to private activity bond allocation; and amending RCW 39.86.120, 39.86.140, and 39.86.190.

Referred to Committee on Financial Institutions & Insurance.

SB 6343 by Senators Warnick, Takko, Hobbs and Chase

AN ACT Relating to modifying the powers and duties of the Washington dairy products commission to include research and education related to the economic uses of nutrients produced by dairy farms; and amending RCW 15.44.060.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6344 by Senators Takko, Warnick and Hobbs

AN ACT Relating to the mandatory nonbinding arbitration provisions of the Washington state seed act; creating a new section; and repealing RCW 15.49.071, 15.49.081, 15.49.091, 15.49.101, and 15.49.111.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6345 by Senators Takko, Warnick and Hobbs

AN ACT Relating to merging the state department of agriculture's fruit and vegetable inspection districts and accounts; amending RCW 15.17.240 and 15.17.020; and repealing RCW 15.17.230 and 15.17.247.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6346 by Senators King, Conway, McAuliffe, Mullet and Chase

AN ACT Relating to creating a special permit by a manufacturer of beer to hold a private event for the purpose of tasting and selling beer of its own production; and reenacting and amending RCW 66.20.010.

Referred to Committee on Commerce & Labor.

SB 6347 by Senators Hobbs, Hargrove and Conway

AN ACT Relating to forest fire prevention and suppression; amending RCW 76.04.165, 76.04.167, 76.04.016, and 76.04.610; reenacting and amending RCW 76.04.005; and providing an effective date.

Referred to Committee on Natural Resources & Parks.

SB 6348 by Senator Takko

AN ACT Relating to modernizing and clarifying existing county statutory authorities; amending RCW 36.32.210, 36.72.075, 52.26.070, 68.50.040, and 70.94.120; and repealing RCW 36.32.310.

Referred to Committee on Government Operations & Security.

SB 6349 by Senators Benton and Mullet

AN ACT Relating to public funds and deposits; amending RCW 39.58.010, 39.58.050, 39.58.105, 39.58.108, 39.58.135, and 39.58.155; and repealing RCW 39.58.120 and 39.58.045.

Referred to Committee on Financial Institutions & Insurance.

SB 6350 by Senators O'Ban, Padden, Miloscia, Roach, Hewitt, Schoesler and Dammeier

AN ACT Relating to motor vehicle property offenses; amending RCW 9.94A.525 and 9.94A.515; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6351 by Senators Habib, McAuliffe, Carlyle, Jayapal, Keiser, Rolfes, Darneille, Frockt and Chase

AN ACT Relating to providing local authorities with the authority to regulate firearms in certain public places; and amending RCW 9.41.300.

Referred to Committee on Law & Justice.

SB 6352 by Senators Frockt, Pedersen, McAuliffe, Carlyle, Jayapal, Keiser, Cleveland, Rolfes, Darneille, Lias, Chase and Habib

AN ACT Relating to creating an extreme risk protection order; amending RCW 9.41.047; adding new sections to chapter 10.79 RCW; adding a new chapter to Title 26 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6353 by Senators Rivers, Rolfes, Billig, Pedersen and McAuliffe

AN ACT Relating to delaying implementation of revisions to the school levy lid; amending RCW 84.52.0531; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010 c 237 ss 9, 8, and 10, and 2013 2nd sp.s. c 4 s 1905 (uncodified); reenacting and amending RCW 84.52.0531; creating a new section; providing effective dates; and providing expiration dates.

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

SB 6354 by Senators Lias, Baumgartner, Carlyle, Frockt and Bailey

AN ACT Relating to adopting a higher education reverse transfer agreement plan; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

SB 6355 by Senators Frockt, Fain, Mullet, Rivers, Hobbs, Carlyle, Lias and McAuliffe

AN ACT Relating to reinstating tax preferences for certain high-technology research and development; amending RCW 82.63.010, 82.63.020, and 82.63.045; reenacting RCW 82.63.060 and 82.63.065; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.63 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Trade & Economic Development.

SB 6356 by Senators Roach, Ranker, Takko, McCoy, Hobbs, Litzow, Fain, Hasegawa and Chase

AN ACT Relating to disclosure of financial, commercial, and proprietary criminal background check information of employees of private employers; and amending RCW 42.56.270.

Referred to Committee on Government Operations & Security.

SB 6357 by Senators King and Hobbs

AN ACT Relating to vehicle maximum gross weight values; and amending RCW 46.44.041.

Referred to Committee on Transportation.

SB 6358 by Senators King and Hobbs

AN ACT Relating to rail fixed guideway system safety and security oversight; and amending RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, 81.104.115, and 81.112.180.

Referred to Committee on Transportation.

SB 6359 by Senators Hobbs and King

AN ACT Relating to the deposit of moneys from various advertising activities; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SB 6360 by Senators O'Ban, Carlyle, Lias, Jayapal, Frockt, King, Pearson, Pedersen, Hasegawa and Chase
AN ACT Relating to the consolidation of traffic-based financial obligations through a unified payment plan system; creating new sections; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 6361 by Senators Pedersen and Padden
AN ACT Relating to the uniform electronic legal material act; adding a new chapter to Title 1 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6362 by Senators Chase, Hasegawa and McCoy
AN ACT Relating to tribal cultural resources protection in the forest practices act; amending RCW 76.09.010; reenacting and amending RCW 76.09.020; and adding a new section to chapter 76.09 RCW.

Referred to Committee on Natural Resources & Parks.

SB 6363 by Senators Takko, Ericksen, Hobbs and Parlette
AN ACT Relating to the design and construction of certain transportation facilities adjacent to or across a river or waterway; adding a new section to chapter 47.01 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 6364 by Senators Darneille and Cleveland
AN ACT Relating to expanding the categories of offenses eligible for the parenting program with the department of corrections; and amending RCW 9.94A.655.

Referred to Committee on Law & Justice.

SB 6365 by Senators Darneille, Miloscia and Chase
AN ACT Relating to establishing a lower age limit for discretionary decline hearings in juvenile court; and amending RCW 13.40.110.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6366 by Senators Darneille, Fain, Fraser, Miloscia, Cleveland, O'Ban, Mullet, Keiser, Conway and Chase
AN ACT Relating to submission of DNA markers to a database accessible only to qualified laboratory personnel; amending RCW 43.43.753, 43.43.735, 43.43.740, 43.43.754, 46.63.110, 43.43.690, and 43.43.759; adding new sections to chapter 43.43 RCW; adding a new section to chapter 70.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6367 by Senators Hewitt and Hobbs
AN ACT Relating to the inheritance exemption for the real estate excise tax; amending RCW 82.45.197; and creating new sections.

Referred to Committee on Ways & Means.

SB 6368 by Senators Hobbs, Pearson, Jayapal, McCoy, Hasegawa, McAuliffe, Darneille and Chase
AN ACT Relating to creating a pilot project to provide middle and junior high school students strategic and intentional academic support beyond the traditional school day to promote accountability and responsibility; adding new sections to chapter 43.330 RCW; creating a new section; and providing an expiration date.

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

SB 6369 by Senators Hobbs, Rivers, Mullet, Litzow, Cleveland, Ranker, Fain, Pedersen, Hasegawa, Hill, Carlyle, Lias, Fraser, Conway, Keiser, Chase, Frockt, Habib, McCoy, Billig and Jayapal
AN ACT Relating to requiring private health insurers and the medicaid program to reimburse for a twelve-month supply of contraceptive drugs; amending RCW 74.09.520; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 6370 by Senators Litzow, Billig, Mullet, Fain, Hobbs, Hill and McAuliffe
AN ACT Relating to the department of early learning's access to records and personal information for purposes of determining character and suitability of child care workers; amending RCW 13.50.100, 26.44.031, 26.44.100, 43.215.200, and 74.04.060; reenacting and amending RCW 13.50.010, 26.44.031, 43.43.832, and 43.215.215; and creating a new section.

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

SB 6371 by Senators Litzow, Mullet, Dammeier, Hargrove, Fain, Hobbs, Hill and McAuliffe
AN ACT Relating to the definition of agency for purposes of early learning programs; and amending RCW 43.215.010.

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

SB 6372 by Senators Darneille, Rivers, Hargrove and Braun
AN ACT Relating to counties providing and maintaining detention rooms or detention houses; and amending RCW 13.04.135.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6373 by Senators King, Hobbs and Warnick
AN ACT Relating to modifying certain vehicle filing and service fees and fee distributions; amending RCW 46.17.005, 46.17.040, and 46.68.400; and providing an effective date.

Referred to Committee on Transportation.

SB 6374 by Senators Dammeier, Becker, Cleveland, Warnick and Jayapal
AN ACT Relating to allowing physical therapists to perform dry needling; reenacting and amending RCW 18.74.010; and adding a new section to chapter 18.74 RCW.

EIGHTH DAY, JANUARY 18, 2016

2016 REGULAR SESSION

Referred to Committee on Health Care.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6375 by Senators Rivers and Pedersen
AN ACT Relating to marijuana clubs; amending RCW 69.50.465; and prescribing penalties.

MOTION

Referred to Committee on Commerce & Labor.

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

SB 6376 by Senators Fraser, Roach, McCoy, Conway, Hasegawa, Padden, Carlyle, Lias, Nelson, O'Ban, Darneille, Chase and Jayapal
AN ACT Relating to recognizing human trafficking awareness day; reenacting and amending RCW 1.16.050; and creating a new section.

MOTION

Referred to Committee on Human Services, Mental Health & Housing.

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Dammeier moved adoption of the following resolution:

SB 6377 by Senators Pearson, Jayapal, Rolfes, Takko, Dansel, Warnick, Hewitt and Chase
AN ACT Relating to administrative processes of the state parks and recreation commission that require a majority vote of the commission; amending RCW 79A.05.025 and 79A.05.175; and reenacting and amending RCW 79A.05.030.

SENATE RESOLUTION
8692

Referred to Committee on Natural Resources & Parks.

By Senators Dammeier, Hewitt, Brown, Benton, Bailey, Angel, Becker, McCoy, Litzow, Braun, Jayapal, Rivers, Fain, Roach, Chase, Hill, King, Keiser, McAuliffe, Parlette, Miloscia, Mullet, Padden, Habib, Pearson, Takko, O'Ban, Sheldon, Hasegawa, Warnick, Schoesler, Ericksen, Honeyford, Lias, Cleveland, Ranker, Darneille, Conway, Rolfes, Billig, and Nelson

SB 6378 by Senators Chase, Roach, Conway, McCoy, Hasegawa, Lias and McAuliffe
AN ACT Relating to electronic product recycling; and amending RCW 70.95N.280 and 70.95N.290.

WHEREAS, Today, the third Monday in January, we honor the life and legacy of Dr. Martin Luther King, Jr., a beacon of hope for equality in our nation; and

Referred to Committee on Energy, Environment & Telecommunications.

WHEREAS, Dr. King brought to light the realities facing many Americans and dedicated his life to bring historic change through nonviolent means; and

SB 6379 by Senators Jayapal, Roach, Ranker, McCoy, Fain, Fraser, Pedersen, Hasegawa, Billig, Frockt, Carlyle, Lias, McAuliffe, Keiser, Darneille, Chase and Habib
AN ACT Relating to providing automatic voter registration at qualified voter registration agencies; amending RCW 29A.08.410, 29A.08.420, and 29A.08.720; adding a new section to chapter 29A.04 RCW; adding new sections to chapter 29A.08 RCW; adding a new section to chapter 29A.84 RCW; creating a new section; making an appropriation; and providing an effective date.

WHEREAS, Dr. King's unwavering support for the principles of racial justice and social equality changed America; and

Referred to Committee on Government Operations & Security.

WHEREAS, Through his life and in our remembrance of him, Dr. King called on others to make a personal commitment to serve the less fortunate by acting with kindness and compassion; and

SB 6380 by Senator Benton
AN ACT Relating to reducing conflicts and ambiguity of law by eliminating certain laws, statutes, ordinances, rules, and regulations; and adding a new section to chapter 1.08 RCW.

WHEREAS, Service is a powerful way to commemorate Dr. King's life and mission by putting into action our reverence for his life and teachings while making the nation better; and

Referred to Committee on Government Operations & Security.

WHEREAS, Dr. King believed that a person's worth should not be measured by his or her color, culture, or class, but rather by one's commitment to making life better for all;

SB 6381 by Senators Ericksen and Sheldon
AN ACT Relating to providing an alternative to Initiative Measure No. 732; and creating a new section.

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate, in recognition of the courageous leadership and legacy of hope demonstrated by Dr. Martin Luther King, Jr., honor his memory by urging all citizens of our state to continue the legacy of Dr. King by treating all people as equal.

Senators Jayapal, McAuliffe and Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8692.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced a group of students with the Institute for Community Leadership. They were led by Karen Bohlke, the Director of the Institute for Community Leadership who were seated in the gallery.

The President also introduced Miss Althea Kerrick, Miss Tylar Alexander, Miss Gwen Keip, Miss Shanyce Hamilton, Miss Heather Hunt and Miss Lacey Hunt, with Girl Scout Troop No. 45297 in Lacey who were at the rostrum.

MOTION

At 12:25 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Tuesday, January 19, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

NINTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, January 19, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 18, 2016

SB 6007 Prime Sponsor, Senator Roach: Modifying theft of rental, leased, lease-purchased, or loaned property provisions. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6007 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, the measure listed on the Standing Committee report was referred to the committee as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6382 by Senators O'Ban, Darneille and Miloscia
AN ACT Relating to the extension of dates concerning measuring performance and performance-based contracting of the child welfare system; and amending RCW 74.13.360.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6383 by Senators O'Ban and Darneille
AN ACT Relating to the requirements for filing a petition for a superior court to deal with a dependent child; and amending RCW 13.34.040.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6384 by Senators King, Roach, Litzow, Rivers, Pearson, Takko and Hobbs
AN ACT Relating to clarifying that potential dual purposes of land does not reduce the scope of immunity provided by RCW 4.24.210; amending RCW 4.24.210; and creating a new section.

Referred to Committee on Transportation.

SB 6385 by Senators McCoy and Roach
AN ACT Relating to limiting the uses of the fire protection contractor license fund; and amending RCW 18.160.050.

Referred to Committee on Commerce & Labor.

SB 6386 by Senator Benton
AN ACT Relating to the safety of retractable basketball hoops; adding a new section to chapter 28A.335 RCW; and adding a new section to chapter 49.17 RCW.

Referred to Committee on Commerce & Labor.

SB 6387 by Senators Roach and McCoy
AN ACT Relating to fire protection district formation by the legislative authority of a city or town subject to voter approval; amending RCW 52.14.010 and 52.14.020; adding new sections to chapter 52.02 RCW; and adding a new section to chapter 52.14 RCW.

Referred to Committee on Government Operations & Security.

SB 6388 by Senators Warnick, Honeyford and Bailey
AN ACT Relating to providing small winery tax relief; and amending RCW 66.24.210.

Referred to Committee on Trade & Economic Development.

SB 6389 by Senators Keiser, Ranker, Cleveland and Becker
AN ACT Relating to the practice of certain East Asian medicine therapies; amending RCW 18.06.010; reenacting and amending RCW 69.41.010; and creating a new section.

Referred to Committee on Health Care.

SB 6390 by Senators Warnick and Bailey
AN ACT Relating to increasing the number of wineries and microbreweries that may offer wine or beer samples at farmers markets; and amending RCW 66.24.175.

Referred to Committee on Commerce & Labor.

SB 6391 by Senators Braun, Fraser, McCoy, Hasegawa and Chase
AN ACT Relating to background checks in emergency placement situations requested by tribes; and amending RCW 26.44.240.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6392 by Senators Honeyford and Pearson

AN ACT Relating to enhancing transparency for certain state agency acquisitions under the Washington wildlife and recreation program; and adding a new section to chapter 79A.15 RCW.

Referred to Committee on Natural Resources & Parks.

SB 6393 by Senators Warnick, Hasegawa, Dammeier, Lias and Chase

AN ACT Relating to modifying and updating small works roster construction and limited public works requirements; amending RCW 28A.335.190, 28B.10.350, 28B.50.330, 35.22.620, 35.23.352, 35.61.135, 35.82.076, 36.32.235, 36.32.250, 36.77.075, 39.04.010, 39.04.200, 39.04.380, 39.12.040, 52.14.110, 53.08.120, 54.04.070, 57.08.050, 70.44.140, and 87.03.436; adding new sections to chapter 39.04 RCW; creating a new section; and repealing RCW 39.04.155 and 39.04.156.

Referred to Committee on Commerce & Labor.

SB 6394 by Senators Rolfes, Roach, Miloscia, Lias, Conway, Chase, McCoy, Hasegawa, Fraser, Frockt and Habib

AN ACT Relating to parity in coverage for hearing disabilities; adding a new section to chapter 48.43 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 74.09 RCW; and creating new sections.

Referred to Committee on Health Care.

SB 6395 by Senators O'Ban, Dammeier, Miloscia, Sheldon, Rivers, Becker, Takko, Angel, Schoesler, Honeyford and Bailey

AN ACT Relating to the election and authority of regional transit authority board members; amending RCW 81.112.010 and 81.112.030; adding a new section to chapter 81.112 RCW; creating a new section; repealing RCW 81.112.040; and providing an effective date.

Referred to Committee on Transportation.

SB 6396 by Senators Braun, Roach, Bailey, Rivers, Angel, Becker, Brown, Dammeier, Parlette, Sheldon, Schoesler, Honeyford, Warnick, Padden and Pearson

AN ACT Relating to administrative procedures; and adding a new section to chapter 34.05 RCW.

Referred to Committee on Government Operations & Security.

SB 6397 by Senators Hill and Hargrove

AN ACT Relating to state and local government fiscal agents; amending RCW 43.80.100, 43.80.120, 43.80.125, 43.80.150, 39.46.020, and 39.46.030; adding a new section to chapter 43.80 RCW; and repealing RCW 43.80.110, 43.80.130, 43.80.140, and 43.80.160.

Referred to Committee on Ways & Means.

SB 6398 by Senators Hasegawa and Chase

AN ACT Relating to cultural foods; amending RCW 43.20.145; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 6399 by Senators Rivers, Keiser, Cleveland, Angel, Pedersen and McAuliffe

AN ACT Relating to the board of massage; amending RCW 18.108.025, 18.108.070, and 18.108.073; and adding a new section to chapter 18.108 RCW.

Referred to Committee on Health Care.

SB 6400 by Senators Hewitt, Hargrove and Warnick

AN ACT Relating to the technical changes that clarify fish and wildlife enforcement laws; amending RCW 77.15.370, 77.15.400, and 77.15.420; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

SB 6401 by Senators Rolfes and Warnick

AN ACT Relating to recordkeeping requirements of secondary commercial fish receivers; and amending RCW 77.15.568.

Referred to Committee on Natural Resources & Parks.

SB 6402 by Senators Pedersen and Padden

AN ACT Relating to the courts' consultation of the judicial information system before granting orders; and amending RCW 2.28.210.

Referred to Committee on Law & Justice.

SB 6403 by Senators Padden and Darneille

AN ACT Relating to surrender of person under surety's bond; and amending RCW 10.19.160.

Referred to Committee on Law & Justice.

SB 6404 by Senators Angel, Frockt, Becker, Bailey and Mullet

AN ACT Relating to dental licensure through completion of a residency program; and reenacting and amending RCW 18.32.040.

Referred to Committee on Health Care.

SB 6405 by Senators Benton, Roach, McCoy, O'Ban and Angel

AN ACT Relating to the civilian health and medical program for the veterans affairs administration; amending RCW 48.21.010; and reenacting and amending RCW 48.43.005.

Referred to Committee on Financial Institutions & Insurance.

SB 6406 by Senators Warnick and Conway

AN ACT Relating to certified public accountant firm mobility; and amending RCW 18.04.025, 18.04.195, 18.04.345, and 18.04.350.

Referred to Committee on Commerce & Labor.

SB 6407 by Senators Fain, Lias, Keiser, Hasegawa, McAuliffe, Conway, Frockt and Mullet

AN ACT Relating to requiring recess time for children in grades kindergarten through five; adding a new section to chapter 28A.230 RCW; and creating a new section.

NINTH DAY, JANUARY 19, 2016

2016 REGULAR SESSION

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

SJR 8211 by Senators Roach, Benton, Pearson, Rivers, Braun, Schoesler, Dammeier, O'Ban, Miloscia and Bailey

Amending the Constitution to require a two-thirds majority vote of the legislature to raise taxes.

Referred to Committee on Government Operations & Security.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6399 which was referred to the Committee on Health Care.

MOTION

On motion of Senator Fain, and without objection, the rules were suspended and the following measures listed on the document entitled "Measures to be removed from Senate Rules X file" were moved from the Senate Rules X file to the Senate Rules Green Sheet:

Senate Bill No. 5002; Senate Bill No. 5044; Senate Bill No. 5069; Senate Bill No. 5218; Senate Bill No. 5240; Senate Bill No. 5256; Senate Bill No. 5265; Senate Bill No. 5274; Senate Bill No. 5342; Senate Bill No. 5430; Senate Bill No. 5446; Senate Bill No. 5507; Senate Bill No. 5517; Senate Bill No. 5536; Senate Bill No. 5537; Senate Bill No. 5547; Senate Bill No. 5549; Senate Bill No. 5552; Senate Bill No. 5613; Senate Bill No. 5615; Senate Bill No. 5653; Senate Bill No. 5678; Senate Bill No. 5823; Senate Bill No. 5766; Senate Bill No. 5767; Senate Bill No. 5829; Senate Bill No. 5869; Senate Bill No. 6015

And the following measures were moved from the Senate Rules X file to the Senate Rules White Sheet:

Senate Bill No. 5007; Senate Bill No. 5036; Senate Bill No. 5045; Senate Bill No. 5056; Senate Bill No. 5063; Senate Bill No. 5067; Senate Bill No. 5089; Senate Bill No. 5090; Senate Bill No.

5092; Senate Bill No. 5129; Senate Bill No. 5136; Senate Bill No. 5141; Senate Bill No. 5149; Senate Bill No. 5185; Senate Bill No. 5187; Senate Bill No. 5188; Senate Bill No. 5189; Senate Bill No. 5197; Senate Bill No. 5199; Senate Bill No. 5212; Senate Bill No. 5213; Senate Bill No. 5220; Senate Bill No. 5222; Senate Bill No. 5255; Senate Bill No. 5258; Senate Bill No. 5281; Senate Bill No. 5289; Senate Bill No. 5291; Senate Bill No. 5303; Senate Bill No. 5309; Senate Bill No. 5329; Senate Bill No. 5331; Senate Bill No. 5332; Senate Bill No. 5364; Senate Bill No. 5368; Senate Bill No. 5369; Senate Bill No. 5371; Senate Bill No. 5373; Senate Bill No. 5376; Senate Bill No. 5392; Senate Bill No. 5409; Senate Bill No. 5410; Senate Bill No. 5412; Senate Bill No. 5420; Senate Bill No. 5421; Senate Bill No. 5422; Senate Bill No. 5435; Senate Bill No. 5437; Senate Bill No. 5483; Senate Bill No. 5497; Senate Bill No. 5500; Senate Bill No. 5508; Senate Bill No. 5514; Senate Bill No. 5527; Senate Bill No. 5539; Senate Bill No. 5540; Senate Bill No. 5559; Senate Bill No. 5561; Senate Bill No. 5565; Senate Bill No. 5576; Senate Bill No. 5579; Senate Bill No. 5585; Senate Bill No. 5588; Senate Bill No. 5594; Senate Bill No. 5605; Senate Bill No. 5614; Senate Bill No. 5661; Senate Bill No. 5668; Senate Bill No. 5671; Senate Bill No. 5728; Senate Bill No. 5744; Senate Bill No. 5751; Senate Bill No. 5752; Senate Bill No. 5753; Senate Bill No. 5759; Senate Bill No. 5774; Senate Bill No. 5775; Senate Bill No. 5842; Senate Bill No. 5860; Senate Bill No. 5864; Senate Bill No. 5868; Senate Bill No. 5879; Senate Bill No. 5883; Senate Bill No. 5894; Senate Bill No. 5898; Senate Bill No. 5900; Senate Bill No. 5920; Senate Bill No. 5931; Senate Bill No. 5934; Senate Bill No. 5940; Senate Bill No. 5950; Senate Bill No. 5951; Senate Bill No. 5952; Senate Bill No. 5953; Senate Bill No. 5969; Senate Bill No. 5979; Senate Bill No. 5985; Senate Bill No. 6000; Senate Bill No. 6004; and Senate Joint Resolution No. 8205.

MOTION

At 12:02 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Wednesday, January 20, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 20, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all senators were present with the exception of Senator Habib.

The Sergeant at Arms Color Guard consisting of Pages Miss Ainsley Grace Austin and Mr. Charles Austin Freeman presented the Colors.

Page Miss Ainsley Grace Austin led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Robert Brzezinski of Spirit Evolving Ministries Church, in Olympia.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 19, 2016

SB 6178 Prime Sponsor, Senator Honeyford: Concerning the outdoor burning of organic waste derived from pruning by commercial berry growers. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

January 19, 2016

SB 6179 Prime Sponsor, Senator Honeyford: Concerning water banking. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6179 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

January 19, 2016

SB 6187 Prime Sponsor, Senator Litzow: Concerning the authority of the pollution liability insurance agency. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6187 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice

Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Ways & Means.

January 19, 2016

SB 6194 Prime Sponsor, Senator Litzow: Concerning public schools that are not common schools. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6194 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Conway; Hasegawa and Nelson. MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Darneille; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6408 by Senators Hill, McAuliffe, Litzow, Hobbs, Mullet, Benton, Rolfes, Frockt and Conway

AN ACT Relating to paraeducators; amending RCW 28A.630.400 and 28B.50.891; adding a new section to chapter 28A.410 RCW; and creating new sections.

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

SB 6409 by Senators Bailey, Frockt, Braun, Becker, Carlyle and Chase

AN ACT Relating to administrative efficiencies in Washington state public higher education; and amending RCW 28B.10.027, 28B.10.029, 39.26.110, 39.26.140, 39.26.210, 42.48.010, 43.88.030, and 43.88.110.

Referred to Committee on Higher Education.

SB 6410 by Senators Hewitt and Warnick

AN ACT Relating to requiring periodic certification elections for labor unions representing public employees;

TENTH DAY, JANUARY 20, 2016

2016 REGULAR SESSION

and amending RCW 41.56.060, 41.56.070, 41.80.070, 41.80.080, 28B.52.030, 41.76.020, and 41.59.070.

Referred to Committee on Commerce & Labor.

SB 6411 by Senators Angel, Bailey, Rivers, Becker, Warnick and Padden

AN ACT Relating to expanding the eligibility of certain representatives and transferees to serve as directors, officers, and shareholders of professional service corporations; and amending RCW 18.100.118.

Referred to Committee on Law & Justice.

SB 6412 by Senators Hewitt and Schoesler

AN ACT Relating to modifying the penalty for taxpayers that do not submit an annual survey or report; amending RCW 82.32.534 and 82.32.585; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6413 by Senators Mullet, Benton, Pedersen and Frockt

AN ACT Relating to tenant screening, evictions, and refunds under the residential landlord-tenant act; amending RCW 59.18.257 and 59.18.280; reenacting and amending RCW 59.18.030; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

SB 6414 by Senators Rolfes, Pearson, Warnick and Angel

AN ACT Relating to hatchery management agreements; and amending RCW 77.95.320.

Referred to Committee on Natural Resources & Parks.

SB 6415 by Senators Rolfes, Rivers, Parlette, Cleveland, Bailey, Jayapal, McAuliffe, Ranker, Warnick, Angel, Benton and Hasegawa

AN ACT Relating to career and technical education materials, supplies, and operating costs; amending RCW 28A.150.260; reenacting and amending RCW 28A.150.260; and providing effective dates.

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

SB 6416 by Senators Liias, Fain, Rolfes, Rivers, King, Billig, Parlette, Mullet, Pearson, Habib, Sheldon, Roach, Hobbs, Darneille, Benton and Conway

AN ACT Relating to firefighter memorial special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200 and 46.17.220; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 6417 by Senators Pearson and Roach

AN ACT Relating to adding certain commissioned court marshals of city police departments to the definition of uniformed personnel for the purpose of public employees' collective bargaining; and amending RCW 41.56.030.

Referred to Committee on Commerce & Labor.

SB 6418 by Senators Ranker, Rolfes, Nelson, Hargrove, Liias, Carlyle, Billig, Pedersen, Darneille, Keiser, Frockt, McCoy, Habib, Chase, Hasegawa and Conway

AN ACT Relating to oil transportation safety; amending RCW 88.40.025, 88.40.030, 88.40.040, 88.16.190, 90.56.370, and 82.23B.020; reenacting and amending RCW 88.40.011 and 88.40.020; adding new sections to chapter 90.56 RCW; and adding a new section to chapter 82.23B RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6419 by Senators Ranker, Nelson, Rolfes, Frockt and Chase

AN ACT Relating to air pollution emission control devices; amending RCW 70.94.015; reenacting and amending RCW 43.21B.300; adding new sections to chapter 70.120A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6420 by Senators Roach and Takko

AN ACT Relating to land capacity review and evaluation; and amending RCW 36.70A.215.

Referred to Committee on Government Operations & Security.

SB 6421 by Senators Ranker, Becker, McAuliffe and Mullet

AN ACT Relating to authorizing the use of epinephrine autoinjector devices through collaborative agreements; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Health Care.

SB 6422 by Senators Miloscia and Chase

AN ACT Relating to providing affordable housing for all; amending RCW 43.185B.040, 36.22.178, and 43.185A.100; reenacting and amending RCW 43.185.070; adding new sections to chapter 43.185C RCW; adding a new chapter to Title 43 RCW; creating a new section; and recodifying RCW 36.22.179, 36.22.1791, 43.20A.790, 36.22.178, 43.185A.100, 43.185B.020, and 43.185B.040.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6423 by Senators Miloscia, Braun, Schoesler, Brown, Roach, Sheldon and Benton

AN ACT Relating to improving state budgeting through zero-based budget reviews; adding a new section to chapter 43.88 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Accountability & Reform.

SB 6424 by Senators Miloscia, Braun, Schoesler, Brown and Roach

AN ACT Relating to annual self-assessments performed by state agencies under the quality management statute; and amending RCW 43.17.385.

Referred to Committee on Accountability & Reform.

SB 6425 by Senators Hewitt, Fraser, Roach, Parlette, Mullet, Hobbs, Rivers, Takko, McCoy, Lias, Warnick, Ericksen, Rolfes, Darneille, Habib, Sheldon, Chase, Hasegawa and Conway

AN ACT Relating to gradually increasing the local government share of excess liquor revenues until the percentage-based method for distributions is restored; amending RCW 66.08.190, 66.08.190, and 66.08.210; creating a new section; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6426 by Senators Conway, Dammeier, Takko, Becker, Mullet, Sheldon and Chase

AN ACT Relating to essential public facilities; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Government Operations & Security.

SB 6427 by Senators Fain, Hargrove, Keiser, Honeyford, Rolfes and Roach

AN ACT Relating to specifying the documentation that must be provided to determine when sales tax applies to the sale of a motor vehicle to an enrolled tribal member; adding a new section to chapter 82.08 RCW; and prescribing penalties.

Referred to Committee on Ways & Means.

SB 6428 by Senator King

AN ACT Relating to the freight mobility strategic investment board's authority to remove funding allocation for projects after a certain number of years without construction occurring; and amending RCW 47.06A.050.

Referred to Committee on Transportation.

SB 6429 by Senators McAuliffe and Litzow

AN ACT Relating to school day start times; adding a new section to chapter 28A.320 RCW; and creating new sections.

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

SB 6430 by Senators Parlette, Darneille, O'Ban and Conway

AN ACT Relating to providing continuity of care for recipients of medical assistance during periods of incarceration; adding new sections to chapter 74.09 RCW; adding a new section to chapter 71.24 RCW; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6431 by Senators Mullet, Litzow, Billig and Fain

AN ACT Relating to maternity and paternity leave for K-12 teachers; creating new sections; and providing an expiration date.

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

SB 6432 by Senators Litzow, McAuliffe, Rolfes, Fain, Dammeier, Mullet, Carlyle and Darneille

AN ACT Relating to evaluating student mental health services and providing students with skills that promote mental health and well-being and increase academic performance; amending RCW 28A.310.500; creating new sections; and providing an expiration date.

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

SB 6433 by Senators Bailey, Angel, Becker, Brown, Braun, Warnick and Rolfes

AN ACT Relating to the forfeiture of the pension of a public employee convicted of a felony for misconduct associated with such person's service as a public employee; adding a new section to chapter 41.04 RCW; and prescribing penalties.

Referred to Committee on Ways & Means.

SB 6434 by Senators Bailey, Angel, Becker, Miloscia, Braun, Warnick and Roach

AN ACT Relating to garnishing public pensions to pay for the costs of incarceration of a public employee convicted of a felony for misconduct associated with such person's service as a public employee; amending RCW 41.26.053, 41.32.052, 41.34.080, 41.35.100, 41.37.090, 41.40.052, and 43.43.310; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6435 by Senators Bailey, Schoesler, Miloscia, Angel, Roach, Becker and Parlette

AN ACT Relating to optional salary deferral programs; amending RCW 41.50.770 and 41.50.780; reenacting and amending RCW 43.84.092; and adding a new section to chapter 41.50 RCW.

Referred to Committee on Ways & Means.

SB 6436 by Senator Ericksen

AN ACT Relating to dredged materials; and amending RCW 70.105D.010, 70.105D.040, and 79.105.500.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6437 by Senators Roach, O'Ban, Schoesler, Warnick, Brown, Honeyford and Benton

AN ACT Relating to detecting and deterring dangerous drone operations near correctional facilities; adding a new section to chapter 72.09 RCW; adding a new section to chapter 9A.76 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6438 by Senators Schoesler and Hargrove

AN ACT Relating to improvements to tax and licensing laws administered by the department of revenue; amending RCW 82.45.197, 82.04.040, 82.04.190, 82.70.040, 82.08.809, 82.12.809, 82.04.220, 82.32.670, 82.32.534, 82.32.585, 82.04.261, 82.04.334, 82.04.43391, 82.32.030, 82.16.010, 83.100.050, 19.02.115, 82.01.060, and 84.33.089; amending 2015 3rd sp.s. c 6 ss 2303, 801 and 2301 (uncodified);

TENTH DAY, JANUARY 20, 2016

2016 REGULAR SESSION

amending 2015 3rd sp.s. c 30 s 1 (uncodified); reenacting and amending RCW 84.34.108 and 82.32.790; reenacting RCW 82.04.280; creating new sections; repealing RCW 82.04.4483; repealing 2010 c 106 s 206 (uncodified); repealing 2009 c 461 s 3 (uncodified); repealing 2006 c 300 s 7 (uncodified); repealing 2003 c 149 s 4 (uncodified); providing a contingent effective date; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 6439 by Senators Bailey, Conway, Schoesler, Hewitt and Roach

AN ACT Relating to volunteer firefighters and reserve officers assisting with multiregional state emergencies; amending RCW 41.40.010; and creating a new section.

Referred to Committee on Ways & Means.

SB 6440 by Senators Parlette, Cleveland, Becker, Rolfes, Warnick, Bailey, Miloscia, Nelson, Angel, Brown, Rivers, Frockt, Dammeier, O'Ban, King, Litzow, Hewitt, Fraser, Liias, Billig, Pedersen, Darneille, McCoy, Jayapal, Habib, Benton, Chase and Hasegawa

AN ACT Relating to reducing public health threats that particularly impact highly exposed populations, including children and firefighters, by establishing a process for the department of health to restrict the use of toxic flame retardant chemicals in certain types of consumer products; amending RCW 70.240.050; adding a new chapter to Title 70 RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Health Care.

SB 6441 by Senators Cleveland, Rolfes, Miloscia, Fraser, Darneille, Pedersen and Hasegawa

AN ACT Relating to increasing the notice of termination for tenancies under the residential landlord-tenant act; and amending RCW 59.18.200.

Referred to Committee on Financial Institutions & Insurance.

SB 6442 by Senators Cleveland, Keiser, Rolfes, Jayapal, Fraser, Conway, McAuliffe, Chase, Liias, Pedersen, Darneille, Ranker, Takko, McCoy, Frockt, Habib and Hasegawa

AN ACT Relating to enacting the equal pay opportunity act by amending and enhancing enforcement of the equal pay act and protecting worker communications about wages and employment opportunities; amending RCW 49.12.175; recodifying RCW 49.12.175; and adding a new chapter to Title 49 RCW.

Referred to Committee on Commerce & Labor.

SB 6443 by Senators Ericksen, Bailey, Padden, O'Ban, Angel, Becker, Braun, Miloscia, Warnick, Dammeier, Honeyford, Hewitt, Roach and Benton

AN ACT Relating to the human rights commission's rule-making authority; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Commerce & Labor.

SB 6444 by Senators Braun and Angel

AN ACT Relating to providers of commercial transportation services; amending RCW 46.72.010; and adding a new chapter to Title 46 RCW.

Referred to Committee on Transportation.

SB 6445 by Senators Braun and Angel

AN ACT Relating to clarifying the role of physician assistants in the delivery of mental health services; amending RCW 71.05.230; reenacting and amending RCW 71.05.020; and adding a new section to chapter 71.05 RCW.

Referred to Committee on Health Care.

SB 6446 by Senator Braun

AN ACT Relating to survey requirements of ambulatory surgical facilities; amending RCW 70.230.100; and adding a new section to chapter 48.39 RCW.

Referred to Committee on Health Care.

SB 6447 by Senators Rivers, Keiser, Cleveland, Frockt and Mullet

AN ACT Relating to third-party administrators and benefits managers; adding a new chapter to Title 48 RCW; repealing RCW 19.340.010, 19.340.020, 19.340.030, 19.340.040, 19.340.050, 19.340.060, 19.340.070, 19.340.080, 19.340.090, 19.340.100, and 19.365.010; and providing an effective date.

Referred to Committee on Health Care.

SB 6448 by Senators Rolfes, Darneille and Hasegawa

AN ACT Relating to filing fee surcharges for funding dispute resolution centers; and amending RCW 7.75.035.

Referred to Committee on Law & Justice.

SJM 8017 by Senators Roach, Dammeier, O'Ban and Warnick

Requesting Congress to reform the harbor maintenance tax.

Referred to Committee on Trade & Economic Development.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6430 which was referred to the Committee on Human Services, Mental Health & Housing.

Senator Fain announced a meeting of the Committee on Rules Committee immediately at the rostrum.

MOTION

At 10:08 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President for the purpose of a Rules Committee meeting.

The Senate was called to order at 11:13 a.m. by President of the Senate, Lt. Governor Owen.

MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 5180, by Senators Benton, Mullet, Angel, Hobbs, Hargrove, Keiser and Darneille

Modernizing life insurance reserve requirements.

The bill was read on Third Reading.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5180.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5180 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Habib

SENATE BILL NO. 5180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5879, by Senators Billig, McAuliffe and Kohl-Welles

Concerning early intervention services for infants and toddlers with disabilities and their families.

The measure was read the second time.

MOTION

On motion of Senator Billig, the rules were suspended, Senate Bill No. 5879 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Billig and Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5879.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5879 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Habib

SENATE BILL NO. 5879, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed students from the Northwest Christian School and their advisor Angela Johnston, guests of Senator Dammeier, who were seated in the gallery.

SECOND READING

SENATE BILL NO. 6194, by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Mullet, Fain, Hobbs, Becker, Rivers, O'Ban, Dammeier, Angel, Hill, Bailey, Sheldon, Miloscia, Braun, Baumgartner and King)

Concerning public schools that are not common schools.

MOTION

On motion of Senator Litzow, Second Substitute Senate Bill No. 6194 was substituted for Senate Bill No. 6194 and the second substitute bill was placed on second reading and read the second time.

MOTION

Senator Jayapal moved that the following amendment no. 523 by Senators Conway, Keiser, Jayapal and Darneille be adopted: On page 1, after line 14, insert the following:

"NEW SECTION. Sec. 1. The legislature finds that it has yet to fully fulfill its basic education obligations under *McCleary v. State*, Supreme Court No. 84362-7. While the legislature recognizes the importance of providing educational stability to the students who had previously attended charter schools prior to the Supreme Court's ruling, it is also the intent of the legislature to recognize the state has an equally important obligation to the over one million students in our public schools who continue to wait for the state to provide them with the educational opportunities guaranteed by the state constitution."

Senators Chase, Conway and Jayapal spoke in favor of adoption of the amendment.

Senators Dammeier and Litzow spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 523 by Senators Conway, Keiser,

TENTH DAY, JANUARY 20, 2016

2016 REGULAR SESSION

Jayapal and Darneille on page 1, after line 14 to Second Substitute Senate Bill No. 6194.

MOTION

Senator Rolfes demanded a division.

The motion by Senator Jayapal failed and amendment no. 523 by Senator Conway was not adopted by a rising vote.

MOTION

Senator Billig moved that the following amendment no. 521 by Senator Billig be adopted:

On page 2, beginning on line 22, strike "the commission established in RCW 28A.710.070 or"

On page 3, beginning on line 1, after "(7)" strike all material through "(8)" on line 3 and insert "~~(\"Commission\" means the Washington charter school commission established in RCW 28A.710.070.~~

~~(8))~~"

On page 3, line 6, strike "(9)" and insert "~~((9)) (8)~~"

On page 3, line 9, strike "(10)" and insert "~~((10)) (9)~~"

On page 3, line 11, strike "(11)" and insert "~~((11)) (10)~~"

Beginning on page 8, line 4, strike all of section 107

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

On page 10, line 1, after "following" strike all material through "~~to~~)" and insert "~~(entities are eligible to) entity~~"

On page 10, line 1, after "be" strike "authorizers" and insert "~~(authorizers) an authorizer~~"

On page 10, beginning on line 3, strike all material through "(2)" on line 6 and insert "~~((1) The Washington charter school commission established under RCW 28A.710.070, for charter schools located anywhere in the state; and~~

~~(2))~~"

On page 20, beginning on line 35, after "(3)" strike all material through "the" on line 36 and insert "The"

Beginning on page 20, line 37, after "directors" strike all material through "and" on page 21, line 3 and insert "~~(if the school district board of directors is the authorizer or the chair of the commission if the commission is the authorizer)) and by~~"

On page 22, line 1, after "(b)" strike "Each authorizer" and insert "A school district board of directors for a school district in which a charter school was in operation under the authority of chapter 2, Laws of 2013"

On page 22, after line 6, insert the following:

"(c) If a charter school board had a charter contract with the charter school commission in effect as of December 1, 2015, and the charter school board wants the charter school to continue to operate as a charter school, the school district board of directors for a district in which that charter school was located must provide the charter school board the opportunity to execute a new contract with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015. The school district board of directors that executes a charter contract under the authority of this subsection (8)(c) shall be considered an authorizer for the purposes of this chapter without having to apply to become an authorizer, but only for those charter schools that were in effect on December 1, 2015. In order to authorize additional charter schools under the provisions of this chapter, the school district board of directors must comply with the process established by the state board of education under RCW 28A.710.090."

On page 26, beginning on line 32, after "from" strike all material through "from" on line 33 and insert "~~((one authorizer to another or from))~~"

On page 26, line 33, after "school" strike "~~((applicant))~~" and insert "applicant"

On page 29, beginning on line 33, after "education" strike all material through "commission," on line 34 and insert "~~((in collaboration with the commission,))~~"

On page 30, beginning on line 13, after "education" strike all material through "commission," on line 14 and insert "~~((in collaboration with the commission,))~~"

On page 30, beginning on line 17, strike all of section 126
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 37, beginning on line 9, strike all of section 137 and insert the following:

"NEW SECTION. Sec. 137. The following acts or parts of acts are each repealed:

(1)RCW 28A.710.005 (Findings—2013 c 2) and 2013 c 2 s 101;

(2)RCW 28A.710.070 (Washington charter school commission) and 2013 c 2 s 208; and

(3)RCW 28A.710.260 (Charter schools oversight account—Creation) and 2014 c 221 s 911."

On page 37, beginning on line 12, after "to" strike all material through "commission," on line 13

On page 37, line 13, after "authorizers" strike ","

On page 37, line 20, after "(3)" strike all material through "and school" and insert "School"

On page 37, beginning on line 27, after "may," strike all material through "parties" on line 28 and insert "in accordance with the provisions of RCW 28A.710.160,"

On page 45, beginning on line 18, strike all of section 302
Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 5 of the title, after "28A.710.060," strike "28A.710.070,"

On page 1, line 9 of the title, after "28A.710.240," strike "28A.710.260,"

On page 1, line 12 of the title, after "28A.710.005" insert ", 28A.710.070, and 28A.710.260"

On page 1, beginning on line 12 of the title, after "28A.710.005;" strike "making appropriations;" and insert "making an appropriation;"

Senators Billig, Dandel and Pedersen spoke in favor of adoption of the amendment.

Senators Baumgartner, Litzow and Parlette spoke against adoption of the amendment.

MOTION

Senator Rolfes demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of amendment no. 521 by Senator Billig on page 2, line 22 to Second Substitute Senate Bill No. 6194.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 521 by Senator Billig and the amendment was not adopted by the following vote: Yeas, 21; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Dansel, Darneille, Fraser, Frockt, Hargrove, Hasegawa, Jayapal, Keiser, Lias, McAuliffe, McCoy, Nelson, Pedersen, Ranker, Rolfes and Takko

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

Excused: Senator Habib

WITHDRAWAL OF AMENDMENT

On motion of Senator Conway, and without objection, the following amendment no. 522 by Senators Conway, Hasegawa, Keiser, Jayapal and Darneille on page 5, line 10 to Second Substitute Senate Bill No. 6194 was withdrawn:

On page 5, after line 10, insert the following:

"(4) Each charter school board shall provide notice to all charter school employees regarding the public employee rights that are not available to them as charter school employees that would otherwise be available to if they were school district employees."

MOTION

Senator Rolfes moved that amendment no. 518 by Senator Rolfes be adopted: On page 45, after line 27, insert the following:

"NEW SECTION, Sec. 304. (1) The sum of eighteen million dollars is appropriated for the fiscal biennium ending June 30, 2017, from the general fund to the office of financial management for the purposes of ensuring that the appropriation from the Washington opportunity pathways account in section 303 this act does not reduce the total funding available for the other programs that have received appropriations from the Washington opportunity pathways account. The office of financial management shall allocate the appropriation in this subsection to (a) the student achievement council for the purposes of the state need grant and college bound scholarship programs; and (b) the department of early learning for the early childhood education and assistance program.

(2) The office of financial management shall place in reserve status eighteen million dollars from Washington opportunity pathways account appropriations in chapter 4, Laws of 2015 3rd sp. sess. to the student achievement council and the department of early learning. The amount placed in reserve status under this subsection shall remain unallotted and shall not be expended."

Senators Litzow and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 518 by Senator Rolfes on page 45, after line 27 to Second Substitute Senate Bill No. 6194.

The motion by Senator Rolfes carried and amendment no. 518 was adopted by voice vote.

MOTION

Senator Frockt moved that amendment no. 520 by Senators Frockt and Carlyle be adopted: On page 10, at the beginning of line 1, insert "(1)"

On page 10, at the beginning of line 3, strike "(1)" and insert "((+)) (a)"

On page 10, at the beginning of line 6, strike "(2)" and insert "((=)) (b)"

On page 10, after line 11, insert the following:

"(2) Beginning January 1, 2019, no authorizer may exercise the authority granted under this section to authorize new charter schools unless and until the supreme court terminates its jurisdiction over the case of *McCleary v. State*. Supreme Court No. 84362-7."

Correct internal references accordingly.

Senators Carlyle and Frockt spoke in favor of adoption of the amendment.

Senators Baumgartner and Litzow spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 520 by Senators Frockt and Carlyle on page 10, line 1 to Second Substitute Senate Bill No. 6194.

The motion by Senator Frockt failed and amendment no. 520 was not adopted by voice vote.

PARLIAMENTARY INQUIRY

Senator Schoesler: "Did the previous speaker (Senator Carlyle) present his honorarium to the body before engaging in that speech?"

REPLY BY THE PRESIDENT

President Owen: "The President believes that normally it is following the speech."

Senator Schoesler: "We hope that perhaps, that the gift is that this is the last speech we hear this year."

MOTION

On motion of Senator Mullet, and without objection, Senator Ranker was excused.

MOTION

On motion of Senator Litzow, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6194 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6194.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Hargrove, Hasegawa, Jayapal, Keiser, Lias, McAuliffe, McCoy, Nelson, Pearson, Pedersen, Rolfes and Takko

Excused: Senators Habib and Ranker

TENTH DAY, JANUARY 20, 2016

2016 REGULAR SESSION
MOTION

ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 6194, having received the constitutional majority, was
declared passed. There being no objection, the title of the bill was
ordered to stand as the title of the act.

At 12:35 p.m., on motion of Senator Fain, the Senate
adjourned until 12:00 o'clock p.m., Thursday, January 21, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

ELEVENTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, January 21, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 20, 2016

SB 5937 Prime Sponsor, Senator Parlette: Addressing the farm internship pilot project. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Hasegawa, Ranking Minority Member; Conway; Keiser and Warnick.

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

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6033 Prime Sponsor, Senator Roach: Establishing a task force to examine state and local regulations that affect small businesses. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6033 be substituted therefor, and the substitute bill do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Carlyle; Ericksen and McCoy.

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6078 Prime Sponsor, Senator Rivers: Creating manufacturing partnerships. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Carlyle; Ericksen and McCoy.

Passed to Committee on Ways & Means.

January 20, 2016

SB 6173 Prime Sponsor, Senator Ericksen: Prohibiting rules and policies that limit greenhouse gas emissions. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Cleveland and Habib.

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6177 Prime Sponsor, Senator Rivers: Modifying marijuana research license provisions. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6177 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser and Warnick.

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6207 Prime Sponsor, Senator Rivers: Concerning public disclosure of information submitted to the liquor and cannabis board regarding marijuana product traceability and operations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Conway; Keiser and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair Hasegawa, Ranking Minority Member.

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6217 Prime Sponsor, Senator Brown: Regarding nuclear power generation in the state plan submitted to the United States environmental protection agency under the clean power plan. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Cleveland and Habib.

Passed to Committee on Rules for second reading.

January 20, 2016

ELEVENTH DAY, JANUARY 21, 2016

2016 REGULAR SESSION

SB 6222 Prime Sponsor, Senator Brown: Concerning development of a one-stop portal for Washington businesses. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

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

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6282 Prime Sponsor, Senator Benton: Addressing the expiration date of the mortgage lending fraud prosecution account. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson and Pedersen.

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6283 Prime Sponsor, Senator Benton: Addressing the securities act of Washington. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6283 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson and Pedersen.

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6285 Prime Sponsor, Senator Fain: Providing that the horse racing commission operating account is a nonappropriated account. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser and Warnick.

Passed to Committee on Ways & Means.

January 20, 2016

SB 6293 Prime Sponsor, Senator Braun: Addressing student volunteers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6293 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser and Warnick.

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6349 Prime Sponsor, Senator Benton: Concerning public funds and deposits. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson and Pedersen.

Passed to Committee on Rules for second reading.

January 20, 2016

SB 6405 Prime Sponsor, Senator Benton: Addressing the civilian health and medical program for the veterans affairs administration. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson and Pedersen.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6449 by Senators Hewitt and Conway
AN ACT Relating to enhanced raffles; and amending RCW 9.46.0323.

Referred to Committee on Commerce & Labor.

SB 6450 by Senator Pearson
AN ACT Relating to wildlife damage claim assessment costs; and amending RCW 77.36.120.

Referred to Committee on Natural Resources & Parks.

SB 6451 by Senators Roach, Chase and Liias
AN ACT Relating to voter approval requirements for fire protection district annexations; and amending RCW 52.04.071.

Referred to Committee on Government Operations & Security.

SB 6452 by Senators Roach, Rolfes, Sheldon, Becker, Conway and Angel
AN ACT Relating to authorizing the termination of all legal responsibilities of a nonparent if genetic testing shows by clear and convincing evidence that a man is not the genetic father of a child; amending RCW 26.26.310, 26.26.320, 26.26.335, 26.26.530, 26.26.535, 26.26.600, and 26.26.405;

adding a new section to chapter 26.26 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 6453 by Senators Cleveland, Rivers and McAuliffe
AN ACT Relating to establishing a pilot project to create and expand instructional worksite learning; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration.

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

SB 6454 by Senators Fain and Takko
AN ACT Relating to providing a sales and use tax exemption for certain new building construction to be used by maintenance repair operators for airplane repair and maintenance; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Trade & Economic Development.

SB 6455 by Senators Dammeier, Rolfes, Litzow, Billig, Rivers, Conway and McAuliffe
AN ACT Relating to expanding the professional educator workforce by increasing career opportunities in education, creating a more robust enrollment forecasting, and enhancing recruitment efforts; amending RCW 41.32.765, 41.32.875, 43.88C.010, 28A.660.050, and 28A.410.250; creating new sections; making an appropriation; and providing an expiration date.

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

SB 6456 by Senators Benton, Honeyford, Padden and Hobbs
AN ACT Relating to the validity of administrative rules; and adding a new section to chapter 34.05 RCW.

Referred to Committee on Law & Justice.

SB 6457 by Senators Bailey and Frockt
AN ACT Relating to updating workforce investment act references and making no substantive changes; amending RCW 28B.50.281, 28C.18.010, 28C.18.060, 28C.18.150, 28C.18.164, 50.20.250, 50.22.150, 50.62.030, and 74.15.020; and reenacting and amending RCW 28C.04.410 and 50.22.155.

Referred to Committee on Higher Education.

SB 6458 by Senator Chase
AN ACT Relating to reforming the school assessment system to focus on teaching and learning; amending RCW 28A.155.170, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.320.195, 28A.320.208, 28A.415.360, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070, 28A.700.080, and 28B.15.520; creating a new section; and repealing RCW 28A.155.045, 28A.600.405, 28A.655.065, 28A.655.066, and 28A.655.071.

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

SB 6459 by Senators Rivers, Takko, Litzow, Ranker, Ericksen, Benton and Pearson
AN ACT Relating to peace officers; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Law & Justice.

SB 6460 by Senator Chase
AN ACT Relating to giving parents and guardians an unrestricted right to excuse their children from taking statewide assessments; and amending RCW 28A.655.005, 28A.655.061, and 28A.655.070.

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

SB 6461 by Senators O'Ban, Hobbs and Warnick
AN ACT Relating to eligibility for relocation assistance for tenants of closed or converted mobile home parks; and amending RCW 59.21.021.

Referred to Committee on Financial Institutions & Insurance.

SB 6462 by Senators Bailey, Carlyle, Fain and Frockt
AN ACT Relating to a leasehold excise tax credit for properties of market value in excess of ten million dollars; amending RCW 82.29A.120; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6463 by Senators Pearson, Darneille, O'Ban, Padden and Dammeier
AN ACT Relating to luring; amending RCW 9A.40.090; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6464 by Senator Padden
AN ACT Relating to deadlines for final determinations and dispositions in agency adjudicative proceedings; and amending RCW 34.05.413, 34.05.534, 34.05.562, and 39.05.570.

Referred to Committee on Law & Justice.

SB 6465 by Senators Hobbs, Becker, Conway, Keiser, Jayapal, Dammeier, Cleveland, Hasegawa and McAuliffe
AN ACT Relating to implementing an alert program that allows residents to provide information to first responders pertaining to persons with developmental disabilities living at a registered address; adding a new section to chapter 43.43 RCW; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6466 by Senators Habib, Dammeier, Darneille, Liias, Roach, Keiser, Frockt, Becker, Hasegawa, Conway and McAuliffe

ELEVENTH DAY, JANUARY 21, 2016

2016 REGULAR SESSION

AN ACT Relating to student services for students with disabilities; amending RCW 28B.10.912 and 28B.10.914; and adding new sections to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

SB 6467 by Senators Rivers, Darneille, Litzow, Fain, Rolfes, Hill, Keiser, Liias and Chase

AN ACT Relating to permitting pharmacists to prescribe and dispense contraceptive patches and oral contraception; amending RCW 18.64.011; reenacting and amending RCW 69.41.030; adding a new section to chapter 18.64 RCW; adding a new section to chapter 48.44 RCW; and prescribing penalties.

Referred to Committee on Health Care.

SB 6468 by Senators Rivers and Cleveland

AN ACT Relating to auto mall directional signs; and adding a new section to chapter 47.36 RCW.

Referred to Committee on Transportation.

SB 6469 by Senators Roach, Litzow, Hasegawa, Conway, Bailey, Angel, Chase, Becker, Warnick, Padden and Braun

AN ACT Relating to requiring that cursive writing be taught in common schools; amending RCW 28A.230.020; and adding a new section to chapter 28A.230 RCW.

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

SB 6470 by Senators King, Hasegawa, Conway, Keiser, Hewitt, Rivers and Chase

AN ACT Relating to the regulation of alcoholic beverages; amending RCW 66.24.380, 66.12.110, 66.12.120, 66.12.240, 66.20.170, 66.20.180, 66.20.190, 66.20.200, 66.20.210, 66.24.210, 66.28.030, 66.28.035, 66.28.040, and 66.44.350; reenacting and amending RCW 66.24.170 and 66.20.010; and repealing RCW 66.24.440.

Referred to Committee on Commerce & Labor.

SB 6471 by Senators Ranker, Jayapal, Darneille, Hargrove, Keiser, Rolfes, Hasegawa, Conway and Chase

AN ACT Relating to promoting transparency of prescription drug pricing and costs; adding a new section to chapter 41.05 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 6472 by Senators Angel, Benton, Dammeier, O'Ban, Sheldon and Rolfes

AN ACT Relating to a sufficient minimum balance supporting the Tacoma Narrows toll bridge; amending RCW 46.68.395 and 47.56.165; reenacting and amending RCW 43.84.092; adding a new section to chapter 47.56 RCW; and providing a contingent expiration date.

Referred to Committee on Transportation.

SB 6473 by Senators Baumgartner, Billig and McAuliffe

AN ACT Relating to a pilot program allowing the use of a nationally recognized college readiness assessment to earn a

certificate of academic achievement for high school graduation purposes and for federal and state accountability purposes; amending RCW 28A.305.130, 28A.655.061, 28A.655.068, 28A.655.070, and 28A.657.020; adding a new section to chapter 28A.655 RCW; and creating a new section.

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

SB 6474 by Senators Frockt, Habib, Billig, Hasegawa, Jayapal, Rolfes, Liias, McCoy, Fain, Pedersen, Conway, McAuliffe and Chase

AN ACT Relating to student voters; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

SB 6475 by Senators Dansel, King, Takko and Frockt

AN ACT Relating to political subdivisions purchasing health coverage through the public employees' benefits board program; amending RCW 41.04.205 and 41.05.050; and reenacting and amending RCW 41.05.011.

Referred to Committee on Ways & Means.

SB 6476 by Senators Roach, McCoy, Chase, Hasegawa, Conway, McAuliffe, Liias and Ranker

AN ACT Relating to reforming the school assessment system to focus on teaching and learning; amending RCW 28A.155.170, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.320.195, 28A.320.208, 28A.415.360, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070, 28A.700.080, and 28B.15.520; creating a new section; and repealing RCW 28A.155.045, 28A.600.405, 28A.655.065, 28A.655.066, and 28A.655.071.

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

SB 6477 by Senators Dammeier, Conway, O'Ban, Darneille and Angel

AN ACT Relating to a business and occupation tax deduction for chemical dependency services provided by a health or social welfare organization; amending RCW 82.04.4277; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6478 by Senators Ranker and Parlette

AN ACT Relating to providing assistance to communities impacted by large employment losses; adding new sections to chapter 43.88 RCW; adding a new section to chapter 41.04 RCW; adding a new section to chapter 39.26 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

SB 6479 by Senators Chase, Brown, McCoy, Ericksen, Ranker, Carlyle, Frockt, Schoesler, Conway, Roach, Honeyford, Hasegawa and McAuliffe

AN ACT Relating to the establishment of a joint select committee to investigate the creation of a Washington state council for the Pacific Northwest economic region; creating a new section; and providing an expiration date.

Referred to Committee on Trade & Economic Development.

SB 6480 by Senator Ericksen

AN ACT Relating to creating a business and occupation tax credit for capital costs associated with providing retail broadband service using qualified broadband equipment; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6481 by Senators Jayapal, Frockt, Baumgartner, Miloscia, Liias, Rolfes, Nelson, Darneille, Conway, Chase, Dansel, Mullet, Keiser, Pedersen, Habib, Takko, McAuliffe, Fraser, Billig, Hasegawa and Ranker

AN ACT Relating to establishing the Washington promise program, which provides for universal and affordable access to community and technical colleges; amending RCW 43.88C.010; adding a new chapter to Title 28B RCW; and providing an effective date.

Referred to Committee on Higher Education.

SB 6482 by Senators Hewitt, Keiser, Fraser, Conway, Angel, Hasegawa, King, Bailey, Brown, Dansel, Schoesler, Warnick, Honeyford and Sheldon

AN ACT Relating to construction bonds and liens; and amending RCW 18.27.040, 60.04.021, and 60.04.031.

Referred to Committee on Commerce & Labor.

SB 6483 by Senators Hill, Hobbs, Becker, Hargrove, Bailey, Miloscia, Benton, Braun, Parlette, Angel, Dammeier, Warnick, Litzow, Padden, Rivers, Brown, Dansel, King, Sheldon, Fain and Darneille

AN ACT Relating to the Dan Thompson memorial developmental disabilities community trust account; and amending RCW 71A.20.170.

Referred to Committee on Ways & Means.

SB 6484 by Senators Rivers, Jayapal, Dammeier, Darneille, Hill, Fain, Keiser, Conway and Chase

AN ACT Relating to protecting victims of sex crimes; amending RCW 36.27.020, 43.43.670, and 82.32.145; reenacting and amending RCW 42.56.240; adding new

sections to chapter 36.28A RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.28 RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 70.41 RCW; adding a new section to chapter 43.31 RCW; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 6485 by Senators Parlette, Darneille and O'Ban

AN ACT Relating to expediting education requirements for chemical dependency professional licensure when the candidate holds another professional license; adding a new section to chapter 18.205 RCW; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

SJM 8018 by Senators Chase, Roach, Ranker, Conway and Honeyford

Requesting that Congress expedite a bill that promotes more efficient border crossing.

Referred to Committee on Trade & Economic Development.

SJR 8212 by Senators Ericksen, Benton, Padden, Sheldon, Rivers, Miloscia and Angel

Requiring a two-thirds majority vote of the legislature to raise taxes, a simple majority vote to impose or raise fees, and no advisory vote.

Referred to Committee on Government Operations & Security.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 12:02 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Friday, January 22, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWELFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, January 22, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 21, 2016

SB 5029 Prime Sponsor, Senator Pedersen: Concerning the uniform fiduciary access to digital assets act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5029 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

January 21, 2016

SB 6147 Prime Sponsor, Senator Roach: Concerning water-sewer districts. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

January 21, 2016

SB 6155 Prime Sponsor, Senator Roach: Concerning county payroll draw days. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

January 21, 2016

SB 6169 Prime Sponsor, Senator Angel: Concerning easements in property tax foreclosures. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dansel; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

January 21, 2016

SB 6170 Prime Sponsor, Senator Roach: Providing for an exemption from disclosure of certain financial, commercial, and proprietary information held by a city retirement board on behalf of its employees' retirement system. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dansel; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

January 21, 2016

SB 6213 Prime Sponsor, Senator Pearson: Concerning job order contracts by public hospital districts. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dansel; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

January 21, 2016

SB 6214 Prime Sponsor, Senator Pearson: Concerning public hospital district contracts for material and work. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dansel; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

January 21, 2016

SB 6329 Prime Sponsor, Senator O'Ban: Creating the parent to parent program for individuals with developmental disabilities. Reported by Committee on Health Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Parlette and Rivers.

Passed to Committee on Human Services, Mental Health & Housing.

January 21, 2016

SB 6330 Prime Sponsor, Senator Benton: Exempting documents recording a special purpose district lien from the surcharge for local homeless housing and assistance. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Habib; McCoy and Takko.

Passed to Committee on Financial Institutions & Insurance.

January 21, 2016

SB 6338 Prime Sponsor, Senator Padden: Addressing the rights of dissenting members of cooperative associations in certain mergers. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6338 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

January 21, 2016

SJR 8210 Prime Sponsor, Senator Schoesler: Amending the Constitution to advance the date for completion of the redistricting plan. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy and Takko.

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

Passed to Committee on Rules for second reading.

January 21, 2016

SCR 8405 Prime Sponsor, Senator Roach: Renaming "Office Building 2" as the "Human Services Building." Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dansel; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Schoesler, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Schoesler, and without objection, the Senate advanced to the third order of business.

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE NO. 732

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 732 to be examined in the following manner:

1. It was determined that 363,126 signatures were submitted by the sponsors of the initiative. A random sample of 11,061 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 9,187 valid signatures, 1,837 signatures that were

invalid and 37 pairs of duplicated signatures in the sample;

3. We calculated an allowance for the chance error of sampling (64) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (62,418) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (54,336) by subtracting the sum of the number of signatures required by Article 11, Section 1 of the Washington State Constitution (246,372) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (50) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (39) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 732 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 21st day of January, 2016.

KIM WYMAN, Secretary of State
SEAL

MOTION

On motion of Senator Schoesler, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SI 732

Creating a carbon pollution tax on fossil fuels to fund a reduction in the state sales tax, a reduction in the business and occupation tax on manufacturing, and the implementation/enhancement of the working families' sales tax exemption.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6486 by Senator Rivers

AN ACT Relating to penalties for marijuana offenses; amending RCW 69.50.4013, 69.50.401, and 69.50.4014; reenacting and amending RCW 69.50.101; and prescribing penalties.

Referred to Committee on Law & Justice.

TWELFTH DAY, JANUARY 22, 2016

2016 REGULAR SESSION

SB 6487 by Senators Becker, Baumgartner, Angel, Dansel, Braun, Brown, Bailey, Warnick, Honeyford, King, Hewitt and Dammeier

AN ACT Relating to the use of force in self-defense; amending RCW 9A.16.020 and 9A.16.050; and adding new sections to chapter 9A.16 RCW.

Referred to Committee on Law & Justice.

SB 6488 by Senators Becker, Parlette, Dammeier, Schoesler, Brown, Bailey, Honeyford and King

AN ACT Relating to seeking a federal innovation waiver to expand an employer-based coverage option with a portable health care account; adding a new section to chapter 41.05 RCW; and creating new sections.

Referred to Committee on Health Care.

SB 6489 by Senators Becker, Lias, Rivers, Bailey, Parlette, Braun, Angel, Brown, Schoesler, Warnick, Honeyford, Dammeier, Pearson, Billig, King and Hewitt

AN ACT Relating to fire suppression volunteers; and adding a new section to chapter 76.04 RCW.

Referred to Committee on Natural Resources & Parks.

SB 6490 by Senators Becker, Pearson, Bailey, Parlette, Dansel, Dammeier and Honeyford

AN ACT Relating to fire suppression methodologies; and creating a new section.

Referred to Committee on Natural Resources & Parks.

SB 6491 by Senators Pedersen and Roach

AN ACT Relating to apostille or other signature or attestation services by the secretary of state; and adding a new section to chapter 43.07 RCW.

Referred to Committee on Government Operations & Security.

SB 6492 by Senators Pedersen and Roach

AN ACT Relating to filing documents with the corporations division of the secretary of state's office; amending RCW 43.07.173, 43.07.190, and 43.07.400; and repealing RCW 43.07.050, 43.07.090, 43.07.100, 43.07.110, and 43.07.205.

Held at the Desk.

SB 6493 by Senators Ranker, Pedersen, McCoy, Frockt, Keiser, Takko, Nelson, Cleveland, Carlyle, Rolfes, Chase, Darneille, Mullet and Conway

AN ACT Relating to declaring that it is an unfair practice for any employer who provides health insurance to its employees as part of an employee's benefit package to not include contraceptive coverage as part of the benefit package, to fail to comply with federal rules adopted under the affordable care act relating to the provision of contraceptive coverage, or to discriminate against any employee based on that employee's use of any reproductive health care service, drug, or device; adding new sections to chapter 49.60 RCW; and creating new sections.

Referred to Committee on Health Care.

SB 6494 by Senators Darneille, Frockt, Rivers, O'Ban, Conway, Carlyle, Rolfes, Keiser, McAuliffe and Hasegawa

AN ACT Relating to increasing access to adequate and appropriate mental health services for children and youth; amending RCW 74.09.520; adding a new section to chapter 74.09 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6495 by Senators O'Ban, Darneille and Pedersen

AN ACT Relating to notification requirements for the department of social and health services; and amending RCW 26.44.100, 43.20B.430, 43.20B.435, 43.20B.635, and 74.20A.320.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6496 by Senators King, Conway, Warnick, Keiser and Hewitt

AN ACT Relating to the compliance of certain conversion vending units and medical units with certain department of labor and industries requirements; amending RCW 43.22.380, 43.22.360, and 43.22.335; creating a new section; and providing an expiration date.

Referred to Committee on Commerce & Labor.

SB 6497 by Senators Hargrove, O'Ban, Darneille, Miloscia, Litzow, McAuliffe and Conway

AN ACT Relating to court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy; amending RCW 28A.225.005, 28A.225.020, 28A.225.025, 28A.225.030, 28A.225.035, 28A.225.090, 43.185C.315, 43.185C.320, 28A.165.005, 28A.165.035, and 28A.655.235; adding a new section to chapter 28A.225 RCW; adding a new section to chapter 43.185C RCW; creating a new section; and providing an effective date.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6498 by Senators Fain, Frockt, Pedersen, Angel and Rolfes

AN ACT Relating to testamentary privileges for alcohol and drug addiction recovery sponsors; and amending RCW 5.60.060.

Referred to Committee on Law & Justice.

SB 6499 by Senators Pedersen and O'Ban

AN ACT Relating to requiring electronic payments to the division of child support when remitting funds in response to an order to withhold income; amending RCW 74.20A.350; adding a new section to chapter 26.23 RCW; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6500 by Senator Miloscia

AN ACT Relating to aquatic lands management; amending RCW 79.36.355; adding a new section to chapter 79.105

RCW; adding a new section to chapter 43.30 RCW; and creating a new section.

Referred to Committee on Accountability & Reform.

SB 6501 by Senator Braun

AN ACT Relating to authorizing the use of certain cargo extensions that connect to a recreational vehicle frame; amending RCW 46.04.620 and 46.44.037; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 6502 by Senators Hargrove and Frockt

AN ACT Relating to forest fire prevention and suppression; amending RCW 76.04.167 and 76.04.610; adding a new section to chapter 76.04 RCW; adding a new section to chapter 28B.35 RCW; creating a new section; making appropriations; and providing an effective date.

Referred to Committee on Natural Resources & Parks.

SB 6503 by Senators Padden and Frockt

AN ACT Relating to the reliability of incentivized evidence and testimony; and adding new sections to chapter 10.58 RCW.

Referred to Committee on Law & Justice.

SB 6504 by Senators Hargrove, Ranker and Hasegawa

AN ACT Relating to fiscal matters; adding new sections to 2015 3rd sp.s. c 4 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6505 by Senators Chase and Hasegawa

AN ACT Relating to the influence of corporations and money in our political system; and creating new sections.

Referred to Committee on Government Operations & Security.

SB 6506 by Senators Chase, Darneille and Hasegawa

AN ACT Relating to fostering economic resilience and development and improving the passenger and freight transportation system in Washington state by supporting the rail industry and the use of railroads for passengers and freight; adding a new section to chapter 47.04 RCW; adding new sections to chapter 43.131 RCW; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 6507 by Senators Chase and Hasegawa

AN ACT Relating to protecting community members from pesticides; amending RCW 70.104.020, 70.104.030, 17.21.100, and 49.70.119; adding new sections to chapter 70.104 RCW; adding a new section to chapter 49.70 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6508 by Senator Chase

AN ACT Relating to public works assistance account loan repayment; and amending RCW 43.155.060.

Referred to Committee on Government Operations & Security.

SB 6509 by Senator Baumgartner

AN ACT Relating to contingency planning for the state route number 99 Alaskan Way viaduct replacement project; adding a new section to chapter 47.01 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 6510 by Senators Parlette and Pearson

AN ACT Relating to the smoke management plan; and amending RCW 70.94.6536.

Referred to Committee on Natural Resources & Parks.

SB 6511 by Senators Parlette, Hargrove, Pearson and Conway

AN ACT Relating to forest health through prudent wildfire prevention; amending RCW 70.94.6538 and 76.04.205; adding new sections to chapter 76.04 RCW; and creating new sections.

Referred to Committee on Natural Resources & Parks.

SB 6512 by Senators Baumgartner and Conway

AN ACT Relating to requiring that a percentage of state need grant recipients be pursuing degrees in STEM subjects; and amending RCW 28B.92.060.

Referred to Committee on Higher Education.

SB 6513 by Senators Warnick, Hobbs, Parlette, Takko, Hargrove and Honeyford

AN ACT Relating to reservations of water; adding a new section to chapter 90.54 RCW; and declaring an emergency.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6514 by Senator Billig

AN ACT Relating to county commissioner elections; amending RCW 36.32.030, 36.32.050, 36.32.020, 36.32.010, 36.32.055, 36.32.0552, and 36.32.0556; and adding new sections to chapter 36.32 RCW.

Referred to Committee on Government Operations & Security.

SB 6515 by Senators O'Ban, Dammeier and Warnick

AN ACT Relating to an elective firearms safety and hunter education course for high school students; amending RCW 77.32.155; and adding a new section to chapter 28A.230 RCW.

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

SB 6516 by Senators Fraser, Sheldon, Nelson, McCoy, Hasegawa and Chase

AN ACT Relating to recognizing the month of September as the month of the kindergartener; and adding a new section to chapter 28A.230 RCW.

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

SB 6517 by Senators Keiser, Rolfes, Chase, Habib, Frockt and Conway

AN ACT Relating to increasing equitable gender representation on state boards and commissions; adding a new section to chapter 43.06 RCW; and creating a new section.

Referred to Committee on Government Operations & Security.

SB 6518 by Senators Miloscia, Jayapal and Chase

AN ACT Relating to creating a department of housing; and adding a new chapter to Title 43 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6519 by Senators Becker, Cleveland, Dammeier, Frockt, Brown, Angel, Rivers, Bailey, Keiser, Conway, Fain, Carlyle, Rolfes, Chase and Parlette

AN ACT Relating to expanding patient access to health services through telemedicine and establishing a collaborative for the advancement of telemedicine; amending RCW 48.43.735, 41.05.700, 74.09.325, and 70.41.230; creating new sections; and providing an effective date.

Referred to Committee on Health Care.

SJM 8019 by Senators Conway, Dammeier, Hobbs, Darneille, King, O'Ban, Roach and Hasegawa
Requesting that a portion of state route number 509 be named the Philip Martin Lelli Memorial Highway.

Referred to Committee on Transportation.

MOTION

On motion of Senator Schoesler, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6492 which was held at the desk.

INTRODUCTION OF GUESTS

The President welcomed and introduced students from Chambers Primary School, University Place, and their advisor Mrs. Lori Moore, guests of Senator O'Ban, who were seated in the gallery.

MOTION

At 10:01 a.m., on motion of Senator Schoesler, the Senate adjourned until 12:00 o'clock noon, Monday, January 25, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, January 25, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.

No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 21, 2016

SB 6211 Prime Sponsor, Senator Dammeier: Concerning the exemption of property taxes for nonprofit homeownership development. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Padden.

Passed to Committee on Ways & Means.

January 21, 2016

SB 6376 Prime Sponsor, Senator Fraser: Recognizing human trafficking awareness day. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Chair; Darneille, Ranking Minority Member and Padden.

Passed to Committee on Law & Justice.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGES FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Department of Agriculture – “*Nutrient Management Training Program for Farmers*” in accordance with Engrossed

Substitute Senate Bill No. 6052, report date January 2, 2016; and “*Reciprocal Credit Agreement between WSDA and Private Entities*” pursuant to 15.58.233 RCW, report date December 31, 2016

Center for Children & Youth Justice – “*One Family One Team Pilot Court Program Design*” in accordance with Engrossed Substitute Senate Bill No. 6052, report date December 24, 2015; and “*One Family One Team Pilot Court Budget*” in accordance with Engrossed Substitute Senate Bill No. 6052, report date December 27, 2015

Department of Commerce – “*Regulatory Streamlining – Manufacturing*” in accordance with House Bill No. 1818, report date January 2, 2016; and “*Criminal Penalty Fines Related to Prostitution and Commercial Sexual Abuse of Minors*” in accordance with Engrossed Substitute House Bill No. 1291, report date December 31, 2015

Department of Ecology – “*Model Toxics Control Accounts, 2013-2015 Biennium Report*” pursuant to 70.105D.030 RCW, report date December 31, 2015; “*US Ecology Commercial Low-Level Radioactive Waste Site Closure*” in accordance with Engrossed Substitute Senate Bill No. 6052, report date December 1, 2015; and “*Geographic Response Plans, Preparing to Respond to Oil Spills, 2015 Statewide Review*” in accordance with Engrossed Substitute House Bill No. 1449, report date December 31, 2015

Energy Facility Site Evaluation Council – “*Small Modular Reactors: An Analysis of Factors Related to Siting and Licensing in Washington State*” in accordance with Engrossed Substitute Senate Bill No. 6052, report date January 8, 2016

Office of Financial Management – “*Recreation and Habitat Lands, State Agency Response to JLARC Final Report*” in accordance with Second Engrossed House Bill No. 1115, report date January 2, 2016

Department of Fish and Wildlife – “*Recreation and Habitat Lands, State Agency Response to JLARC Final Report*” in accordance with Second Engrossed House Bill No. 1115, report date January 2, 2016

Health Care Authority – “*Health Care Innovation Plan, 2015 Status Report, January 1, 2016*” in accordance with Engrossed Second Substitute House Bill No. 2572

Department of Health – “*US Ecology Commercial Low-Level Radioactive Waste Site Closure, December 1, 2015*” in accordance with Engrossed Substitute Senate Bill No. 6052

Department of Licensing – “*Special License Plate 2014 Annual Report, January 31, 2015*” pursuant to 46.18.060 RCW and “*Young and High-Risk Drivers Recommendations, December 31, 2015*” in accordance with Second Engrossed Substitute House Bill No. 1299

Department of Natural Resources – “*Recreation and Habitat Lands, State Agency Response to JLARC Final Report, January 2, 2016*” in accordance with Second Engrossed House Bill No. 1115

Recreation and Conservation Office – “*Recreation and Habitat Lands, State Agency Response to JLARC Final Report, January 2, 2016*” in accordance with Second Engrossed House Bill No. 1115

Department of Social & Health Services – “*New Nursing Facility Payment Methodology Recommendations*” in accordance with Substitute House Bill No. 1274, report date January 2, 2016; and “*State Psychiatric Hospital Budget and Staffing Plans*” in

SIXTEENTH DAY, JANUARY 26, 2016

2016 REGULAR SESSION

accordance with Substitute House Bill No. 1105, report date December 21, 2015

Department of Transportation – *“Ferries Division - Fiscal Year 2015 Performance Report”* pursuant to 47.64.360 RCW, report date December 31, 2015; *“Disadvantaged Business Enterprise Outreach and Recruitment Report, July 1, 2015 - December 31, 2015”* in accordance with Second Engrossed Substitute House Bill No. 1299, report date January 2, 2016; and *“Olympic Region Headquarters Replacement Project, Update to the Predesign Study”* in accordance with Second Engrossed Substitute Senate Bill No. 5988, report date December 31, 2015

Utilities and Transportation Commission – *“Small Modular Reactors: An Analysis of Factors Related to Siting and Licensing in Washington State”* in accordance with Engrossed Substitute Senate Bill No. 6052, report date January 2, 2016

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6492 by Senators Pedersen and Roach

AN ACT Relating to filing documents with the corporations division of the secretary of state's office; amending RCW 43.07.173, 43.07.190, and 43.07.400; and repealing RCW 43.07.050, 43.07.090, 43.07.100, 43.07.110, and 43.07.205.

Referred to Committee on Government Operations & Security.

SB 6520 by Senators Ranker, Miloscia, Hasegawa, Conway, Keiser and Chase

AN ACT Relating to the presumption of occupational diseases for purposes of industrial insurance; amending RCW 51.32.185; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 6521 by Senators Ericksen and Chase

AN ACT Relating to clarifying the application of chapter 81.77 RCW as it relates to recyclable materials collected from residential sources; and amending RCW 81.77.010 and 81.77.140.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6522 by Senators Hasegawa and Benton

AN ACT Relating to the regulation of employment agencies; reenacting and amending RCW 19.31.020; adding a new section to chapter 19.31 RCW; and repealing RCW 19.31.030, 19.31.040, 19.31.050, 19.31.060, 19.31.070, 19.31.080, 19.31.090, 19.31.100, 19.31.110, 19.31.120, 19.31.130, 19.31.140, 19.31.150, 19.31.160, 19.31.170, 19.31.180, 19.31.190, 19.31.210, 19.31.220, 19.31.230, 19.31.240, 19.31.245, 19.31.250, 19.31.260, 19.31.270, 19.31.900, and 19.31.910.

Referred to Committee on Commerce & Labor.

SB 6523 by Senators Pearson, Hasegawa and Conway

AN ACT Relating to service credit for pension purposes for certain emergency medical services employees; adding a

new section to chapter 41.40 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 6524 by Senators Darneille, Jayapal, Hasegawa, Chase and Pedersen

AN ACT Relating to factors to be considered when sentencing youth in adult criminal court for crimes committed as minors; amending RCW 9.94A.535; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6525 by Senators Angel, Liias, Rolfes, Dammeier and Schoesler

AN ACT Relating to the state building code council; amending RCW 19.27.070, 19.27.074, 19.27A.020, and 19.27.085; creating a new section; and providing an expiration date.

Referred to Committee on Government Operations & Security.

SB 6526 by Senators Benton, Hasegawa and Chase

AN ACT Relating to human trafficking definitions; and amending RCW 19.320.010.

Referred to Committee on Commerce & Labor.

SB 6527 by Senators Brown, Rivers, Angel, Roach, Becker, Parlette, Schoesler, Bailey, Sheldon, Honeyford, Ericksen and Warnick

AN ACT Relating to incentivizing trade and economic development through state environmental policy reviews; adding new sections to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

SB 6528 by Senators Brown, Sheldon, Dammeier, Parlette, Schoesler, Warnick, Honeyford, Braun, Angel, Hewitt, Miloscia, O'Ban, Becker, Rivers and Rolfes

AN ACT Relating to promoting economic development through protection of information technology resources; amending RCW 43.105.054; reenacting and amending RCW 43.105.020; and creating new sections.

Referred to Committee on Trade & Economic Development.

SB 6529 by Senators Hargrove, Miloscia, Hewitt, Pedersen and McAuliffe

AN ACT Relating to strengthening opportunities for the rehabilitation and reintegration of juvenile offenders; amending RCW 13.40.010, 13.40.127, 13.40.308, and 13.40.265; and reenacting and amending RCW 10.31.100.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6530 by Senators Hasegawa, Roach, Keiser, McAuliffe, Conway and Jayapal

AN ACT Relating to providing public notices of public health, safety, and welfare in a language other than English;

amending RCW 38.52.070; and adding a new section to chapter 1.20 RCW.

Referred to Committee on Government Operations & Security.

SB 6531 by Senator Hargrove

AN ACT Relating to changing who the department of corrections is required to supervise; and reenacting and amending RCW 9.94A.501.

Referred to Committee on Law & Justice.

SB 6532 by Senators Chase, Benton, Cleveland, Conway, Hasegawa, McCoy, Keiser, Lias, McAuliffe, Fraser and Jayapal

AN ACT Relating to addressing workplace bullying by making it an unfair practice to subject an employee to an abusive work environment; adding a new section to chapter 49.60 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 6533 by Senators McCoy, Ericksen, Sheldon and Takko

AN ACT Relating to improving the accuracy and transparency of the reporting and calculation of the fuel mix information to retail electric customers; amending RCW 19.29A.060, 19.29A.070, and 19.29A.080; and reenacting and amending RCW 19.29A.010.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6534 by Senators O'Ban and Becker

AN ACT Relating to establishing a maternal mortality review panel; and adding a new section to chapter 70.54 RCW.

Referred to Committee on Health Care.

SB 6535 by Senators Warnick and Miloscia

AN ACT Relating to the distribution of supplemental nutrition assistance program benefits; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6536 by Senator Becker

AN ACT Relating to the filing and rating of group health benefit plans other than small group plans, all stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations; amending RCW 48.43.733; and creating a new section.

Referred to Committee on Health Care.

SB 6537 by Senators Warnick, Benton, Bailey, Becker, Takko, Angel, Schoesler, King, Brown, Honeyford and Hewitt

AN ACT Relating to irrigation under the federal Columbia Basin project; and amending RCW 90.44.510.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6538 by Senators Padden and Pedersen

AN ACT Relating to the superior court judges' association; amending RCW 2.16.010 and 9.94A.860; and creating a new section.

Referred to Committee on Law & Justice.

SB 6539 by Senators Chase and McAuliffe

AN ACT Relating to modifying the voter registration deadline for students at institutions of higher education; and amending RCW 29A.08.140.

Referred to Committee on Government Operations & Security.

SB 6540 by Senators Chase, Benton, Frockt, Nelson and McAuliffe

AN ACT Relating to ensuring safe playgrounds and turf fields; amending RCW 70.95.521, 70.95.530, and 28A.335.300; adding a new section to chapter 28A.150 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6541 by Senators Miloscia, Dammeier, O'Ban, Padden, Roach, Becker, Angel and Parlette

AN ACT Relating to the establishment of performance management systems at state hospitals; amending RCW 72.23.020 and 72.01.050; adding a new section to chapter 72.23 RCW; and adding a new section to chapter 43.20A RCW.

Referred to Committee on Accountability & Reform.

SB 6542 by Senators Benton, Pearson, Hargrove, Dansel, Hill and Litzow

AN ACT Relating to public disclosure and use of personal information; amending RCW 42.56.070 and 42.56.250; and prescribing penalties.

Referred to Committee on Commerce & Labor.

SB 6543 by Senators McAuliffe, Chase, Roach, Becker, Miloscia and Rivers

AN ACT Relating to children and psychotropic medication; amending RCW 26.44.050; and adding a new section to chapter 28A.320 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6544 by Senators O'Ban and Darneille

AN ACT Relating to simplifying behavioral health regulations and aligning them with other health regulations to support clinical integration; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6545 by Senator Ericksen

AN ACT Relating to creating a task force on Washington's clean energy economy; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6546 by Senators Roach and Hobbs

AN ACT Relating to actual utility costs of a landlord under the manufactured/mobile home landlord-tenant act; amending RCW 59.20.070; and creating a new section.

Referred to Committee on Financial Institutions & Insurance.

SB 6547 by Senators Becker, Ranker, Miloscia, O'Ban, Dammeier, Schoesler, Angel, Roach, Litzow, Parlette, McAuliffe, Rolfes and Conway

AN ACT Relating to Washington state patrol officer recruitment and compensation; amending RCW 43.43.380, 46.68.030, 82.16.0496, and 82.04.4496; and adding a new section to chapter 43.43 RCW.

Referred to Committee on Transportation.

SJM 8020 by Senator Rivers

Requesting Congress to expedite federal legislation that gives the United States extraterritorial jurisdiction over preclearance officers.

Referred to Committee on Trade & Economic Development.

SJR 8213 by Senators Hill, Fain, Parlette, Becker, Bailey, Miloscia, Braun, Angel, Brown, Schoesler, O'Ban, Warnick, Dammeier, Litzow, Honeyford, Ericksen, Sheldon, Rivers, Roach, Padden and Rolfes

Requiring the legislature to enact a four-year balanced budget.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection. all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, Senate Bill No. 6492 which had been held at the desk, on the previous legislative day, was referred to the Committee on Government Operations & Security.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION

8693

By Senator Hasegawa

WHEREAS, Aviation pioneer Wong Tsoo became a naval cadet at age 12 in his native country of China and traveled to England in 1909 at age 16 to advance his naval studies before going on to the Massachusetts Institute of Technology to study aeronautics; and

WHEREAS, Upon becoming one of the first graduates of MIT's aeronautics program, Wong Tsoo was hired as an engineer directly by Bill Boeing in 1916 at his newly incorporated "Pacific Aero Products Company" in Seattle, the predecessor to what would later become the Boeing Company; and

WHEREAS, Wong Tsoo extensively redesigned the company's Model C seaplane, a biplane trainer that had been passed over by the United States Navy until the government's World War I order for 56 of his redesigned aircraft established Boeing as a profitable production company; and

WHEREAS, Without Wong Tsoo's careful eye for detail on the Model C project it is uncertain if the Boeing Company would have become the corporate giant that it is today, employing more than 80,000 people in Washington and about 164,000 worldwide; and

WHEREAS, Wong Tsoo returned to China in 1917 to become who many consider to be the "father of aviation" in China, with a hand in designing about 30 planes and rising to the position of chief secretary of the China National Aviation Corporation and professor of aviation at the National Cheng Kung University in Taiwan before his death in 1965; and

WHEREAS, Wong Tsoo's legacy has been passed on through his students, many of whom went on to distinguished careers with some of the largest aerospace companies in the world; and

WHEREAS, United States aviation history may have largely forgotten the pioneering contributions of Wong Tsoo if not for the extensive research efforts of Key Donn, a Senior System Architect at Boeing and past president of the Boeing Asian-American Professional Association; and

WHEREAS, Thanks to the efforts of Mr. Donn, a permanent display paying tribute to Wong Tsoo is now in the historical "Red Barn" section of the Museum of Flight in Seattle;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the 100th anniversary of Wong Tsoo's short, but remarkable, tenure with Boeing as its first engineer and his lifetime of achievements to the aviation industry as a whole; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Museum of Flight and to the Taipei Economic and Cultural Office in Seattle for further transmission to the National Cheng Kung University Museum in Tainan, Taiwan.

Senator Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8693.

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

MOTION

At 12:11 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Tuesday, January 26, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SIXTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, January 26, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 25, 2016

SB 6117 Prime Sponsor, Senator Sheldon: Concerning notice against trespass. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6117 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Rules for second reading.

January 25, 2016

SB 6181 Prime Sponsor, Senator Becker: Concerning massage therapists. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

January 25, 2016

SB 6197 Prime Sponsor, Senator Miloscia: Concerning cybercrime. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Rules for second reading.

January 25, 2016

SB 6210 Prime Sponsor, Senator Dammeier: Creating the Washington achieving a better life experience program. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6210 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

January 25, 2016

SB 6238 Prime Sponsor, Senator Rivers: Allowing the prescription of schedule II controlled substances to treat certain disease states and conditions. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6238 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 25, 2016

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 1737,

SUBSTITUTE HOUSE BILL NO. 2214,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2366.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6548 by Senators Warnick, Padden, Roach and Benton

SIXTEENTH DAY, JANUARY 26, 2016

2016 REGULAR SESSION

AN ACT Relating to allowing the use of gender-segregated facilities; and amending RCW 49.60.030.

a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Law & Justice.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6549 by Senators Conway, Hobbs, Rolfes, Darneille, Parlette, Billig, Fraser, McAuliffe, Chase, Keiser, Mullet, Frockt and Habib

SB 6556 by Senators Padden and Miloscia

AN ACT Relating to the availability of retired teachers as substitutes; adding a new section to chapter 41.32 RCW; and creating a new section.

AN ACT Relating to authorizing the use of surety treatment bonds; amending RCW 18.185.010; and adding a new section to chapter 2.28 RCW.

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

Referred to Committee on Law & Justice.

SB 6550 by Senators Pedersen, Becker, Cleveland, Keiser, Frockt, Conway, Chase, Carlyle and Roach

SB 6557 by Senator Darneille

AN ACT Relating to allowing access to investigational products by terminally ill patients participating in clinical trials; adding a new chapter to Title 69 RCW; and prescribing penalties.

AN ACT Relating to reestablishing the juvenile justice partnership council under the administrative office of the courts; and adding new sections to chapter 2.56 RCW.

Referred to Committee on Health Care.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6551 by Senators Warnick, Becker, Pearson, Angel, Brown and Schoesler

AN ACT Relating to a notice of violation for discharges from agricultural activity on agricultural land based on information provided to the department of ecology by a third party; and amending RCW 90.48.450.

SB 6558 by Senators Parlette and Cleveland

AN ACT Relating to allowing a hospital pharmacy license to include individual practitioner offices and multipractioner clinics owned and operated by a hospital and ensuring such offices and clinics are inspected according to the level of service provided; amending RCW 18.64.043; adding a new section to chapter 18.64 RCW; and declaring an emergency.

Referred to Committee on Agriculture, Water & Rural Economic Development.

Referred to Committee on Health Care.

SB 6552 by Senators McAuliffe, Chase, Dammeier and Frockt

AN ACT Relating to providing school districts with an assessment inventory tool to streamline the assessment system; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.320 RCW; creating a new section; and providing an expiration date.

SB 6559 by Senator Chase

AN ACT Relating to progressive income tax; amending RCW 82.03.130, 82.03.140, 2.10.180, 2.12.090, 6.13.030, 6.15.020, 41.24.240, 41.32.052, 41.35.100, 41.40.052, 41.44.240, 41.26.053, 43.43.310, 82.08.020, 82.08.020, 84.52.065, 84.52.043, 84.52.050, 36.58.150, 36.60.040, 36.69.145, 36.73.060, 36.83.030, 36.100.050, 67.38.130, 84.69.020, 39.89.020, and 43.99I.040; amending 2016 c 1 s 3 (uncodified); reenacting and amending RCW 84.52.010 and 43.99H.060; adding a new title to the Revised Code of Washington to be codified as Title 82A RCW; creating new sections; repealing RCW 6.15.025; prescribing penalties; and providing a contingent effective date.

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

Referred to Committee on Ways & Means.

SB 6553 by Senators Lias, Roach and McCoy

AN ACT Relating to improving emergency preparedness by expanding continuity of operations planning; amending RCW 38.52.030; adding a new section to chapter 38.52 RCW; and providing an effective date.

SB 6560 by Senator Chase

AN ACT Relating to acceptance of additional high school equivalency tests; amending RCW 28B.50.536; creating new sections; and declaring an emergency.

Referred to Committee on Government Operations & Security.

Referred to Committee on Higher Education.

SB 6554 by Senators Benton, Pedersen, Padden, Darneille and Miloscia

AN ACT Relating to providing an aggravating circumstance for assault against a utility worker; and amending RCW 9.94A.535.

SB 6561 by Senators Jayapal, Rivers, Cleveland, Fain, Keiser, Miloscia, Rolfes, Nelson, Litzow, Fraser and Darneille

AN ACT Relating to the statute of limitations for certain crimes; and amending RCW 9A.04.080.

Referred to Committee on Law & Justice.

Referred to Committee on Law & Justice.

SB 6555 by Senators Rolfes, Cleveland, Jayapal, Darneille and Keiser

AN ACT Relating to increasing the personal needs allowance for persons receiving state-financed care; adding

SB 6562 by Senators Frockt, Cleveland, Jayapal, Darneille, Chase, Hasegawa and Keiser

AN ACT Relating to requiring an HPV immunization report; and adding a new section to chapter 70.290 RCW.

Referred to Committee on Health Care.

SB 6563 by Senators Becker, Dammeier, Keiser and Roach
AN ACT Relating to criminalizing female genital mutilation; amending RCW 18.130.180 and 9.94A.515; adding a new section to chapter 9A.36 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6564 by Senators O'Ban, Fain, Keiser, McAuliffe, Hobbs, Conway, Angel, Frockt and Warnick
AN ACT Relating to persons with developmental disabilities; amending RCW 43.190.010, 43.190.020, 43.190.030, and 43.190.040; and adding a new section to chapter 71A.12 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6565 by Senator O'Ban
AN ACT Relating to allowing the disclosure of health care information with persons with a close relationship with a patient; amending RCW 70.02.050; and reenacting and amending RCW 70.02.230.

Referred to Committee on Health Care.

SB 6566 by Senator Carlyle
AN ACT Relating to providers of networking services that do not provide information content; and amending RCW 9.46.240.

Referred to Committee on Commerce & Labor.

SB 6567 by Senators Hobbs, Pearson, Lias, McCoy and McAuliffe
AN ACT Relating to the state route number 2 trestle; and creating new sections.

Referred to Committee on Transportation.

SB 6568 by Senator Warnick
AN ACT Relating to establishing a water discharge permit for concentrated animal feeding operations that is issued under the sole authority of state law; amending RCW 90.48.260, 90.64.030, and 90.64.120; adding new sections to chapter 90.48 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6569 by Senators Cleveland, Becker, Carlyle, Keiser and Ranker
AN ACT Relating to the creation of a task force on patient out-of-pocket costs; and creating new sections.

Referred to Committee on Health Care.

SB 6570 by Senator Ericksen
AN ACT Relating to prioritizing the expenditure of funds associated with the model toxics control act for the cleanup

of toxic pollution; amending 2015 3rd sp.s. c 4 s 302 and 2015 3rd sp.s. c 3 s 3062 (uncodified); reenacting and amending RCW 70.105D.070; creating a new section; repealing 2015 3rd sp.s. c 3 ss 3055 and 3056 (uncodified); and declaring an emergency.

Referred to Committee on Energy, Environment & Telecommunications.

SJM 8021 by Senator Chase
Concerning implementation of the 2015 Agreement on Land, Rail, Marine, and Air Transport Preclearance.

Referred to Committee on Trade & Economic Development.

SJR 8214 by Senator Chase
Amending the Constitution to allow an income tax.

Referred to Committee on Ways & Means.

2SHB 1737 by House Committee on Appropriations (originally sponsored by Representatives Orcutt, Santos, Magendanz, Bergquist, Ortiz-Self, Kilduff, Kagi, Zeiger, Tarleton, Muri, Condotta and Pollet)
AN ACT Relating to the availability of retired teachers as substitutes; adding a new section to chapter 41.32 RCW; creating a new section; and declaring an emergency.

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

SHB 2214 by House Committee on Appropriations (originally sponsored by Representatives Reykdal, Taylor, Pettigrew, Shea, Gregory, G. Hunt, Pollet, Holy, Ryu, Haler, Sells, Santos, Farrell, Tarleton, Bergquist, Appleton, Moscoso, Takko, Peterson, Dunshee, Riccelli, Sawyer, Tharinger, Condotta, Gregerson, Stanford, Robinson, Fitzgibbon, Kilduff, Orwall, Ortiz-Self, Van De Wege, Goodman, Kirby, Blake, Wylie, Moeller, Fey, McBride, Hurst, Schmick, S. Hunt, Griffey and Young)
AN ACT Relating to increasing academic rigor and streamlining assessment requirements for high school students; amending RCW 28A.230.090, 28A.305.130, 28A.655.068, 28A.655.070, 28A.230.125, 28A.320.195, and 28A.700.080; adding new sections to chapter 28A.655 RCW; adding a new section to chapter 28A.300 RCW; creating a new section; repealing RCW 28A.655.061, 28A.655.063, 28A.655.065, and 28A.655.066; providing an expiration date; and declaring an emergency.

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

ESHB 2366 by House Committee on Appropriations (originally sponsored by Representatives Lytton, Magendanz, Sullivan, Caldier, Kochmar, Rossetti, Muri, Haler and Santos)
AN ACT Relating to basic education obligations; creating new sections; making appropriations; providing an expiration date; and declaring an emergency.

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

SIXTEENTH DAY, JANUARY 26, 2016

2016 REGULAR SESSION

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6564 which was referred to the Committee on Human Services, Mental Health & Housing.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Jayapal moved adoption of the following resolution:

SENATE RESOLUTION
8696

By Senators Jayapal, Nelson, Pedersen, Hasegawa, Chase, Conway, Darneille, Frockt, Fraser, Mullet, Dammeier, Hobbs, McCoy, Keiser, Warnick, Benton, Takko, Billig, McAuliffe, Habib, Rolfes, and Cleveland

WHEREAS, January 26, 2016, marks Republic Day in India, celebrating the adoption of the Constitution of the world's largest democracy; and

WHEREAS, India achieved independence from British rule through peaceful and nonviolent resistance; and

WHEREAS, The Indian Constitution asserts equality before law, and declares "that the State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India"; and

WHEREAS, Washington state has many cultural and economic ties to India, including over sixty thousand Indian-Americans living in this state; and

WHEREAS, Indian-Americans are small business owners, entrepreneurs, and CEOs of Washington companies, including the founding officers of many Seattle-based tech companies; and

WHEREAS, These businesses provide useful services, resources, and jobs to the people of this state; and

WHEREAS, Indian-Americans have been emigrating to the West Coast since the nineteenth century, working in our most vital industries including agriculture, logging, and trade; and

WHEREAS, Indian-Americans serve selflessly in our armed forces and in law enforcement, as well as contribute profoundly to the health care industry and Washington's institutions of higher education;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the 2016 Republic Day as a symbol of the shared values of democracy and liberty, between the nation of India and both the State of Washington and the United States of America.

Senators Jayapal, Habib, McAuliffe and Hasegawa spoke in favor of adoption of the resolution.

PERSONAL PRIVILEGE

Senator Jayapal: "I wanted to just make sure people knew that we do have a cultural performance right after this and some food, not samosas. Mr. President you remember instead of mimosas we had samosas last time, but this time we have other Indian food and we invite everybody to join us and certainly all of you at the rostrum as well. Thank you Mr. President."

INTRODUCTION OF GUESTS

The President welcomed and introduced members of the Indian-American Community who were seated in the gallery.

MOTION

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8696.

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

MOTION

At 12:16 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Wednesday, January 27, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SEVENTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, January 27, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Ranker.

The Sergeant at Arms Color Guard consisting of Pages Mr. Erik Conner Mohn and Mr. Douglas Black Peecher, presented the Colors.

Page Mr. Theron Green Arnold, led the Senate in the Pledge of Allegiance.

The prayer was offered by Senator Pearson.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 26, 2016

SB 6151 Prime Sponsor, Senator Litzow: Concerning sexual assault protection orders. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

January 26, 2016

SB 6160 Prime Sponsor, Senator O'Ban: Regulating the manufacture, sale, distribution, and installation of motor vehicle air bags. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6160 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

January 26, 2016

SB 6229 Prime Sponsor, Senator O'Ban: Streamlining foster care licensing. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6229 be substituted therefor, and the substitute bill

do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

January 26, 2016

SB 6361 Prime Sponsor, Senator Pedersen: Adopting the uniform electronic legal material act. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6229 which was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE
LEGISLATURE NO. 735

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 735 to be examined in the following manner:

1. It was determined that 333,040 signatures were submitted by the sponsors of the initiative. A random sample of 10,124 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 8,895 valid signatures, 1,209 signatures that were invalid and 20 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling (52) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (41,487) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;

NINETEENTH DAY, JANUARY 29, 2016

2016 REGULAR SESSION

5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (45,181) by subtracting the sum of the number of signatures required by Article 11, Section 1 of the Washington State Constitution (246,372) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (42) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (31) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 735 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Seal of the State of Washington this 26th day of January, 2016

Kim Wyman
Secretary of State

(Mark Neary, Assistant Secretary of State)

SEAL

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SI 735

Objecting to the influence of corporations and money in our political system.

Referred to Committee on Government Operations & Security.

SB 6571 by Senators Conway, Hasegawa, Chase, Keiser, Fraser and Frockt

AN ACT Relating to adding training on public works and prevailing wage requirements to responsible bidder criteria; and amending RCW 39.04.350.

Referred to Committee on Commerce & Labor.

SB 6572 by Senators Conway, Hasegawa, Chase, Keiser and Fraser

AN ACT Relating to improving compliance with prevailing wage procedures; and amending RCW 39.12.050.

Referred to Committee on Commerce & Labor.

SB 6573 by Senators Conway, Keiser, Hasegawa and Fraser

AN ACT Relating to establishing the prevailing rate of wage based on collective bargaining agreements or other methods

if collective bargaining agreements are not available; and amending RCW 39.12.015.

Referred to Committee on Commerce & Labor.

SB 6574 by Senators Conway, Hasegawa, Chase, Keiser, Fraser and Frockt

AN ACT Relating to compliance with apprenticeship utilization requirements; amending RCW 39.04.350 and 39.12.055; and adding a new section to chapter 49.04 RCW.

Referred to Committee on Commerce & Labor.

SB 6575 by Senators Conway, Hasegawa, Chase, Keiser, Fraser and Frockt

AN ACT Relating to the time period for workers to recover wages under prevailing wage laws; and amending RCW 39.12.015.

Referred to Committee on Commerce & Labor.

SB 6576 by Senators Warnick, Schoesler, King, Honeyford and Brown

AN ACT Relating to contingency plans for the transport of biological oils and blends by railroads; and amending RCW 90.56.210.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6577 by Senator Warnick

AN ACT Relating to modifying the penalty for taxpayers that do not submit an annual survey or report; amending RCW 82.32.534 and 82.32.585; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6578 by Senators Baumgartner and Braun

AN ACT Relating to local regulation of private employers; amending RCW 49.46.120 and 49.78.360; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 53.08 RCW; and adding a new chapter to Title 49 RCW.

Referred to Committee on Commerce & Labor.

SB 6579 by Senators Baumgartner and Braun

AN ACT Relating to creating real reform in industrial insurance through privatization and competition; creating new sections; and providing an expiration date.

Referred to Committee on Commerce & Labor.

SB 6580 by Senators Brown, Schoesler and Hewitt

AN ACT Relating to financing of improvements for state-owned lands to be transferred for private development; and adding a new chapter to Title 39 RCW.

Referred to Committee on Trade & Economic Development.

SB 6581 by Senators Warnick, Parlette, Hasegawa and Conway

AN ACT Relating to requiring completion of an apprenticeship program to receive a journey level or residential specialty electrician certificate of competency;

amending RCW 19.28.161, 19.28.191, and 19.28.205; adding a new section to chapter 19.28 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Commerce & Labor.

SB 6582 by Senators Chase, Hewitt, Rolfes, Hasegawa, Jayapal, McAuliffe, Ranker, Conway and Frockt

AN ACT Relating to cetacean captivity; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

SB 6583 by Senators Miloscia, Padden, O'Ban, Pearson and Sheldon

AN ACT Relating to performance management systems at the state department of corrections; adding new sections to chapter 72.09 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Accountability & Reform.

SB 6584 by Senators Pearson, Bailey and Warnick

AN ACT Relating to establishing a proof of water reliance application process by which any property owner who relies on legal water availability to obtain a building permit prior to the invalidation of an instream flow rule may secure proof that continued use of water at the property will not be considered to be causing impairment of minimum flows; adding a new section to chapter 90.03 RCW; and creating a new section.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6585 by Senators Cleveland, Rivers, Keiser, Becker, Frockt, Bailey, Conway, Jayapal, Billig and Hasegawa

AN ACT Relating to elder justice centers; adding a new section to chapter 74.34 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 6586 by Senator Fain

AN ACT Relating to requiring the department of social and health services to collect and publicly report information on the safe surrender of newborn children; amending RCW 13.34.360; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6587 by Senators Lias, Bailey, Frockt, Miloscia and McAuliffe

AN ACT Relating to services and activities fees at institutions of higher education; and reenacting and amending RCW 28B.15.069.

Referred to Committee on Higher Education.

SB 6588 by Senators Chase, McAuliffe, Hasegawa and Conway

AN ACT Relating to music education in elementary schools; amending RCW 28A.150.315 and 28A.300.040; and adding a new section to chapter 28A.230 RCW.

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

SB 6589 by Senators Bailey, Pearson and Warnick

AN ACT Relating to a feasibility study to examine whether water storage would provide noninterruptible water resources to users of permit exempt wells; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water & Rural Economic Development.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Becker moved adoption of the following resolution:

SENATE RESOLUTION

8694

By Senators Becker, Hewitt, Brown, Ranker, Benton, Warnick, and Dammeier

WHEREAS, Families across Washington depend on the safe and nutritious dairy products provided by the dairy farmers of Washington state; and

WHEREAS, There are approximately 437 family dairy farms in Washington state with approximately 273,000 dairy cows; and

WHEREAS, Washington state ranks ninth in total milk production in the United States, producing 6,584 million pounds annually; and

WHEREAS, Washington ranks sixth in milk production per cow at 24,117 pounds of milk per year; and

WHEREAS, Milk is the second highest dollar-valued agricultural commodity produced in Washington, valued at 1.28 billion dollars; and

WHEREAS, Dairy farming has an annual economic impact of 5.2 billion dollars; and

WHEREAS, There are over 6,184 on-farm dairy jobs in 39 counties across Washington, and over 18,066 jobs in the dairy industry in total; and

WHEREAS, The Washington State Dairy ambassadors for 2015-2016 are Ambassador Nicole Buell of Marysville and alternate ambassadors Lynda Johnson of Ethel and Amanda Howe of Lynden; and

WHEREAS, Dairy Day at the Legislature is January 27, 2016, when legislators will visit with the dairy producers of the state and enjoy ice cream handed out by the Washington State

NINETEENTH DAY, JANUARY 29, 2016

2016 REGULAR SESSION

Dairy Federation, Washington State Dairy Women, and the state and county dairy ambassadors;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate acknowledge and honor the women and men whose work on dairy farms throughout Washington has contributed much to the strength and vitality of our economy, the character of our communities, and the general well-being of our citizens; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Washington State Dairy Ambassador Nicole Buell, alternate ambassadors Lynda Johnson and Amanda Howe, and the Washington State Dairy Federation.

Senators Becker, Dansel, Ericksen, Honeyford, Nelson, Takko and Warnick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8694.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced Miss Nicole Buell, Dairy Ambassador of Marysville; Miss Lydia Johnson, Washington State Alternate Dairy Ambassador of Ethel; and Miss Amanda Howe, Washington State Alternate Dairy Ambassador of Lynden who were seated at the rostrum.

The President also welcomed and introduced County Dairy Ambassadors: Miss Jana Plagerman, Whatcom County; Miss Alicia Smaczarz, Lewis County; Miss Grace Kuipers, Skagit County; Miss Becca Bartelheimer, Snohomish County; Miss Ashley Hanson, Inland Northwest; Miss Tiana Peterson, King-Pierce Counties; Miss Caitlin Meek, Grays Harbor; Miss Jessica Stoutjesdyk, Yakima Valley, Miss Pamela Roosma, Whatcom County Alternate; Miss Kaitlyn Meissner, Snohomish County Alternate; Miss Allyson Carothers, Snohomish County Alternate. Miss Katelyn Bank, Yakima Valley Alternate, Miss Natalie Banges, Yakima Valley Alternate. The Dairy Ambassadors were accompanied by their families; representatives from the Washington State Dairy Women; the Washington Dairy Products Commission commissioners and staff; and the Washington State Dairy Federation Board and staff who were all present in the gallery.

With permission of the Senate, business was suspended to allow State Dairy Ambassador, Miss Nicole Buell to address the senate.

MISS NICOLE BUELL, STATE DAIRY AMBASSADOR

Miss Buell: “Good Morning, it’s so wonderful to be speaking with you all here today; my name is Nicole Buell and I am your Washington State Dairy Ambassador. As a dairy ambassador, many assume that I come from a long line of dairy farmers but the truth is I live in the city of Marysville and I have never owned a dairy cow. My passion for the dairy industry grew out of the generosity and support of all our local dairy farmers like the Renevolts who allowed me to show their dairy cows and provided many opportunities to learn how a dairy farm is operated. I witnessed first-hand the dairy farmer’s hard work and commitment to proving all of us with safe and high quality dairy products. Dairy families are just like yours and mine, with

husbands, wives, and children. In fact those family dairies own and operate ninety-seven percent of all United States Dairy Farms reassuring that dairy farming in Washington is deeply rooted in family values. These values generate a strong sense of responsibility and community which is reflected in the economic impact that dairy farming has in Washington. Dairy Farms can be found in twenty-nine of Washington’s thirty-nine counties, providing jobs and supporting other businesses in their communities. Statistical values from 2013 show that dairy farms directly generated 6,184 jobs and 12,159 jobs were created as a result of dairy farming. The total combined number of jobs created by dairy farming in Washington was over18,000 which supports Washington’s second largest agricultural commodity and contributes 5.2 billion dollars to Washington’s economy. Therefore where milk goes jobs follow. Jobs follows milk as it moves from the farm to retail and are also created within the supply and services that support the industry. In addition I supporting our economy, dairy farmers invest in the youth which is why they continue to support programs such as WIAA state sports and scholastic achievements, as well as programs like ‘fuel up to play sixty’ which encourage a life style of healthy eating and physical activity. They are also involved in many community outreach programs, such as Northwest Farmers Fighting Hunger and Give a Gallon milk drives. Caring for the air, land, and water is another high priority for dairy farmers. Taking care of the natural resources that we all share. For example, dairy farmers reuse the water on their farms up to eight times, and they invest in new technologies such as methane digesters that can convert manure into electricity, which can then be used to power their homes, their farms, and their communities. Dairy farmers are highly committed to providing for the health and wellbeing of their communities, which is why your local farmers need your continued support. So the next time you go to consume your favorite dairy product, please remember the dairy family that gives sixteen hours or more every single day of the year to support Washington state. I thank you for your time today, and I appreciate the opportunity to speak here on behalf of all the Washington state dairy industry. I’d also like to invite everyone again to join us for some delicious ice cream and cheese in the rotunda at noon. Thank you.”

MOTION

Senator Brown moved adoption of the following resolution:

SENATE RESOLUTION
8697

By Senators Brown, Schoesler, and Hewitt

WHEREAS, Senator Max Benitz served a total of twenty-one years as a Washington state legislator for the 8th District, serving first in the House of Representatives from 1968 to 1972, then serving in the Senate from 1974 to 1986; and

WHEREAS, Senator Benitz was known throughout the state for his immense knowledge of agriculture, touring Russia and the Far East to exhibit his expertise in farming, where he was featured in a film by Walter Cronkite comparing food production techniques between the two regions; and

WHEREAS, Senator Benitz was elected President of the National Farm Bureau Board of Directors, and awarded the special privilege of sitting on the National Farm Bureau Board of Directors for two consecutive terms; and

WHEREAS, Senator Benitz fervently worked to stimulate the wine industry, passing laws such as the 1981 Family Wine Act,

helping incentivize small farms to experiment with wine making, the 1987 Washington Wine Commission bill, making wine in Washington not only of national importance but of international importance as well; and

WHEREAS, Senator Benitz, known as "Mr. Energy," adamantly supported the promotion of energy in Washington, firmly advocating for the creation of a comprehensive national energy policy, and working alongside engineers and nuclear scientists at Hanford; and

WHEREAS, Senator Benitz was renowned for his pro-nuclear work, receiving special assignments on the Joint Select Committee for Water Resource Policy as well as on the Hazardous Material Planning Committee; and

WHEREAS, Senator Benitz sat on the Committee on Education, and was heavily involved with bringing Washington State University to the Tri-Cities area; and

WHEREAS, Senator Benitz loved his family, which included his wife Marie, his five children, eleven grandchildren, and two great grandchildren at the time of his death in 1990; and

WHEREAS, Senator Benitz was known not only as a beloved family man, but also as a statesman in every meaning of the word, well-liked on both sides of the aisle based on his keen ability to listen to his constituents, use his immense knowledge to make informed decisions, and act on behalf of the state that he adored so much;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Senator Benitz for his valiant work in the areas of agriculture, viticulture, education, and energy; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Senator Benitz's family and to the Prosser community.

Senator Brown spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8697.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced members of the family of late Senator Max Benitz who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Carlyle: "Thank you Mr. President. Mr. President I rise to acknowledge the gracious welcome of my colleagues and provide a modest honoraria in recognition of the distinguished honor of joining this institution. Mr. President I've had the honor of succeeding the indefatigable Jeanne Kohl-Welles and the gracious Helen Sommers in the House and it's a real honor to stand with you and not only join this institution but to do so in their footsteps. In Senator Kohl-Welles' footsteps. Mr. President I have in the caucus rooms, homemade Eltana bagels which are not normal, New York bagels or something fancy like that. They are a small company that I am an investor in in Seattle where we have a handful of stores. But what's special about Eltana bagels is that they have the Jewish soul that comes from Jewish values. We founded this company on this very idea that family values and Jewish values are integral to successful business. And if I may Mr. President great companies like Costco are founded on some of those core principles as is the great company of Starbucks as well. Mr. President my legislative district includes northwest Seattle, the iconic Space Needle and my good friend Senator Ericksen often makes remarks about the shadow of the Space

Needle and sometimes he does so with a little less than a compliment intended. But the fact of the matter is that we are one Washington. And the fact of the matter is that the economy, the social fabric, the cultural values of my district of Seattle, of King County, of our entire state are so united in a deeper sense of commitment to our civic quality of life. For me, Mr. President, a few weeks ago I had a decision to make. And that decision was to join this institution or to seek other opportunities. And I came home that very night in making that decision and something struck me. I walked in and I had one of those deeply personal and spiritual and emotional opportunities where I walked into my home and my wife, Wendy Carlyle, and my four children age 18, 16, 14, and 9 were on the living room floor playing a game of cards. And they were laughing. And it was so deeply moving. And I thought for a moment that the honor of public service in a citizen legislature is profoundly different than being consumed by the challenges of the type of full-time work that serving another body sometimes entails. And so Mr. President, I made a choice at that very moment, that our part-time citizen legislature represented by this institution is not only an honor but it is an opportunity to engage in civic life and we can do so in a way that honors our families. That connects with our children in such a deep way. That allows us to turn off the computers, turn off the noise, and reconnect to our own children. There are a number of members, Senator Mullet, Senator Baumgartner, Senator Pedersen, all of us have four children, and there are others that have of course many. And I find it such a blessing, it's the blessing of my life and it reminds me every day how extraordinary it is to serve in a part-time citizen legislature and to have the quality of life, to be present emotionally and spiritually for your family, for your community, and with that I am so grateful for the opportunity to be with you. I hope you enjoy Eltana's homemade bagels which were made about three hours ago and a small token. Mr. President thank you so much for the gracious and kind welcome."

PERSONAL PRIVILEGE

Senator Fain: "Thank you Mr. President I just wanted to also welcome the good senator from the 36th district to the chamber. I appreciate his speech it was very heartfelt, somewhat long, but I've heard from our colleagues in the other chamber that that is not necessarily out of character with this particular member. But I do know that everything you share with this chamber will be both, will be transparent, will be data driven, it'll be authentic, I imagine great courageous conversations, because Mr. President we are so much better than what we've become. But I'm very glad that you are here Senator Carlyle. Welcome to the Senate."

PERSONAL PRIVILEGE

Senator Hobbs: "Yeah, I'd like to also welcome the new Senator. You represent your district well, the 36th district, the people there are very verbose, they are very smart people, they will tell you that themselves. They're a proud, strong people, and they will tell you that, over and over again, about their personal lives and struggles, even if you've heard it multiple times. And so, I know the last senator represented the district well, and Senator Carlyle, you are definitely representing your district, so thank you for coming here."

PERSONAL PRIVILEGE

Senator Dammeier: "Thank you Mr. President. I want to follow on the good Senator Fain's words, I had the privilege of serving with Senator Carlyle in the other body for four years and you did a pretty good job, because I can assure you that we are

NINETEENTH DAY, JANUARY 29, 2016

2016 REGULAR SESSION

going to have many courageous conversations, but they are going to be incredibly meaningful, and incredibly powerful about incredibly important topics of significant fiduciary responsibilities. So, with all that said, I welcome the good senator and look forward to serving with him.”

PERSONAL PRIVILEGE

Senator Baumgartner: “I would like to start by reading the definition of hyperbole. If I may? Hyperbole - use of exaggeration as a rhetorical device or figure of speech. Now some might say that we already have too much hyperbole on this Senate floor, but I say we need more. And some might say that any mundane bill could just be addressed for the facts within it, but I like to think that each and every bill should be described as perhaps a great challenge. You know illuminating things such as the invasion at D day, or the great struggle of civil rights, you know it might be moving a comma, might be simply honoring a person, but if we don’t have enough hyperbole, on this Senate floor, the people won’t listen. And I am so excited about what we have happening today, this new member, that I dressed for the occasion, so I would like to welcome my new friend to the Senate with both a celebration of hyperbole and a celebration of plaid. Thank you Mr. President.”

PERSONAL PRIVILEGE

Senator Ericksen: “Thank you Mr. President. Well for those of you who did not have the pleasure at some point in your legislative career to actually serve in the House of Representatives, you will not always appreciate what happens there at two or three in the morning when certain members of the legislature feel the need to speak, for long periods of time, on the House floor. Eloquently yes, but long always. And one of the best, that I shall never forget from my days over in the other chamber was late at night when one gentleman that represented an area that, that great sea of concrete, as we refer to it there in the greater Seattle area, where you’ll have more concrete you can see from towers there, you can see in my entire legislative district. One night he brought to us a new term I hadn’t heard before, and it was a great concept of rural socialism. And he reminded all of us that do not live within the shadow of the Space Needle, that all we are really are rural socialists, just feeding off the graciousness and goodness of the people that live within that great sea of concrete in Seattle, and without them we would be unable to exist because we are dependent upon their graciousness as the socialists that he informed us we truly are in those hither regions of Washington state that only earn and desire to someday live in the concrete jungle. And I must say that I do enjoy those trips you know through Seattle, now most of the time I spend it on I-5 stuck in traffic looking at the Space Needle, which is always enjoyable trying to get out of there as quickly as possible, unless I’m going to a Mariner’s game and it is a great place. And I have to say truly as one of those rural socialists that he talked about so frequently and so eloquently on the House floor I truly, under his tutelage, have come to appreciate and love the Space Needle.”

PERSONAL PRIVILEGE

Senator Schoesler: “Mr. President, I’ve already reverted to rookie form after that gentleman joined us. I will say unlike his predecessor, we’re not sure if he actually inhaled, we’ll have to find out. The other thing is that I’ve never criticized a member’s gift in this body and the bagels are a wonderful gift, but the

suggestion I made a few days ago would have been the ultimate gift. Welcome Senator.”

PERSONAL PRIVILEGE

Senator Becker: “Thank you Mr. President. Well, when I was elected, so is now Senator Carlyle, and they didn’t have any training for the senators so I went to the House training, and I being a new legislator was really nervous and at that time, Representative Carlyle, and Representative White, kind of got me by both arms and said we’ll take care of you. It has been a real honor to know you a little bit, but I’m really excited about you being here, simply because we’re going to harass the heck out of you and give you such a bad time and unlike your predecessor I’m glad you haven’t inhaled.”

PERSONAL PRIVILEGE

Senator Jayapal: “Thank you Mr. President. I wanted to welcome Senator Carlyle to this body, this is taking me back to a year ago when I got roasted like this here and it’s really great to have you here. The day that I, I think shortly after I announced that I was running for the state Senate, Senator Carlyle, then Representative Carlyle, reached out to me and we had a great conversation at a coffee shop downtown and we talked about how we need to reform the tax system and all of the things that we need to do there and he’s done so much work on that and on accountability issues and it’s really wonderful to have another partner here in the state Senate. And I do have to say I’m so pleased on numerous levels that you made the choice you did. Thank you Senator Carlyle and welcome.”

PERSONAL PRIVILEGE

Senator Parlette: “Thank you Mr. President. Well, I’m not sure how I feel about having this new senator here. It’s been called to my attention because I tried to forget it, but now I remember it. I think this new senator, when he was a representative, wrote a letter to the people of Wenatchee, and it was in the Wenatchee World about some building there, and he never told me. And normally we learned, as a legislator, the rule of no surprises when you visit somebody’s district, or if you send a letter to the biggest newspaper in the area. So, I still haven’t gotten over that, but maybe he will, maybe he will give me two of these. Nope, he only gave me one. And the other thing is, I had the wonderful opportunity to serve with, in the House of Representative, for four years, Helen Sommers. I had the wonderful opportunity to be ranking on a committee that Senator Kohl-Welles chaired. We had a wonderful relationship. I did with both of those ladies. One spoke a lot, the other, Representative Sommers, did not speak a lot, but when she spoke, we all listened. I think that’s advice, I’m not trying to be patronizing, even though that letter to the editor of the people of Wenatchee, the good people of Wenatchee, was sort of that way. But I look forward to working together with the new senator, I’m sure we have a lot to learn from each other. Thank you.”

PERSONAL PRIVILEGE

Senator Nelson: “Well I also rise welcoming the new senator and he will be a good addition to this body, with a lot of thoughtfulness and a lot of intellect. But I hope from your welcome Senator Carlyle, you’ve learned that we are a body that also will give lessons to new members and I hope today is when you will remember, welcome to the Senate.”

REMARKS BY THE PRESIDENT

President Owen: “Senator Carlyle, your reputation comes before, along with you about the length of your speeches which fits right into that district and your predecessor. It is one of those things that has caused us to implement the three minute rule on many more occasions than my first twenty-five years that I’ve served here. But I do appreciate the fact that you did give me a deck of cards, because now with you in caucus, I expect I’ll have a lot more time to play cards. So something to do. Welcome to the Senate, we appreciate the gifts, thank you very much.”

PERSONAL PRIVILEGE

Senator Takko: “Well I’d like to also as the good gentleman in the back came over with me, give a little gift and say a few words. Unlike Senator Carlyle, I didn’t have a spiritual moment, I had a senior moment and I realized I probably belong in the Senate. I have a feeling I’m going to have a good time over here. I did bring a gift for everyone and it kind of represents my district and if you don’t mind, I’d like to take a few moments to explain what the gift is and why it represents the district. I’ll try not to be as lengthy as Senator Carlyle. A lot of you think of the 19th district as just being a lot of trees, which is true, we have a big timber industry down there with many pulp and paper mills and saw mills but there’s more to the district than that. What I’ve brought was some craisins, we grow a lot of cranberries in the 19th district, 1.5 million pounds on average each year, and we also have large processing plants down there, so enjoy your craisins. Also, I have in there a bar of soap, and you’re probably wondering ‘what’s a bar of soap doing in there?’ One thing that you probably don’t realize about my district, and probably many others, is we’ve got businesses that make a lot of products that we don’t even realize, and then down at the beach I have a soap company called Harmony Soapworks that makes a lot of soap and you probably haven’t heard about it because almost all their product is shipped to Japan. When we talk about Washington state being one of the, that exports is one of the biggest things we have going for us, we export a lot of things out of our district besides lumber and timer, we also export the soap, crabs, there’s a lot of things going on in my district. Also in there is a can of smoked oysters and one factoid that I really enjoy telling people, is one quarter of all the oysters in the United States come from my district. And it employs, I don’t know how many, but it’s a huge employer in the 19th district and something, Mr. President, you might be interested in, many people refer to the oyster as nature’s Viagra. So I hope you’ll enjoy it. So with that, I’m very pleased to be over here. I’ve been warmly welcomed and I look forward to serving a long time. Thank you.”

PERSONAL PRIVILEGE

Senator Hargrove: “Yes, Senator Takko you have very big shoes to fill, because your predecessor Senator Hatfield was also known to all of us as Mr. Furious, so you’re going to need to learn how to hold your breath, have the veins stick out on your neck, your face get very red as you scream at us about something. So unless you can do that, you’re going to be a cut below your predecessor. So I’m imploring you to take lessons. I think he’s in the wings, he might actually be able to share some of that with you today. Thank you.”

PERSONAL PRIVILEGE

Senator Dammeier: “I’m not sure, but I thought as I was listening to the good senator from the 19th speech, I thought after

his reference, in conjunction with his reference to Viagra, which I wasn’t quite familiar with, I thought that he said the 19th district also exports crabs and that they have a lot of things going on in there so I’m not quite sure I want to visit the 19th Mr. President.”

PERSONAL PRIVILEGE

Senator Liias: “I appreciate the fact that Senator Takko included the soap because my mother would tell us that him and Senator Dammeier could wash their mouths out with it at this point. I rise to welcome Senator Takko. Senator Takko is actually half Finnish, and for the rest of you in the chamber, that means he’s fifty percent better than you. Senator Carlyle also teases me a lot about the amount of time I spend in his district because I do enjoy beautiful downtown Seattle, but truth be told, in the course of my life, I’ve probably spent the most time outside my district in the 19th. My grandparents live in Astoria, Oregon and so weekends, every summer, driving down through Longview, and along the coast, enjoying the beautiful scenery that Senator Takko’s described, I’m excited to have someone who’s spent almost as much time in Astoria as I have, here representing the people of the coast and I know we look forward to welcoming Senator Takko. The one final note I’ll make is last fall I had an opportunity to go on an extended trip to learn about climate change and some other things in Denmark, and I had the great fortune of spending six hours in the Toronto airport with Senator Takko, one on one, and if any of you are wondering if he can talk continuously for six hours, I’m here to report he can, actually. And he had a lot of great stories to tell, I encourage you to ask him about his travels. He’s traveled to I think every continent on the planet at this point, or maybe he’s missed Antarctica, but he’s trying to get there. He’s got a lot of great stories and we welcome you to the chamber.”

PERSONAL PRIVILEGE

Senator Hobbs: “You know I just want to take this moment, I don’t know if you noticed, but I’ve been kind of depressed this session. Many of you may not know this, maybe you do but my ten year marriage with my session wife, we’re not together anymore, we had to go our separate ways, apparently he wanted to have a better life and a better paycheck, I don’t know. But things are starting to look up, I’m happier again, I’ve met a new person. It’s not session wife stage but it’s a good relationship. You know our new senator from the 19th district, I hope it blossoms. Now there are some differences, and people have made some comments, they said this is kind of a spring autumn relationship or spring winter relationship, there are some difference, I mean he’s not the snappy dresser like the previous senator, he takes the fashion sense of the 24th district. He’s not as angry, so he’s calm all the time and I appreciate that because he’s kind of an old fashioned guy. In fact, he’s so old fashioned that he smells like my grandfather, with the old aftershave to try to make up for his age. But I welcome you to the senate, I’m glad that you and I probably vote the same, I hope that you’ll speak up more in caucus and maybe be angry. We need that angry person in there. As you know we had a bad cop good cop, and I can’t be the bad cop, maybe you can be the bad cop I don’t know. But welcome to the Senate and I’m looking forward to the gifts.”

PERSONAL PRIVILEGE

Senator Angel: “We go back a long ways, back to county government, and then we worked together on local government as chair and ranking member and I’ll tell you what there’s got to be something with this guy that I think we all need to watch

because he ends up being friendly and approachable and he's always got a smile on his face so I think we better watch and see what he's up to. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Darneille: "Thank you Mr. President, and thank you Senator Conway, you know with all these mentions of age I stand with some trepidation about making my remarks about welcoming Senator Takko to the Senate because it is in fact true and if you believe in the zodiac and read the predictions every day in the paper, you might think that two people born on the same day would be very in tune with one another and quite alike. In fact, Senator Takko did have the good fortune to be born on my birthday a year later, so all these messages about age and hair and everything else that's come up, just remember Senator Takko you can always say at least I'm not as old as Senator Darneille. But in the House when we worked together, we had the great good fortune of being the chair and co-chair of what was called the general government appropriations committee. Now you have to kind of look at this scenario, this is the first year of the recession, we had just gotten our jobs, we come into session and we find out the very first day that there are eighty agencies of general government and we have to make a proposal to the chair of the Ways & Means committee by the Friday of the first week on how to cut sixty-five million dollars out of those eighty agencies, and it's just sort of a first round of the many cuts we would have to make. So we took upon ourselves the task of meeting with our staff from the Ways & Means committee starting that very first night and every night during that session and we had the reputation for having had the first time when we met after midnight, the first week of the session with caucus staff. So we took our job seriously, but during the course of all those nights over all that long session, my office was in the far reaches of the legislative building and Senator Takko insisted on taking the stairs and so he often would arrive to the meetings late and I can't really demonstrate because of the condition of my knee Mr. President, but he would often enter the office where we've already been working on the issues of the day, the line item budget issues of the day, and quite like a gazelle, would enter with a big flourish, his arms thrown to each side and leaping into my office. So I expect we'll see quite a bit of this gazelle-like activity over the course of Senator Takko's service as a Senator, in the Senate. I'm glad he's here so we have another July 9th birthday to celebrate at home because we won't ever be in session again on our birthday. Thank you."

PERSONAL PRIVILEGE

Senator Warnick: "Thank you. I can't tell this body how relieved I am that Senator Takko is here. I had a great working relationship with that sometimes angry man that came in and was the ranking on the ag committee but when I heard he wasn't coming back and I heard that Senator Carlyle might be coming this direction too, I thought oh my gosh what am I going to do if they put Senator Carlyle on the ag committee. How am I going to teach him what the east side of the state is all about? So when I heard that Senator Takko was coming in and he was going to be serving on my committee, it's kind of like an old home week role reversal from our House committees but very very pleased that he's here and very pleased that we're working together again. But I'm also disappointed that we don't have salmon rolls here or the salmon balls because you make those very very well too. So someday I'd like to ask for that present. So welcome to the Senate."

PERSONAL PRIVILEGE

Senator Becker: "Thank you Mr. President. Well all I have is one short question, do you sing? Because I'll tell you, I went to Taiwan with Senator Hatfield and that guy can sing and so I just want to make sure that we have somebody that will lighten it up with a song. Thank you."

PERSONAL PRIVILEGE

Senator Ericksen: "Thank you Mr. President. Well it's great to be, it's terrible to hear the news about the gentleman from the 44th district, about the separation anxiety he's currently going through over here and also the bad news about the anger that was present over in the Democratic caucus room last year from the former Senator from the area. Hate to hear about that kind of stuff. And of course Senator Takko is definitely not going to be the man of anger but I do believe he's probably the most interesting man in the legislature in many ways. He can run that commercial for Dos Equis and I think it's what's going to unite and be so good at those late night sessions for the Democrat caucus will be when Senator Takko breaks out his big game hunting films in the Democrat caucus and shows the other members of the caucus how to field gut a deer and some good hunting videos of taking down large game and nothing I think will bring that caucus together more and ease the tension and get rid of the anger like those slide shows of big game hunts all around the world. So it's great to have you here, you're going to be a great senator, we're going to enjoy having you in this body, so feel free to come over and show us a slide show also sometime of those big game hunts."

PERSONAL PRIVILEGE

Senator Fain: "Thank you Mr. President. I just wanted to sincerely thank Senator Carlyle from the 36th district for scheduling his gifts for the floor with me ahead of the time. It was really quite courteous of him to do that so that I could plan for today's floor action, I mean welcome to the Senate Senator Takko it's great to have you here."

INTRODUCTION OF GUESTS

The President welcomed and introduced fourth grade students of Utsalady Elementary School from Camano Island who were under the direction of their teacher Ms. Diana Mailloux, guests of Senator Bailey, who were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

MOTION

On motion of Senator Habib, and without objection, Senator Ranker was excused.

THIRD READING

SENATE BILL NO. 5458, by Senators Angel, Rolfes and Hasegawa

Concerning health district banking.

The bill was on Third Reading.

Senators Angel and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5458.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5458 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SENATE BILL NO. 5458, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5145, by Senators Dammeier, Frockt, Becker, Bailey, Rivers and Brown

Concerning the membership of the health technology clinical committee.

The measure was read the second time.

MOTION

On motion of Senator Dammeier, the rules were suspended and Substitute Senate Bill No. 5145 was returned to second reading for the purpose of amendment

MOTION

Senator Dammeier moved that the following striking floor amendment no. 525 by Senator Dammeier be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.14.090 and 2006 c 307 s 2 are each amended to read as follows:

(1) A health technology clinical committee is established, to include the following eleven members appointed by the administrator in consultation with participating state agencies:

(a) Six practicing physicians licensed under chapter 18.57 or 18.71 RCW; and

(b) Five other practicing licensed health professionals who use health technology in their scope of practice.

(i) At least two members of the committee must have professional experience treating women, children, elderly persons, and people with diverse ethnic and racial backgrounds.

(ii) At least one member of the committee must be appointed from nominations submitted by the Washington state medical association or the Washington state osteopathic medical association.

(2) In addition, any rotating clinical expert selected to advise the committee on health technology must be a nonvoting member of the committee.

(3) Members of the committee:

(a) Shall not contract with or be employed by a health technology manufacturer or a participating agency during their term or for eighteen months before their appointment. As a condition of appointment, each person shall agree to the terms and conditions imposed by the administrator regarding conflicts of interest;

(b) Are immune from civil liability for any official acts performed in good faith as members of the committee; and

(c) Shall be compensated for participation in the work of the committee in accordance with a personal services contract to be executed after appointment and before commencement of activities related to the work of the committee.

~~((3))~~ (4) Meetings of the committee and any advisory group are subject to chapter 42.30 RCW, the open public meetings act, including RCW 42.30.110(1)(l), which authorizes an executive session during a regular or special meeting to consider proprietary or confidential unpublished information.

~~((4))~~ (5) Neither the committee nor any advisory group is an agency for purposes of chapter 34.05 RCW.

~~((5))~~ (6) The health care authority shall provide administrative support to the committee and any advisory group, and may adopt rules governing their operation."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "the health technology clinical committee membership and rotating experts; and amending RCW 70.14.090."

Senators Cleveland and Dammeier spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 525 by Senator Dammeier to Senate Bill No. 5145.

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

MOTION

On motion of Senator Dammeier, the rules were suspended, Engrossed Substitute Senate Bill No. 5145 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dammeier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5145.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5145 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 5145, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

NINETEENTH DAY, JANUARY 29, 2016

2016 REGULAR SESSION

THIRD READING

SENATE BILL NO. 5779, by Senators Parlette and Darneille

Reducing penalties applied to regional support networks and behavioral health organizations.

The bill was read on Third Reading.

Senators Dammeier and Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5779.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5779 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SENATE BILL NO. 5779, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

SUBSTITUTE SENATE BILL NO. 6019, by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Pedersen, Frockt and O'Ban)

Addressing adjudicative proceedings by state agencies.

The bill was read on Third Reading.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6019.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6019 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SUBSTITUTE SENATE BILL NO. 6019, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced students of Utsalady Elementary School, Camano Island, and their teacher Ms. Pam Allen, guests of Senator Bailey, who were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5864, by Senate Committee on Ways & Means (originally sponsored by Senators Nelson and Kohl-Welles)

Concerning sales and use tax for cities to offset municipal service costs to newly annexed areas.

MOTIONS

On motion of Senator Nelson, Substitute Senate Bill No. 5864 was substituted for Senate Bill No. 5864 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nelson, the rules were suspended, Substitute Senate Bill No. 5864 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill and Nelson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5864.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5864 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Braun, Brown and Padden

Excused: Senator Ranker

SUBSTITUTE SENATE BILL NO. 5864, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:34 a.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Thursday, January 28, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

EIGHTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, January 28, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

January 27, 2016

SB 5278 Prime Sponsor, Senator Miloscia: Concerning legislative oversight of state agency performance. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair; Fraser, Ranking Member; Dansel and McAuliffe.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 5509 Prime Sponsor, Senator Braun: Concerning workers' compensation reform through clarification of occupational disease claims. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5509 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 5800 Prime Sponsor, Senator Pearson: Allowing businesses to possess gambling devices or components of authorized gambling devices without first obtaining a license under certain conditions. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5800 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Conway; Keiser; King and Warnick.

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

Passed to Committee on Rules for second reading.

January 27, 2016

SB 5983 Prime Sponsor, Senator Warnick: Addressing services performed by an individual for remuneration. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5983 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa, Ranking Minority Member and Conway.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6081 Prime Sponsor, Senator Baumgartner: Creating a labor and industries ombuds within the department of commerce. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Ways & Means.

January 27, 2016

SB 6085 Prime Sponsor, Senator Baumgartner: Concerning office furniture installation, reconfiguration, and maintenance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6085 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6100 Prime Sponsor, Senator Chase: Establishing an economic gardening pilot program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

Passed to Committee on Ways & Means.

January 26, 2016

SB 6105 Prime Sponsor, Senator Baumgartner: Creating a new traffic offense of aggravated left lane driving. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6105 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Baumgartner; Litzow; Miloscia; Rivers and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Cleveland; Ericksen and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Liias and Carlyle.

Passed to Committee on Rules for second reading.

January 26, 2016

SB 6120 Prime Sponsor, Senator Mullet: Providing a registration exemption for certain vessels. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6120 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Ericksen; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6148 Prime Sponsor, Senator Warnick: Concerning the handling of certain personal property in a self-service storage facility. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6156 Prime Sponsor, Senator Rivers: Reauthorizing the medicaid fraud false claims act. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair; Fraser, Ranking Member; Danel and McAuliffe.

Passed to Committee on Ways & Means.

January 26, 2016

SB 6161 Prime Sponsor, Senator Bailey: Including certain residents who do not have a high school diploma or credential and the number of students expected to enroll in basic education for adults courses at community and technical colleges in caseload forecast council forecasting. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6161 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Ways & Means.

January 27, 2016

SB 6162 Prime Sponsor, Senator Honeyford: Concerning the expiration date of the invasive species council and account. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Danel, Vice Chair; Jayapal, Ranking Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

January 26, 2016

SB 6180 Prime Sponsor, Senator King: Creating a disadvantaged business enterprise advisory committee within the transportation commission. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

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

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6199 Prime Sponsor, Senator Pearson: Providing for legislative review of the updated North Cascade elk herd plan. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Danel, Vice Chair; Jayapal, Ranking Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6220 Prime Sponsor, Senator Brown: Promoting economic development by maximizing the use of federal economic development funding opportunities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6221 Prime Sponsor, Senator Brown: Promoting economic development through improving regulatory processes and providing technical assistance to businesses. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

Passed to Committee on Ways & Means.

January 27, 2016

SB 6223 Prime Sponsor, Senator Brown: Enhancing regulatory agency coordination. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6223 be substituted therefor, and the substitute bill do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

Passed to Committee on Ways & Means.

January 27, 2016

SB 6227 Prime Sponsor, Senator Honeyford: Implementing the recommendations of the 2015 review of the Washington wildlife and recreation program. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6227 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Jayapal, Ranking Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6231 Prime Sponsor, Senator Hasegawa: Eliminating the reference to the standard industrial classification system in the worker and community right to know fund. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

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

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6250 Prime Sponsor, Senator Braun: Providing public fire department employees the right to volunteer for or obtain employment with another fire department. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

January 26, 2016

SB 6254 Prime Sponsor, Senator Sheldon: Authorizing the issuance of Purple Heart license plates for more than one motor vehicle. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6254 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Ericksen; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6274 Prime Sponsor, Senator Parlette: Concerning the Columbia river recreational salmon and steelhead endorsement program. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dassel, Vice Chair; Jayapal, Ranking Member; Fraser; Hewitt and Warnick.

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

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6281 Prime Sponsor, Senator Fain: Enacting amendments to the uniform athlete agents act. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6281 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6289 Prime Sponsor, Senator Baumgartner: Addressing the use of a digital platform to employ certain independent contractors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6289 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6296 Prime Sponsor, Senator Parlette: Extending the expiration date of the habitat and recreation lands coordinating group. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Jayapal, Ranking Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Rules for second reading.

January 26, 2016

SB 6299 Prime Sponsor, Senator King: Correcting certain manifest drafting errors in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue). Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Lias; Carlyle; Cleveland; Erickson; Jayapal; Litzow; Miloscia; Sheldon and Takko.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6301 Prime Sponsor, Senator Benton: Concerning employer agreements to reimburse certain employee costs for the use of personal vehicles for business purposes. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6301 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson and Roach.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6303 Prime Sponsor, Senator Rivers: Allowing for proper disposal of unsellable marijuana by a licensed marijuana retail outlet. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6309 Prime Sponsor, Senator Angel: Concerning registered service contract and protection product guarantee providers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6309 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Fain; Hobbs; Litzow and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Mullet, Ranking Minority Member and Nelson.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6319 Prime Sponsor, Senator Jayapal: Addressing civil service qualifications. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6319 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Hasegawa, Ranking Minority Member; Conway; Keiser and King.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair and Warnick.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6321 Prime Sponsor, Senator Baumgartner: Addressing certain exclusions from the definition of worker under industrial insurance statutes. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6386 Prime Sponsor, Senator Benton: Concerning retractable basketball hoop safety. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6386 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Conway; Keiser; King and Warnick.

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

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6443 Prime Sponsor, Senator Erickson: Concerning human rights commission rules on gender segregated facilities. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6528 Prime Sponsor, Senator Brown: Enacting the cybersecurity jobs act. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6528 be substituted therefor, and the substitute bill do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

Passed to Committee on Rules for second reading.

January 27, 2016

SB 6579 Prime Sponsor, Senator Baumgartner: Reforming industrial insurance through privatization and competition. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

January 26, 2016

SJM 8014 Prime Sponsor, Senator Hasegawa: Requesting that state route number 99 be named the "William P. Stewart Memorial Highway." Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8014 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

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

Passed to Committee on Rules for second reading.

January 27, 2016

SJM 8017 Prime Sponsor, Senator Roach: Requesting Congress to reform the harbor maintenance tax. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

Passed to Committee on Rules for second reading.

MOTION

On motion of Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No.

6220, Senate Bill No. 6274, Senate Bill No. 6579, which were referred to the Committee on Rules.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 27, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1003,
ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1295,
HOUSE BILL NO. 1345,
SECOND SUBSTITUTE HOUSE BILL NO. 1408,
ENGROSSED HOUSE BILL NO. 1770,
SUBSTITUTE HOUSE BILL NO. 1855.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6590 by Senators Fraser and Liias

AN ACT Relating to authorizing certain public transportation benefit areas to impose a sales and use tax increase approved by voters; amending RCW 82.14.045; and providing an effective date.

Referred to Committee on Transportation.

SB 6591 by Senators Hobbs, Fain, Jayapal and Liias

AN ACT Relating to the issuance of nondomiciled commercial drivers' licenses and commercial learners' permits to nonresidents; amending RCW 46.25.010, 46.25.070, and 46.25.---; adding a new section to chapter 46.25 RCW; and providing effective dates.

Referred to Committee on Transportation.

SB 6592 by Senators Jayapal, Miloscia, Darneille, Cleveland, Frockt, Conway, Chase, Hasegawa, Keiser and McAuliffe

AN ACT Relating to providing adequate time for tenants to relocate due to a rent increase; amending RCW 59.18.140; and creating a new section.

Referred to Committee on Financial Institutions & Insurance.

SB 6593 by Senators Carlyle, Rivers, Keiser, Conway, Roach and Jayapal

AN ACT Relating to promoting greater fairness for taxpayers in prescription drug costs by pursuing prices that are aligned with or lower than the negotiated prices available

to the United States veterans administration; and adding a new chapter to Title 69 RCW.

Referred to Committee on Health Care.

SB 6594 by Senators Liias, Rivers, Fain, Habib and King

AN ACT Relating to improving the safety of young drivers on the road in Washington state through improved traffic safety education and the expansion of current law regarding intermediate licenses; amending RCW 46.20.075; adding new sections to chapter 46.20 RCW; adding a new section to chapter 46.82 RCW; adding a new section to chapter 46.68 RCW; and providing effective dates.

Referred to Committee on Transportation.

SB 6595 by Senators Liias, Rivers, Rolfes, Fain and King

AN ACT Relating to improving public safety through driver regulation programs; reenacting and amending RCW 43.79A.040; adding a new section to chapter 46.20 RCW; adding a new section to chapter 46.68 RCW; and creating new sections.

Referred to Committee on Transportation.

SB 6596 by Senators Hill and Hargrove

AN ACT Relating to public investments; amending RCW 39.59.010, 39.59.020, 39.60.010, 39.60.020, 39.60.030, 39.60.040, 39.60.050, and 43.84.080; reenacting and amending RCW 43.250.020; adding a new section to chapter 39.59 RCW; adding a new section to chapter 28B.10 RCW; and repealing RCW 39.59.030 and 43.250.090.

Referred to Committee on Ways & Means.

SB 6597 by Senator Keiser

AN ACT Relating to creating a task force on injured workers' independent medical exams; creating a new section; and providing an expiration date.

Referred to Committee on Commerce & Labor.

SB 6598 by Senators Rivers, Billig, Litzow and McAuliffe

AN ACT Relating to working connections child care eligibility for vulnerable children; creating new sections; and providing an effective date.

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

SB 6599 by Senators Liias, Roach, Hobbs and McAuliffe

AN ACT Relating to extending the refund period for the overpayment of business and occupation taxes for certain assisted living facilities; and amending RCW 82.32.060.

Referred to Committee on Health Care.

SB 6600 by Senator Darneille

AN ACT Relating to establishing a conservation district online election pilot project; amending RCW 89.08.140 and 89.08.190; adding a new chapter to Title 89 RCW; creating a new section; and making an appropriation.

Referred to Committee on Government Operations & Security.

SB 6601 by Senators Frockt, Bailey, Braun, Mullet, Carlyle and McAuliffe

AN ACT Relating to creating the Washington college savings program; amending RCW 28B.95.010, 28B.95.020, 28B.95.025, 28B.95.035, 28B.95.040, 28B.95.080, 28B.95.090, 28B.95.100, 28B.95.150, and 28B.95.900; reenacting and amending RCW 43.79A.040; and adding new sections to chapter 28B.95 RCW.

Referred to Committee on Higher Education.

SB 6602 by Senators Braun, Mullet and Hargrove

AN ACT Relating to industrial insurance claims made to self-insurers; and amending RCW 51.14.130.

Referred to Committee on Commerce & Labor.

SB 6603 by Senators Fain, Rivers, Litzow, Mullet, O'Ban, Hill, Keiser, Carlyle, Pedersen, McAuliffe and Dammeier

AN ACT Relating to providing for suicide awareness and prevention education for safer homes; amending RCW 9.41.310 and 43.70.442; adding a new section to chapter 43.70 RCW; adding a new section to chapter 82.04 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services, Mental Health & Housing.

SB 6604 by Senators Ericksen, Schoesler, Dammeier and Roach

AN ACT Relating to providing limitations in respect to tax raises and fee increases by the legislature; amending RCW 43.135.034 and 43.135.055; and providing for submission of this act to a vote of the people.

Referred to Committee on Ways & Means.

MOTION

On motion of Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Keiser moved adoption of the following resolution:

SENATE RESOLUTION

8699

By Senators Keiser, Fraser, Jayapal, Liias, Billig, Rolfes, Conway, Frockt, Fain, Cleveland, Pedersen, Nelson, and Chase

WHEREAS, All Washington residents seeking health care have the right to access their provider of choice without fear of violence or intimidation; and

WHEREAS, Between June 2015 and December 2015, arson, vandalism, threats, and harassment have increased at health centers for women, including:

EIGHTEENTH DAY, JANUARY 28, 2016

2016 REGULAR SESSION

(1) A firebombing at a women's health center in Pullman, Washington in September 2015; and

(2) An attack by a gunman at a women's health center in Colorado Springs, Colorado on November 27, 2015, resulting in the tragic death of three individuals and injury of another nine people; and

WHEREAS, Extreme rhetoric can contribute to a climate that is dangerous for those who provide or access comprehensive women's health care services; and

WHEREAS, A high proportion of people of color rely on reproductive health centers and are therefore disproportionately impacted by attacks on centers that provide these health care services; and

WHEREAS, 3,000 patients had their access to health care threatened as the clinic in Pullman, Washington was forced to spend a quarter-million dollars on six months of rebuilding after having their facility firebombed; and

WHEREAS, The right of citizens to make their own health care decisions is well established;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate condemn acts of violence against

women's health care clinics and providers, and their patients, families, and supporters; and

BE IT FURTHER RESOLVED, That all people in Washington state should be able to access health care without fear of violence, intimidation, or harassment.

Senators Keiser, Pedersen and Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8699.

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

MOTION

At 12:10 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Friday, January 29, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

NINETEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Friday, January 29, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 28, 2016

SB 5675 Prime Sponsor, Senator Roach: Expanding dual language and bilingual instruction for early learners through secondary students. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5675 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

January 28, 2016

SB 6171 Prime Sponsor, Senator Roach: Concerning civil penalties for knowing attendance by a member of a governing body at a meeting held in violation of the open public meetings act. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dinsel and Habib.

MINORITY recommendation: Do not pass. Signed by Senators McCoy and Takko.

Passed to Committee on Rules for second reading.

January 28, 2016

SB 6174 Prime Sponsor, Senator Ericksen: Concerning ballot titles for initiatives to the people. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dinsel.

MINORITY recommendation: Do not pass. Signed by Senators Habib and McCoy.

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

Passed to Committee on Rules for second reading.

January 28, 2016

SB 6195 Prime Sponsor, Senator Rivers: Concerning basic education obligations. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6195 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Fain; Hill and Rivers.

MINORITY recommendation: Do not pass. Signed by Senators McAuliffe, Ranking Member; Billig; Mullet and Rolfes.

Passed to Committee on Ways & Means.

January 28, 2016

SB 6202 Prime Sponsor, Senator Hobbs: Concerning the enforcement of employment rights arising from state active duty service by a member of the national guard. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dinsel; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

January 28, 2016

SB 6215 Prime Sponsor, Senator Padden: Identifying water rights for municipal water supply purposes. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6215 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dinsel, Vice Chair; Takko, Ranking Member and Honeyford.

Passed to Committee on Rules for second reading.

January 28, 2016

SB 6256 Prime Sponsor, Senator Sheldon: Concerning the Washington state energy financing voter approval act. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

NINETEENTH DAY, JANUARY 29, 2016

2016 REGULAR SESSION

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Cleveland; Habib and Ranker.

do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

Passed to Committee on Ways & Means.

January 28, 2016

January 28, 2016

SB 6273 Prime Sponsor, Senator Liias: Concerning safe technology use and digital citizenship in public schools. Reported by Committee on Early Learning & K-12 Education

SB 6343 Prime Sponsor, Senator Warnick: Modifying the powers and duties of the Washington dairy products commission to include research and education related to the economic uses of nutrients produced by dairy farms. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6273 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dinsel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

January 28, 2016

January 28, 2016

SB 6277 Prime Sponsor, Senator Roach: Modifying the presidential primary date. Reported by Committee on Government Operations & Security

SB 6345 Prime Sponsor, Senator Takko: Merging the department of agriculture's fruit and vegetable inspection districts and accounts. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dinsel.

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dinsel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators Habib and McCoy.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

January 28, 2016

January 28, 2016

SB 6284 Prime Sponsor, Senator Takko: Preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems. Reported by Committee on Government Operations & Security

SB 6356 Prime Sponsor, Senator Roach: Concerning disclosure of financial, commercial, and proprietary information of employees of private employers. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6284 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Habib; McCoy and Takko.

MAJORITY recommendation: That Substitute Senate Bill No. 6356 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dinsel; Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

January 28, 2016

January 28, 2016

SB 6291 Prime Sponsor, Senator Braun: Authorizing the use of weighted grade point averages for accelerated courses. Reported by Committee on Early Learning & K-12 Education

SB 6534 Prime Sponsor, Senator O'Ban: Establishing a maternal mortality review panel. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Parlette and Rivers.

Passed to Committee on Rules for second reading.

Passed to Committee on Human Services, Mental Health & Housing.

January 28, 2016

January 28, 2016

SB 6298 Prime Sponsor, Senator Frockt: Enacting the homeless student stability and opportunity gap act. Reported by Committee on Early Learning & K-12 Education

SB 6565 Prime Sponsor, Senator O'Ban: Allowing the disclosure of health care information with persons with a close relationship with a patient. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6298 be substituted therefor, and the substitute bill

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Human Services, Mental Health & Housing.

January 28, 2016

SGA 9245 MONA H. BAILEY, appointed on July 7, 2015, for the term ending January 12, 2017, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

January 28, 2016

SGA 9260 NANCY K. FITTA, reappointed on June 23, 2015, for the term ending July 1, 2020, as Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

January 28, 2016

SGA 9261 AURORA FLORES, appointed on August 12, 2015, for the term ending June 30, 2018, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

January 28, 2016

SGA 9272 ROSS HUNTER, appointed on September 8, 2015, for the term ending at the governor's pleasure, as Director of the Department of Early Learning. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

January 28, 2016

SGA 9298 NANCY J. SINKOVITZ, reappointed on June 23, 2015, for the term ending July 1, 2020, as Member of the Center for Childhood Deafness and Hearing Loss Board of

Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

January 28, 2016

SGA 9303 LUKE E. THOMAS, reappointed on August 12, 2015, for the term ending June 30, 2019, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

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

Passed to Committee on Rules for second reading.

January 28, 2016

SGA 9309 RINA S. YORK, appointed on August 12, 2015, for the term ending June 30, 2018, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet and Rolfes.

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGES FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Department of Commerce – *“Homelessness in Washington State, 2015 Annual Report on the Homeless Grant Programs”* pursuant to 43.185C RCW, report date January 1, 2016

Department of Corrections – *“Copayment Data Fiscal Year 2015”* pursuant to 72.10.020 RCW, report date January 26, 2016

Office of Financial Management – *“Aerospace Assembler Training, Student Participation and Postsecondary Outcomes,*

NINETEENTH DAY, JANUARY 29, 2016

2016 REGULAR SESSION

2016 Report” pursuant to 28A.700.100 RCW, report date January 28, 2016

Health Care Authority – *“Proportion of Non-Participating Providers Serving Low-income Enrollees in State-purchased Health Care Programs July 1, 2014 – June 30, 2015”* in accordance with Engrossed Substitute Senate Bill No. 5927, report date January 1, 2016; *“Employment Status of HCA Medical Assistance Clients and Persons with Dependents with HCA Medical Coverage, 2015 Report, Abridged Version”* in accordance with Engrossed Substitute House Bill No. 3079, report date December 31, 2015; *“Employment Status of HCA Medical Assistance Clients and Persons with Dependents with HCA Medical Coverage, 2015 Report”* in accordance with Engrossed Substitute House Bill No. 3079, report date December 31, 2015; *“Inpatient Hospital Certified Public Expenditure Program, 2015 Report”* in accordance with Engrossed Substitute Senate Bill No. 6052, report date September 1, 2015 and *“Health Care Innovation Plan, 2015 Annual Status Report”* in accordance with Engrossed Second Substitute House Bill No. 2572, report date January 1, 2016

Department of Health – *“Ambulatory Surgical Facilities, 2015 Report”* in accordance with Engrossed Substitute Senate Bill No. 6052, report date December 14, 2015

Office of the Superintendent of Public Instruction – *“Aerospace Assembler Training, Student Participation and Postsecondary Outcomes, 2016 Report”* pursuant to 28A.700.100 RCW, report date January 28, 2016

Department of Revenue – *“Tax Exemption Study for 2016”* pursuant to 43.06.400 RCW, January 1, 2016

Washington Traffic Safety Commission – *“School Zone Safety Account”* in accordance with Second Engrossed House Bill No. 1299, report date December 31, 2015

Washington Technology Solutions – *“Business Hub One-Stop Portal, 2015 Report”* in accordance with Substitute Senate Bill No. 5718, report date January 19, 2016

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BERL COLLEY, appointed February 20, 2015, for the term ending July 1, 2019, as Member of the Washington State School for the Blind Board of Trustees.

Sincerely,

JAY INSLEE, Governor

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

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

RONALD ERICKSON, reappointed December 14, 2015, for the term ending September 30, 2021, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ROSS HUNTER, appointed December 3, 2015, for the term ending September 30, 2017, as Member of the Bellevue College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

THOMAS KARIER, reappointed November 20, 2015, for the term ending January 15, 2020, as Member of the Northwest Power and Conservation Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Energy, Environment & Telecommunications.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DAVID KOOK, appointed November 9, 2015, for the term ending June 30, 2016, as Member of the Bellevue College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOHN PEDLOW, appointed December 15, 2015, for the term ending September 30, 2020, as Member of the Whatcom Community College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HESTER SEREBRIN, appointed December 29, 2015, for the term ending June 30, 2021, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LENORE THREE STARS, appointed May 23, 2014, for the term ending June 17, 2018, as Member of the Human Rights Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice.

January 27, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DEBORAH YOUNG, appointed December 29, 2015, for the term ending June 30, 2016, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation.

MOTION

On motion of Senator Fain, and without objection, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6605 by Senators Warnick, Becker, Brown and Honeyford
AN ACT Relating to ensuring that solid waste management requirements prevent the spread of disease, plant pathogens, and pests; amending RCW 70.95.060, 70.95.165, 70.95.180, 70.95.185, 70.95.190, 70.95.200, and 70.95.300; adding a new section to chapter 70.95 RCW; and declaring an emergency.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6606 by Senator King

AN ACT Relating to wholesale vehicle dealers; amending RCW 46.70.023, 46.70.027, 46.70.070, and 46.70.330; reenacting and amending RCW 46.70.011; and declaring an emergency.

Referred to Committee on Transportation.

SB 6607 by Senators Baumgartner and Schoesler

AN ACT Relating to state route number 276; and repealing RCW 47.17.502.

Referred to Committee on Transportation.

SB 6608 by Senators Lias, Frockt, Rolfes, Nelson, Billig, Conway, McAuliffe and Habib

AN ACT Relating to providing employers with a business and occupation tax credit for providing employees with student loan repayment assistance; adding a new section to chapter 82.04 RCW; creating a new section; making an appropriation; and providing an effective date.

Referred to Committee on Higher Education.

SB 6609 by Senators Lias, Frockt, Rolfes, Carlyle, Nelson, Conway and McAuliffe

AN ACT Relating to the graduate higher education loan program report; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

SB 6610 by Senators Lias, Frockt, Rolfes, Carlyle, Nelson, Billig, Mullet, Conway, Darneille, Keiser, McAuliffe and Habib

AN ACT Relating to establishing a student loan bill of rights; adding a new section to chapter 28B.77 RCW; and adding new sections to chapter 43.320 RCW.

Referred to Committee on Higher Education.

SB 6611 by Senators Angel, Rolfes and Roach

AN ACT Relating to traditional and alternative sewer systems; and amending RCW 36.70A.030 and 36.70A.110.

Referred to Committee on Government Operations & Security.

SB 6612 by Senators Rivers, Padden, Miloscia and Angel

AN ACT Relating to sex-selection abortions; amending RCW 9.02.110; adding a new chapter to Title 9 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6613 by Senators Padden, Becker and McAuliffe

AN ACT Relating to Down syndrome resources; adding a new section to chapter 43.70 RCW; adding a new section to chapter 18.50 RCW; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new section to chapter 18.79 RCW; adding a new section to chapter 18.290 RCW; adding a new section to chapter 70.41 RCW; and adding a new section to chapter 18.46 RCW.

Referred to Committee on Health Care.

SB 6614 by Senators Hobbs, King and Conway

AN ACT Relating to measuring the performance of the state transportation system; amending RCW 47.01.071 and 47.64.360; reenacting and amending RCW 47.04.280; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SB 6615 by Senator Chase

AN ACT Relating to extending the application of prevailing wage requirements to publicly subsidized projects; amending RCW 39.12.010, 39.12.030, 39.12.040,

NINETEENTH DAY, JANUARY 29, 2016

2016 REGULAR SESSION

39.12.042, 39.12.050, 39.12.065, and 39.12.070; adding a new section to chapter 39.12 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

SB 6616 by Senator Benton

AN ACT Relating to reserve studies and special assessments for homeowners' associations; and amending RCW 64.38.025 and 64.38.065.

Referred to Committee on Financial Institutions & Insurance.

SB 6617 by Senator Frockt

AN ACT Relating to the University of Washington's alternative process for awarding contracts; amending RCW 28B.20.744; and repealing RCW 43.131.413 and 43.131.414.

Referred to Committee on Higher Education.

SB 6618 by Senators Rivers and Litzow

AN ACT Relating to the voter fraud protection act; amending RCW 29A.24.131; and creating a new section.

Referred to Committee on Accountability & Reform.

SB 6619 by Senators Chase and Keiser

AN ACT Relating to preventing guardians from isolating incapacitated persons; and adding a new section to chapter 11.88 RCW.

Referred to Committee on Law & Justice.

SB 6620 by Senators McAuliffe, Dammeier, Rolfes, Litzow, Billig, Keiser and Conway

AN ACT Relating to a statewide plan for funding cost-effective methods for school safety; adding a new section to chapter 28A.300 RCW; creating new sections; and providing an expiration date.

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

SB 6621 by Senators Fraser, Jayapal, Keiser, Darneille and McCoy

AN ACT Relating to providing for development of policy recommendations for the use of deadly force by a public officer or peace officer; creating new sections; and providing an expiration date.

Referred to Committee on Law & Justice.

SB 6622 by Senators Fraser, Parlette, Nelson, Cleveland, Keiser, Hasegawa, Jayapal, McCoy and Conway

AN ACT Relating to prohibiting the assignment of retirement benefits; amending RCW 41.26.053, 41.32.052, 41.35.100, 41.37.090, 41.40.052, and 43.43.310; and prescribing penalties.

Referred to Committee on Ways & Means.

SJM 8022 by Senator Chase

Concerning service standards of the United States Postal Service.

Referred to Committee on Government Operations & Security.

EHB 1003 by Representatives Hawkins, Lytton, Magendanz, Bergquist, Hayes, Robinson, Parker, Ortiz-Self, Harris, Reykdal, Johnson, Senn, Muri, Farrell, Klippert, Pollet, Nealey, Manweller, Kretz, Hargrove, Appleton, Gregerson, Condotta, Kilduff and Walkinshaw

AN ACT Relating to the development of a model policy on natural disaster school infrastructure recovery by the Washington state school directors' association; creating a new section; and providing an expiration date.

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

E3SHB 1295 by House Committee on Appropriations (originally sponsored by Representatives Hudgins, Magendanz, S. Hunt, Walsh, Walkinshaw, Lytton, Senn, Jinkins, Sawyer, Stokesbary, Reykdal, Robinson, McBride, Stanford, Tharinger, Bergquist, Clibborn, Pollet, Fey, Gregerson and Tarleton)

AN ACT Relating to breakfast after the bell programs in certain public schools; amending RCW 28A.150.205; adding new sections to chapter 28A.235 RCW; and creating new sections.

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

HB 1345 by Representatives Lytton, Magendanz and Bergquist
AN ACT Relating to adopting a definition and standards of professional learning; adding new sections to chapter 28A.300 RCW; and creating a new section.

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

2SHB 1408 by House Committee on Education (originally sponsored by Representatives Ortiz-Self, Magendanz, Sawyer, Santos, Senn, Robinson, Orwall, Tarleton, Bergquist and Gregerson)

AN ACT Relating to developing a definition and model for "family engagement coordinator" and other terms used interchangeably with it; creating a new section; and providing an expiration date.

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

EHB 1770 by Representatives Bergquist, Magendanz, Pollet, Lytton, Muri and Goodman

AN ACT Relating to changing explicit alternative routes to teacher certification program requirements to expectations for program outcomes; amending RCW 28A.660.020 and 28A.660.035; and repealing RCW 28A.660.040.

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

SHB 1855 by House Committee on Education (originally sponsored by Representatives Caldier, Santos, Parker,

Reykdal, Magendanz, Hayes, Young, Pollet and Tharinger)

AN ACT Relating to waiving local graduation requirements for certain students; and amending RCW 28A.320.192.

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

REMARKS BY SENATOR ROLFES

Senator Rolfes: "Thank you Mr. President, so I wanted to say that I, that we, had concerns about Senate Bill 6618, which is called the 'voter fraud protection act.' I'll just add to my earlier comments by saying it seems like it should be the 'candidate fraud protection act' and that the bill should be referred to the Government Operations and Security Committee. We don't know why it was referred to Accountability and Reform, but we will defer to the majority's judgment on that."

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6619 which was referred to the Committee on Law & Justice.

MOTION

At 12:04 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Monday, February 1, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWENTY SECOND DAY

NOON SESSION

Senate Chamber, Olympia
Monday, February 1, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 29, 2016

SB 6325 Prime Sponsor, Senator Baumgartner: Aligning the alcohol content definition of cider with the federal definition. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

January 29, 2016

SB 6390 Prime Sponsor, Senator Warnick: Increasing the number of wineries and microbreweries that may offer wine or beer samples at farmers markets. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

January 29, 2016

SB 6398 Prime Sponsor, Senator Hasegawa: Concerning certain cultural foods. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

January 21, 2016

SJR 8211 Prime Sponsor, Senator Roach: Amending the Constitution to require a two-thirds majority vote of the legislature to raise taxes. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dandel.

MINORITY recommendation: Do not pass. Signed by Senators Habib; McCoy and Takko.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

SB 6623 by Senator King
AN ACT Relating to the rental or lease of transportation property; amending RCW 47.12.120 and 47.52.090; and declaring an emergency.

Referred to Committee on Transportation.

SB 6624 by Senators Benton, Schoesler, McAuliffe and Rolfes
AN ACT Relating to including displaying or wearing motorcycle-related or motorcycle club-related paraphernalia as a factor in profiling discrimination; and amending RCW 49.60.030.

Referred to Committee on Law & Justice.

SB 6625 by Senators Conway, Hasegawa, Keiser and Chase
AN ACT Relating to employment noncompetition agreements; and adding a new section to chapter 49.44 RCW.

Referred to Committee on Commerce & Labor.

SB 6626 by Senators Bailey, Frockt, Baumgartner, Liias and McAuliffe
AN ACT Relating to creating a work group on accelerated baccalaureate degree programs; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

SB 6627 by Senators Hasegawa and Chase
AN ACT Relating to authorizing wheelchair accessible taxicabs access to high occupancy vehicle lanes; and amending RCW 46.61.165 and 47.52.025.

Referred to Committee on Transportation.

SB 6628 by Senator Nelson
AN ACT Relating to service of legal actions to collect a debt by a collection agency; and amending RCW 19.16.250.

Referred to Committee on Law & Justice.

SB 6629 by Senators Fain, Rivers, Litzow, Darneille, Hasegawa and Chase

AN ACT Relating to providing a sales and use tax exemption for certain feminine hygiene products; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and creating new sections.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Becker moved adoption of the following resolution:

SENATE RESOLUTION
8695

By Senators Becker, Fraser, Brown, Ranker, Dammeier, Nelson, Hewitt, Hasegawa, Darneille, Angel, Parlette, Rolfes, McCoy, and Jayapal

WHEREAS, On July 30, 2016, in Olympia, upwards of 20,000 visitors will enthusiastically welcome the arrival of more than 100 tribal canoes as they conclude long distance journeys as participants in this year's Tribal Canoe Journey, "2016 Paddle to Nisqually," hosted by the Nisqually Tribe, whose homeland is south Puget Sound; and

WHEREAS, The canoes will represent approximately 60 tribes from many locations in Washington, Alaska, and British Columbia, as well as from other states and countries, and will arrive at the Port of Olympia's NorthPoint near Swantown Marina in downtown Olympia; and

WHEREAS, Following their arrival in Olympia, the canoes will join together in multiday cultural festivities until August 6th, which festivities are open to the public, at the Nisqually Tribal community at Olympia, halfway between Olympia and Yelm, in Thurston County; and

WHEREAS, The Tribal Canoe Journey, "2016 Paddle to Nisqually," represents a revival of traditional canoe culture fundamental to traditional Native American life around Puget Sound, the Salish Sea, the Strait of Juan de Fuca, the Pacific Ocean, and other Pacific Northwest marine waters, which frequently involved long journeys for economic, social, and cultural purposes; and

WHEREAS, The Tribal Canoe Journeys have become a vital activity for the revitalization of cultural expression to allow Native American families to pass along their traditional way of life to younger generations; and

WHEREAS, The inaugural Tribal Canoe Journey, "Paddle to Seattle," coincided with the 1989 State of Washington's Centennial Celebration and brought 17 tribes together as a tribute to the Salish Seas tribal canoe tradition and cultural heritage; and

WHEREAS, "2016 Paddle to Nisqually" is a community-building, youth-focused, drug- and alcohol-free, waste-free event, with the motto "Don't Forget the Water";

NOW, THEREFORE, BE IT RESOLVED, That the Senate heartily welcome to the state capitol the many tribal members and tribal paddlers, support teams, hundreds of volunteers, and thousands of enthusiastic visitors who will participate in the Tribal Canoe Journey, "2016 Paddle to Nisqually" historic gathering; and

BE IT FURTHER RESOLVED, That the Senate congratulate the Nisqually Tribe for its leadership in organizing and hosting the Canoe Journey, "2016 Paddle to Nisqually" event, and further express its appreciation to the City of Olympia, the Port of Olympia, Thurston County, and hundreds of volunteers for their active support of this historic event; and

BE IT FURTHER RESOLVED, That the Senate express its admiration for the personal fitness and endurance of the tribal paddlers, many of whom will have paddled for hundreds of miles to arrive in Olympia; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Nisqually Tribe, the City of Olympia, the Port of Olympia, and Thurston County.

Senators Becker, Dammeier, Fraser McCoy and Sheldon spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8695.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced members of the Nisqually Tribal Council who were seated in the gallery.

MOTION

At 12:15 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Tuesday, February 2, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWENTY THIRD DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, February 2, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.

No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 1, 2016

SB 6158 Prime Sponsor, Senator Dammeier: Concerning the transfer of firearms at nonprofit fund-raising activities. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Rules for second reading.

February 1, 2016

SB 6205 Prime Sponsor, Senator Pedersen: Clarifying when a person is an acquiring person of a target corporation with more than one class of voting stock. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 1, 2016

SB 6239 Prime Sponsor, Senator Fain: Authorizing local governments to adopt a property tax exemption program for the preservation of certain affordable housing. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6239 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 1, 2016

SB 6249 Prime Sponsor, Senator O'Ban: Concerning host home programs. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6249 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 1, 2016

SB 6262 Prime Sponsor, Senator O'Ban: Concerning a coroner's warrant authority. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 1, 2016

SB 6267 Prime Sponsor, Senator Schoesler: Concerning notice to the licensee before a concealed pistol license expires. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6267 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 1, 2016

SB 6366 Prime Sponsor, Senator Darneille: Asserting that submission of DNA markers to a database be accessible only to qualified laboratory personnel. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6366 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Darneille and Pearson.

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

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

Passed to Committee on Ways & Means.

February 1, 2016

SB 6456 Prime Sponsor, Senator Benton: Concerning the validity of administrative rules. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Ways & Means.

February 1, 2016

SB 6459 Prime Sponsor, Senator Rivers: Authorizing peace officers to assist the department of corrections with the supervision of offenders. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Frockt and Pearson.

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

Passed to Committee on Rules for second reading.

February 1, 2016

SB 6463 Prime Sponsor, Senator Pearson: Modifying the crime of luring. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6463 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 1, 2016

SB 6554 Prime Sponsor, Senator Benton: Providing an aggravating circumstance for assault against a utility worker. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

MOTION

On motion of Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6456 which was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6630 by Senators Parlette, Fraser and Chase

AN ACT Relating to establishing licensing of recreational motorized mineral prospecting in Washington state streams and rivers equivalent to the licensing of recreational fishing; amending RCW 77.55.091; creating new sections; and providing an expiration date.

Referred to Committee on Natural Resources & Parks.

SB 6631 by Senators Roach and Chase

AN ACT Relating to establishing a joint select committee to consider the political, economic, and security issues at Washington's largest ports; creating a new section; and providing an expiration date.

Referred to Committee on Government Operations & Security.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 12:02 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Wednesday, February 3, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 3, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Dansel.

The Sergeant at Arms Color Guard consisting of Pages Miss Ellary Maeve Boyd and Miss Adele Elizabeth Ericksen, presented the Colors.

The prayer was offered by Pastor Bill Knepper of Mountain View Baptist Church, Centralia.

The Pledge of Allegiance was led by Page Mr. Kobey Chew.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 2, 2016

SB 6218 Prime Sponsor, Senator Brown: Creating the clean energy education program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Member; Becker and Miloscia.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle and Liias.

Passed to Committee on Ways & Means.

February 2, 2016

SB 6233 Prime Sponsor, Senator Fain: Concerning freedom of expression rights of students at public schools and institutions of higher education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Billig; Fain; Hill; Mullet and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Dammeier, Vice Chair McAuliffe, Ranking Member.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6245 Prime Sponsor, Senator Litzow: Concerning visual screening in schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet and Rolfes.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6260 Prime Sponsor, Senator Hewitt: Providing postsecondary education to enhance education opportunities and public safety. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6290 Prime Sponsor, Senator Honeyford: Concerning the apple commission. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6290 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6371 Prime Sponsor, Senator Litzow: Concerning the definition of "agency" for purposes of early learning programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet and Rolfes.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6408 Prime Sponsor, Senator Hill: Concerning paraeducators. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6408 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Billig; Fain; Hill; Mullet and Rolfes.

Passed to Committee on Ways & Means.

February 2, 2016

SB 6457 Prime Sponsor, Senator Bailey: Updating workforce investment act references and making no substantive changes. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6513 Prime Sponsor, Senator Warnick: Concerning reservations of water. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6513 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6530 Prime Sponsor, Senator Hasegawa: Providing public notices of public health, safety, and welfare in a language other than English. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy and Takko.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6553 Prime Sponsor, Senator Liias: Providing for improving emergency preparedness by expanding continuity of operations planning. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy and Takko.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6632 by Senators Braun, Parlette and Hargrove
AN ACT Relating to wildfire management; amending RCW 76.04.610, 76.04.630, 76.04.015, 76.04.016, and 70.94.6536; adding new sections to chapter 76.04 RCW; and creating new sections.

Referred to Committee on Natural Resources & Parks.

SB 6633 by Senators Ranker and Ericksen

AN ACT Relating to the marine resources advisory council; amending RCW 43.06.338; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6634 by Senators O'Ban, Roach and Conway

AN ACT Relating to military service credit for members of the Washington state patrol retirement system; and reenacting and amending RCW 43.43.260.

Referred to Committee on Transportation.

SB 6635 by Senator Frockt

AN ACT Relating to allowing fire protection district annexations and mergers within a reasonable geographic proximity and eliminating cross-county restrictions for annexations to a fire protection district; and amending RCW 52.04.061, 52.04.071, 52.04.081, 52.04.091, 52.04.101, 52.04.111, 52.04.121, 52.04.131, 52.04.171, and 52.06.010.

Referred to Committee on Government Operations & Security.

SB 6636 by Senators Dammeier, O'Ban, Litzow, Braun, Becker, Bailey, Miloscia, Hill, Angel, Rolfes, Roach and Conway

AN ACT Relating to consumer protections for military members on active duty; adding a new section to chapter 38.40 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

SB 6637 by Senator Warnick

AN ACT Relating to the public works board regarding the public works assistance account program interest rates, project ranking, board membership, and other requirements; amending RCW 43.155.030, 43.155.060, 43.155.065, 43.155.068, and 43.155.070; and adding a new section to chapter 43.155 RCW.

Referred to Committee on Ways & Means.

SB 6638 by Senator Warnick

AN ACT Relating to an assessment on cattle; and amending RCW 16.67.120.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 6639 by Senator Braun

AN ACT Relating to authorizing nonmedical tattoo removal procedures for minors by licensed tattoo artists; and amending RCW 26.28.085.

Referred to Committee on Commerce & Labor.

SB 6640 by Senators Mullet, Liias, Billig, Rolfes, Chase, McAuliffe, Fraser, Keiser, Hasegawa and Nelson

AN ACT Relating to changes to high school science assessment requirements; and amending RCW 28A.655.061, 28A.655.065, and 28A.655.068.

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

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6634 which was referred to the Committee on Transportation.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Mullet moved adoption of the following resolution:

SENATE RESOLUTION
8698

By Senators Mullet, Fain, and Litzow

WHEREAS, The students of the Tahoma High School enrolled in the *We the People: The Citizen and Constitution* program have exhibited superior knowledge of the Constitution of the United States and the lessons taught by our forefathers; and

WHEREAS, On Saturday, January 9, 2016, the state *We the People* competition was won by the team from Tahoma High School, marking the school's 19th state championship; and

WHEREAS, From April 22, 2016, to April 25, 2016, these students will represent their state at the 29th anniversary *We the People* Finals in Washington, D.C., where they will aspire to uphold the standards of excellence for which Tahoma High School is known; and

WHEREAS, These students have immersed themselves in the United States Constitution and Bill of Rights, and their extraordinary understanding of the country's founding documents and principles and formidable debate skills have inspired those who have watched them progress to the level of state champions; and

WHEREAS, The Tahoma team is coached by Gretchen Wulfing, who was named Washington's Civic Educator of the Year in 2011 and who continues to ingrain in her students the importance of learning about American constitutional democracy and the contemporary relevance of the nation's founding documents and principles; and

WHEREAS, Studies have shown that 80 percent of high school seniors in the program are registered to vote, compared to an average of 37 percent among other high school seniors, proof that *We the People* instills greater interest in participating in government; and

WHEREAS, Tahoma High School has a distinguished record of excellence in competitions at the national level, placing fourth in the nation in 2000; capturing the Western Regional Award in 2001, 2008, and 2014; taking the top Unit Two in the Nation Award in 2003; placing in the top ten in 2012 and 2013; and earning the top Unit Five in the Nation Award in 2010 and 2011; and

WHEREAS, In 2015 the Tahoma team qualified for the top ten and eventually finished fourth in the nation, posting the highest finish in school and state history, for the third time causing Tahoma to advance to the top ten;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor Hannah Adam, Marisa Allison, Stephen Brantzeg, Tyler

Brazelton, Christina Diaz, Laurel Dillon, Madalyn Drotning, Elizabeth Duggan, Keegan Fitzpatrick, Davis George Galgano, Brittany Glover, Alexander Goodell, Stella Hagen, Erin Kalb, Amy Kiefer, Sarah Lincoln, Lane Lindblom, Alyna Morvice, Matthew Murphy, Kaitlin Nickel, Kathryn Owen, Joshua Pennington, Kenneth Perincheril, Jacob Robey, Jordan Smith, Peter Thomas, and Megan Warren as "Warriors of the Constitution"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the members of Tahoma High School's *We the People* team, team advisor Gretchen Wulfing, and Tahoma High School principal Terry Duty to convey the respect of this body for a job well done and to wish them success in their continuing endeavors.

Senators Fain and Mullet spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8698.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced students from Tahoma High School, Covington, enrolled in *We the People: Citizen and Constitution* program, guests of Senator Mullet, who were seated in the gallery.

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

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

MOTION

At 10:12 a.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of caucus.

The Senate was called to order at 11:41 a.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6227, by Senators Honeyford, Keiser, Rolfes, Conway, Ranker, McAuliffe, Mullet and Chase
Implementing the recommendations of the 2015 review of the Washington wildlife and recreation program.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 6227 was substituted for Senate Bill No. 6227 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 6227 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6227.

MOTION

On motion of Senator Habib, and without objection, Senator Hargrove was excused.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6227 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 2; Excused, 1.

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

SUBSTITUTE SENATE BILL NO. 6227, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Ranker: "Thank you, Mr. President. I'd like to take a moment to honor a senator who passed away yesterday, Senator Harriet Spanel, who represented the 40th district that I now represent, right before me. Harriet was a very dear friend and a mentor of mine, and to many of you as well. She was a tireless advocate for children, for women, for the environment, and particularly for Puget Sound. She was a warrior for Puget Sound, advancing some of our strongest oil spill protection laws, habitat protection laws, making sure that our fisheries were sustainable, that the jobs associated with those fisheries were sustained into the future. I know that I, and all of us, will deeply miss her."

PERSONAL PRIVILEGE

Senator Fraser: "Well thank you, Mr. President. I am among those who are very deeply saddened by the passing of former Senator Harriet Spanel, and former state Representative. I worked very closely with her. She's left a tremendous legacy in natural resources and salmon recovery, fisheries management, the crabbing industry, oil spill prevention and response. It goes on and on and she also left a large imprint on higher education policy, very dedicated to higher education. She was a math major and so she was excellent at evaluating fiscal notes, was very collaborative and always lived up to the highest standards of democracy and collaboration here. She'll be greatly missed and I hope she'll be well-remembered. Thank you."

PERSONAL PRIVILEGE

Senator Pearson: "Thank you, Mr. President. As senator for the east part of Skagit County, I got to know former Senator Spanel way back when I was a congressional liaison, and found her just amazing. Her wealth of knowledge regarding fisheries,

just a tremendous resource to go to. The folks in my district, especially the Wildcat Steelhead Club, they are really going to miss Harriet for always attending their barbeques, but always being that friend to fisheries and our state's lost a wonderful lady and I'll truly miss her. Thank you."

PERSONAL PRIVILEGE

Senator Carlyle: "Thank you, Mr. President. I also rise, I had the great honor of being Senator Spanel's paper boy. I grew up on Mason Street in Bellingham, she lived a block away and she was a dear friend and a dear mentor and I just adored her and her family. It's a moment of deep sadness for the Bellingham community. Anyone who grew up in that area knew that she carried extraordinary moral authority in the community politically, socially, economically, all kinds of roles in the community really. I miss her, and deeply appreciate the role she played. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Parlette: "Thank you, Mr. President. So when I first became the caucus chair for the Republican Caucus at that time, Harriet was the caucus chair for the Democrats. She was so good to work with and really a good role model for many of us. So I'm happy she's in peace and I feel very fortunate to have had that personal relationship with her. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Chase: "Thank you, Mr. President. You know we hear about Harriet as a leader in the legislature, but Harriet was also a leader in the peace movement in this state. For years and years she was out organizing, talking to people about antiwar issues, nuclear issues, she was an amazing person, she was a champion and I would like to say a drum major for peace and justice. And we will miss her."

SECOND READING

SENATE BILL NO. 6151, by Senators Litzow, Fain, Pedersen and Frockt

Concerning sexual assault protection orders.

The measure was read the second time.

MOTION

On motion of Senator Litzow, the rules were suspended, Senate Bill No. 6151 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6151.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6151 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

TWENTY FOURTH DAY, FEBRUARY 3, 2016

2016 REGULAR SESSION

Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hargrove

SENATE BILL NO. 6151, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:57 a.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Thursday, February 4, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWENTY FIFTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, February 4, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

Pursuant to Rule 46, on motion of Senator Fain, and without objection, the Committee on Human Services, Mental Health & Housing was granted special leave to meet during the day's floor session.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 3, 2016

SB 5439 Prime Sponsor, Senator Dansel: Eliminating penalties for delinquent property taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5439 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes and Schoesler.

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

Passed to Committee on Rules for second reading.

February 3, 2016

SB 5586 Prime Sponsor, Senator Conway: Restricting the social security offset to disability compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5586 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Braun, Vice Chair.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 5597 Prime Sponsor, Senator Roach: Concerning requirements for real estate appraisers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5597 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6116 Prime Sponsor, Senator Sheldon: Prohibiting the use of sick leave benefits, compensation, or health benefits for educational employees during a strike or work stoppage. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6149 Prime Sponsor, Senator Keiser: Providing reasonable accommodations in the workplace for pregnant women. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6149 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6152 Prime Sponsor, Senator Hill: Modifying the operation of the Interstate 405 express toll lanes. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6152 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget; Baumgartner; Ericksen; Litzow; Miloscia; Rivers and Sheldon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Jayapal and Takko.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6156 Prime Sponsor, Senator Rivers: Reauthorizing the medicaid fraud false claims act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6162 Prime Sponsor, Senator Honeyford: Concerning the expiration date of the invasive species council and account. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6187 Prime Sponsor, Senator Litzow: Concerning the authority of the pollution liability insurance agency. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6187 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6193 Prime Sponsor, Senator King: Clarifying the collection of fuel taxes within tribal jurisdictions. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6193 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget ; Baumgartner; Ericksen; Litzow; Miloscia; Rivers and Sheldon.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Jayapal and Takko.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6196 Prime Sponsor, Senator McCoy: Modifying administrative processes for the utilities and transportation commission in managing deposits and cost reimbursements of the energy facility site evaluation council. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6210 Prime Sponsor, Senator Dammeier: Creating the Washington achieving a better life experience program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6210 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6211 Prime Sponsor, Senator Dammeier: Concerning the exemption of property taxes for nonprofit homeownership development. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6211 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6224 Prime Sponsor, Senator Brown: Concerning energy facility site evaluation council procedure. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member and Habib.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland and Ranker.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6285 Prime Sponsor, Senator Fain: Providing that the horse racing commission operating account is a nonappropriated account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6285 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6297 Prime Sponsor, Senator King: Concerning the disposition of penalties paid for failure to comply with recreational site or lands pass/permit requirements. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6297 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dassel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6304 Prime Sponsor, Senator Rivers: Concerning the sale of marijuana to regulated cooperatives. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6308 Prime Sponsor, Senator Takko: Concerning migratory bird hunting fees. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6308 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dassel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6326 Prime Sponsor, Senator King: Concerning the retention and maintenance of auto dealer and repair facility records. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6326 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget ; Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Ericksen; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6341 Prime Sponsor, Senator Rivers: Concerning the provision of personal services and promotional items by cannabis producers and processors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6341 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6342 Prime Sponsor, Senator Miloscia: Concerning private activity bond allocation. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6342 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6346 Prime Sponsor, Senator King: Creating a special permit by a manufacturer of beer to hold a private event for the purpose of tasting and selling beer of its own production. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6355 Prime Sponsor, Senator Frockt: Reinstating tax preferences for certain high-technology research and development. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Angel and Ericksen.

MINORITY recommendation: Do not pass. Signed by Senators Chase, Ranking Minority Member and McCoy.

Passed to Committee on Ways & Means.

February 2, 2016

TWENTY FIFTH DAY, FEBRUARY 4, 2016

2016 REGULAR SESSION

SB 6358 Prime Sponsor, Senator King: Concerning rail fixed guideway system safety and security oversight. Reported by Committee on Transportation

Vice Chair; Hasegawa, Ranking Minority Member; Keiser; King and Warnick.

MAJORITY recommendation: That Substitute Senate Bill No. 6358 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Ericksen; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

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

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 2, 2016

SB 6359 Prime Sponsor, Senator Hobbs: Concerning the deposit of moneys from various advertising activities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget ; Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Jayapal; Litzow; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6377 Prime Sponsor, Senator Pearson: Concerning administrative processes of the state parks and recreation commission that require a majority vote of the commission. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6377 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hewitt and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Chase and Fraser.

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

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6388 Prime Sponsor, Senator Warnick: Providing small winery tax relief. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6393 Prime Sponsor, Senator Warnick: Modifying and updating small works roster construction and limited public works requirements. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6393 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun,

February 3, 2016
SB 6397 Prime Sponsor, Senator Hill: Addressing state and local government fiscal agents. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6406 Prime Sponsor, Senator Warnick: Concerning certified public accountant firm mobility. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6406 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6410 Prime Sponsor, Senator Hewitt: Requiring periodic certification elections for labor unions representing public employees. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6410 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6413 Prime Sponsor, Senator Mullet: Modifying residential landlord-tenant act provisions relating to tenant screening, evictions, and refunds. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6449 Prime Sponsor, Senator Hewitt: Concerning enhanced raffles. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6449 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6454 Prime Sponsor, Senator Fain: Providing a sales and use tax exemption for certain new building construction to be used by maintenance repair operators for airplane repair and maintenance. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Angel and Ericksen.

MINORITY recommendation: Do not pass. Signed by Senators Chase, Ranking Minority Member and McCoy.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6470 Prime Sponsor, Senator King: Concerning the regulation of alcoholic beverages. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6470 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Conway; Keiser; King and Warnick.

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

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6475 Prime Sponsor, Senator Dansel: Addressing political subdivisions purchasing health coverage through the public employees' benefits board program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6482 Prime Sponsor, Senator Hewitt: Concerning contractor bonds and mechanics' and materialmen's liens. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6482 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6496 Prime Sponsor, Senator King: Concerning the compliance of certain conversion vending units and medical units with certain department of labor and industries requirements. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6527 Prime Sponsor, Senator Brown: Incentivizing trade and economic development through state environmental policy reviews. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Angel and Ericksen.

MINORITY recommendation: Do not pass. Signed by Senators Chase, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6578 Prime Sponsor, Senator Baumgartner: Addressing local regulation of private employers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6578 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6580 Prime Sponsor, Senator Brown: Financing of improvements for state-owned lands to be transferred for private development. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Angel and Ericksen.

TWENTY FIFTH DAY, FEBRUARY 4, 2016

2016 REGULAR SESSION

MINORITY recommendation: Do not pass. Signed by Senators Chase, Ranking Minority Member and McCoy.

Passed to Committee on Rules for second reading.

Passed to Committee on Ways & Means.

February 2, 2016

February 3, 2016

SB 6602 Prime Sponsor, Senator Braun: Addressing industrial insurance claims made to self-insurers. Reported by Committee on Commerce & Labor

SGA 9217 TED BASELER, reappointed on November 14, 2014, for the term ending September 30, 2020, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6602 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Keiser; King and Warnick.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member and Conway.

February 2, 2016

Passed to Committee on Rules for second reading.

SGA 9236 CHARLES S. MCFADDEN, reappointed on January 17, 2014, for the term ending September 30, 2018, as Member of the Big Bend Community College Board of Trustees. Reported by Committee on Higher Education

February 3, 2016

SB 6639 Prime Sponsor, Senator Braun: Authorizing nonmedical tattoo removal procedures for minors by licensed tattoo artists. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

February 2, 2016

Passed to Committee on Rules for second reading.

SGA 9240 DEBRENA F. JACKSON GANDY, reappointed on February 6, 2015, for the term ending September 30, 2019, as Member of the Highline College Board of Trustees. Reported by Committee on Higher Education

February 2, 2016

SJM 8019 Prime Sponsor, Senator Conway: Requesting that a portion of state route number 509 be named the Philip Martin Lelli Memorial Highway. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget ; Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Jayapal; Miloscia; Rivers; Sheldon and Takko.

February 2, 2016

Passed to Committee on Rules for second reading.

SGA 9246 TERESITA BATAYOLA, reappointed on August 28, 2015, for the term ending September 30, 2020, as Member of the Seattle College District Board of Trustees. Reported by Committee on Higher Education

February 3, 2016

SJR 8213 Prime Sponsor, Senator Hill: Requiring the legislature to enact a four-year balanced budget. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

February 2, 2016

MINORITY recommendation: Do not pass. Signed by Senators Conway; Darneille; Hasegawa; Nelson and Pedersen.

SGA 9256 ELIZABETH B. DUNBAR, reappointed on August 24, 2015, for the term ending September 30, 2020, as Member of the Tacoma Community College Board of Trustees. Reported by Committee on Higher Education

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig and Rolfes.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9257 ANNE FENNESSY, reappointed on April 27, 2015, for the term ending April 3, 2019, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9258 LINDSAY FIKER, reappointed on September 8, 2015, for the term ending September 30, 2020, as Member of the Skagit Valley College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9259 MICHAEL O. FINLEY, reappointed on November 13, 2015, for the term ending September 30, 2021, as Member of the Eastern Washington University Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9263 ANNA C. FRANZ, reappointed on August 24, 2015, for the term ending September 30, 2020, as Member of the Big Bend Community College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9267 JAMES GROVES, reappointed on April 30, 2015, for the term ending September 30, 2019, as Member of the Bellingham Technical College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9268 STUART A. HALSAN, reappointed on August 24, 2015, for the term ending September 30, 2020, as Member of the Centralia College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9271 NANCEE R. HOFMEISTER, reappointed on August 24, 2015, for the term ending September 30, 2020, as Member of the Cascadia College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9279 WAYNE J. MARTIN, reappointed on April 30, 2015, for the term ending April 3, 2019, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9282 DAVID L. MITCHELL, reappointed on August 24, 2015, for the term ending September 30, 2020, as Member of the Columbia Basin College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9286 JIM PAGE, reappointed on September 9, 2015, for the term ending September 30, 2020, as Member of the Olympic College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

TWENTY FIFTH DAY, FEBRUARY 4, 2016

2016 REGULAR SESSION

February 2, 2016

SGA 9290 BRIDGET O. PIPER, reappointed on September 8, 2015, for the term ending September 30, 2020, as Member of the Community Colleges of Spokane Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9291 DENISE J. PORTMANN, reappointed on October 1, 2015, for the term ending September 30, 2020, as Member of the Grays Harbor College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9292 SUSANA REYES, reappointed on May 13, 2015, for the term ending June 30, 2019, as Member of the Washington Student Achievement Council. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9293 ROBERT A. ROEGNER, reappointed on September 8, 2015, for the term ending September 30, 2020, as Member of the Highline College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9295 JADA R. RUPLEY, reappointed on December 15, 2015, for the term ending September 30, 2020, as Member of the Clark College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 3, 2016

SGA 9299 VIKKI F. SMITH, appointed on June 3, 2015, for the term ending at the governors pleasure, as Director of the Department of Revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9305 STEPHEN W. VINCENT, reappointed on April 17, 2015, for the term ending September 30, 2019, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9306 MICHAEL D. WILSON, reappointed on October 15, 2014, for the term ending September 30, 2019, as Member of the Community Colleges of Spokane Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9307 LISA K. WOO, reappointed on September 30, 2015, for the term ending September 30, 2020, as Member of the Bellingham Technical College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGES FROM THE HOUSE

February 3, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL
NO. 1390,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1646,
SUBSTITUTE HOUSE BILL NO. 1790,
HOUSE BILL NO. 2315.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6641 by Senator Hargrove

AN ACT Relating to addressing and mitigating the impacts of property crimes in Washington state; amending RCW 9.94A.506, 9.94A.515, 9.94A.585, 9.94A.702, 9.94A.171, 9.94A.860, and 9.94A.533; reenacting and amending RCW 9.94A.030, 9.94A.501, 9.94A.505, and 9.94A.701; adding a new section to chapter 43.88 RCW; adding new sections to chapter 9.94A RCW; adding new sections to chapter 43.131 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 6642 by Senators Ranker, Padden and Hargrove

AN ACT Relating to legal financial obligations; and amending RCW 9.94A.760.

Referred to Committee on Ways & Means.

SB 6643 by Senators Bailey and Warnick

AN ACT Relating to a toll exemption for school buses; amending RCW 47.46.100 and 47.56.850; and adding a new section to chapter 47.56 RCW.

Referred to Committee on Transportation.

SB 6644 by Senator Parlette

AN ACT Relating to outdoor burning; and amending RCW 70.94.6514.

Referred to Committee on Natural Resources & Parks.

SB 6645 by Senator Roach

AN ACT Relating to allowing a city, town, code city, or county to request mediation in the event of a conflict with another city, town, code city, or county; adding a new section to chapter 35.21 RCW; adding a new section to

chapter 35A.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Government Operations & Security.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Hobbs moved adoption of the following resolution:

SENATE RESOLUTION

8703

By Senators Hobbs, Carlyle, Liias, Warnick, Pedersen, McCoy, Braun, Mullet, Honeyford, Sheldon, Conway, Rivers, Ericksen, Dammeier, McAuliffe, King, Litzow, Ranker, Angel, Bailey, Hewitt, Padden, Chase, Nelson, Fraser, Rolfes, Fain, Cleveland, Takko, Brown, and Jayapal

WHEREAS, More than eight thousand men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, volunteer their time and put personal lives aside when the needs of the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts to protect lives and property, and recently mobilized more than 1,500 soldiers and airmen and airwomen to respond to the state's largest wildfire; and

WHEREAS, The Guard continues to train and prepare for both natural disasters and threats to our national security, including cyber threats; and

WHEREAS, The Guard continues to improve the lives of Washington's young adults, many on the brink of dropping out of school, through its Washington Youth Academy; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for community and youth activities, and uses these facilities to enhance education, add to quality of life, and increase economic vitality; and

WHEREAS, Washington National Guard soldiers and airmen and airwomen continue to provide critical support to federal missions around the world and are willing to make the ultimate sacrifice to protect our freedoms and enhance our safety, including Sergeant First Class Matthew McClintock, who leaves behind a young wife and infant son after he was killed in action in Afghanistan earlier this year;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen and airwomen for their support, without whom the Guard's missions could not be successful; and

TWENTY FIFTH DAY, FEBRUARY 4, 2016

2016 REGULAR SESSION

BE IT FURTHER RESOLVED, That the Senate recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the readiness centers and armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to The Adjutant General of the Washington National Guard, the Governor of the State of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Senator Hobbs spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8703.

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

MOTION

At 12:06 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Friday, February 5, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWENTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 5, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Gabriel Santana Morales and Miss Yujing Jasmine Pan, presented the Colors.

The prayer was offered by Reverend Jim Erlandson of Community of Christ Church in Olympia.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGES FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Department of Ecology – *“Improving Management of Dangerous Pharmaceutical Wastes in Washington, Challenges and Recommendations”* in accordance with Engrossed Senate Bill No. 5577, report date December 31, 2015

Office of Financial Management – *“Impacts of Significant Legislative Rulemaking (2014-15)”* pursuant to 34.05.328 RCW, report date January 29, 2016

Department of Health – *“Healthiest Next Generation Initiative”* in accordance with Engrossed Substitute Senate Bill No. 6002, report date October 31, 2015; *“Charity Care in Washington Hospitals, Report for 2014”* pursuant to 70.170.060 RCW, report date January 31, 2016; *“Nursing Assistant Alternative Training, 2015 Report”* pursuant to Engrossed Substitute Senate Bill No. 6582, report date November 4, 2015; *“Medical Marijuana Specialty Clinics”* in accordance with Second Substitute Senate Bill No. 5052, report date December 31, 2015; *“Lyme Disease Treatment: A Report of the Effects Long-Term Antibiotic Therapy Has on Certain Lyme Disease Patients”* in accordance with Substitute Senate Bill No. 5448, report date December 1 2015; *“Provision of Drugs to Ambulance and Aid Services”* in accordance with Substitute House Bill No. 1625, report date December 1, 2015; and *“Newborn Screening, 2014 Report”* pursuant to 70.83.080 RCW, report date September 30, 2015

Office for Regulatory Innovation and Assistance – *“Impacts of Significant Legislative Rulemaking (2014-15)”* pursuant to 34.05.328 RCW, report date January 29, 2016

Department of Social & Health Services – *“Alzheimer's Disease and Other Dementias”* in accordance with Substitute Senate Bill No. 6124, report date January 1, 2016

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 4, 2016

MR. PRESIDENT:

The House has passed:

FOURTH SUBSTITUTE HOUSE BILL NO. 1541,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL
NO. 1745,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2307.
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6646 by Senators Litzow, Carlyle, Hill and McAuliffe

AN ACT Relating to recognizing art and cultural resources as components of state environmental policy; and amending RCW 43.21C.020.

Referred to Committee on Government Operations & Security.

SB 6647 by Senators Nelson, Hasegawa, Jayapal, Liias, Cleveland, Frockt, Rolfes, Hobbs, Billig, Carlyle, Chase, Takko, Keiser, Ranker, Darneille, McAuliffe, Fraser, Conway, Pedersen, Mullet, McCoy, Habib and Benton

AN ACT Relating to responding to the crisis of homelessness in Washington; reenacting and amending RCW 43.84.092; adding a new section to chapter 43.330 RCW; creating a new section; and making appropriations.

Referred to Committee on Ways & Means.

SB 6648 by Senator Fain

AN ACT Relating to benefits and exclusion within dental benefit coverage; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 6649 by Senators Nelson and Hasegawa

AN ACT Relating to collection agency practices; and amending RCW 19.16.100, 19.16.250, and 19.16.270.

Referred to Committee on Commerce & Labor.

SB 6650 by Senator Darneille

AN ACT Relating to eliminating the manufacturing machinery and equipment exemption for methanol manufactured in part from liquid natural gas or compressed

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

natural gas; and amending RCW 82.08.02565 and 82.12.02565.

Referred to Committee on Trade & Economic Development.

SB 6651 by Senators Fain, Rivers, Litzow, Keiser and Benton
AN ACT Relating to ensuring equal pay for equal work by amending and enhancing enforcement of equal pay and protecting worker communications about wages; amending RCW 49.12.175; adding a new section to chapter 49.12 RCW; creating a new section; prescribing penalties; and making an appropriation.

Referred to Committee on Commerce & Labor.

SJM 8023 by Senators Hobbs, Bailey and King
Requesting that the Stanwood railway station be named "Mary Margaret Haugen Station."

Referred to Committee on Transportation.

ESHB 1248 by House Committee on Judiciary (originally sponsored by Representatives Shea, Sawyer, Rodne, Jinkins, Walkinshaw, Fitzgibbon, Kilduff and Pollet)
AN ACT Relating to court proceedings; amending RCW 3.66.020, 7.06.020, 7.06.050, and 36.18.016; and adding new sections to chapter 7.06 RCW.

Referred to Committee on Law & Justice.

E2SHB 1390 by House Committee on Appropriations (originally sponsored by Representatives Goodman, Holy, Jinkins, Kagi, Moscoso, Ormsby and Pollet)
AN ACT Relating to legal financial obligations; amending RCW 10.82.090, 3.50.100, 3.62.040, 35.20.220, 10.01.160, 10.01.170, 10.01.180, 10.46.190, 10.64.015, 9.92.070, 10.73.160, 9.94A.6333, 9.94A.760, 9.94B.040, 3.62.085, 36.18.020, and 43.43.7541; and reenacting and amending RCW 3.62.020.

Referred to Committee on Law & Justice.

4SHB 1541 by House Committee on Appropriations (originally sponsored by Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall and Gregerson)
AN ACT Relating to implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee; amending RCW 28A.600.490, 28A.600.015, 28A.600.020, 28A.600.022, 43.41.400, 28A.405.106, 28A.405.120, 28A.180.040, 28A.180.090, 28A.300.042, 28A.300.505, 28A.300.507, 28A.165.035, and 28A.300.130; reenacting and amending RCW 13.50.010; adding a new section to chapter 28A.320 RCW; adding new sections to chapter 28A.345 RCW; adding new sections to chapter 28A.415 RCW; adding new sections to chapter 28A.657 RCW; adding a new section to chapter 43.215 RCW; adding a new section to chapter 28A.300 RCW; creating new sections; and providing expiration dates.

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

ESHB 1646 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives

Senn, Walsh, Lytton, Santos, Orwall, Wylie, Robinson, Reykdal, Gregerson, Appleton, Jinkins, Farrell, Van De Wege, Carlyle, McBride, Kagi, Goodman, Kilduff, Tarleton, Ortiz-Self, Cody, Riccelli, Clibborn, Ryu, Gregory, Walkinshaw, Springer, Sawyer, Fitzgibbon, Hudgins, Fey, Dunshee, Peterson, Moeller, Bergquist, S. Hunt, Moscoso, Pollet, Takko, Sells, Sullivan, Stanford, Morris, Tharinger and Ormsby)

AN ACT Relating to enacting the equal pay opportunity act by amending and enhancing enforcement of the equal pay act and protecting worker communications about wages and employment opportunities; amending RCW 49.12.175; recodifying RCW 49.12.175; and adding a new chapter to Title 49 RCW.

Referred to Committee on Commerce & Labor.

E2SHB 1745 by House Committee on State Government (originally sponsored by Representatives Moscoso, Bergquist, S. Hunt, Haler, Orwall, Sawyer, Stanford, Walkinshaw, Appleton, Reykdal, Fitzgibbon, Tharinger, Fey, Jinkins, Wylie, Goodman, Ormsby, Farrell, Riccelli, Sells, Hudgins, Lytton, McBride and Santos)

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections, requiring redistricting and new elections in certain circumstances, and establishing a cause of action to redress lack of voter opportunity; amending RCW 36.32.020, 53.12.010, 54.12.010, and 29A.76.010; adding a new section to chapter 28A.343 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 52.14 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on Government Operations & Security.

SHB 1790 by House Committee on Education (originally sponsored by Representatives Springer, Muri, Ortiz-Self and Reykdal)

AN ACT Relating to clarifying the authority of a nurse working in a school setting; adding a new section to chapter 28A.210 RCW; and creating a new section.

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

ESHB 2307 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Farrell, Senn, Riccelli, Appleton, Wylie, Robinson, Tarleton, Goodman, Ormsby, Tharinger, Gregerson, Pollet, Sullivan, Stanford, Jinkins, Kuderer, Ortiz-Self, S. Hunt, Blake, Lytton, Kilduff, Fitzgibbon, Kagi, Sells, Reykdal, Walkinshaw, Rossetti, Sawyer, Orwall, Peterson, Van De Wege, McBride, Kirby, Fey, Santos, Cody, Hudgins, Bergquist, Moscoso and Frame)

AN ACT Relating to providing reasonable accommodations in the workplace for pregnant women; amending RCW 49.60.030 and 49.60.180; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Commerce & Labor.

HB 2315 by Representatives Kirby, Blake and Stanford

AN ACT Relating to the mortgage lending fraud prosecution account; amending RCW 43.320.140 and 36.22.181; and providing expiration dates.

Referred to Committee on Financial Institutions & Insurance.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6564 which was referred to the Committee on Human Services, Mental Health & Housing.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION 8700

By Senators Fain, Takko, Hobbs, Frockt, Hill, Litzow, Keiser, Fraser, Nelson, Conway, Hasegawa, Jayapal, McCoy, Cleveland, McAuliffe, Mullet, Darneille, Carlyle, Chase, King, Rolfes, Ranker, Bailey, and Benton

WHEREAS, The Latino/a Educational Achievement Project, or LEAP, was established as a nonprofit organization in 1998, and recognized that the increasing numbers of latino students in Washington's public schools were underserved; and

WHEREAS, LEAP was formed with the goal of closing the opportunity gap between latino students and their peers through improving educational outcomes and legislative advocacy; and

WHEREAS, As an advocate for students, LEAP educates students and their parents on how to effectively make their voice heard through their local representatives; and

WHEREAS, Each year LEAP's advisory board sets a policy agenda aimed at tackling issues most important to latino students, with agenda items forwarded to state and federal representatives, the Governor, and various education boards at the high school and collegiate level; and

WHEREAS, LEAP's past legislative success includes the passage of House Bill 1079 in 2003, allowing undocumented students to pay in-state tuition for college, and Senate Bill 6523 in 2014, making in-state financial aid more widely available; and

WHEREAS, As they pursue improved academic development, LEAP hosts a variety of programs to give students the skills, knowledge, and confidence to graduate from high school and pursue postsecondary education; and

WHEREAS, Today's legislative day and educational conference is an example of LEAP's programming—this annual two-day event is split between an education conference in Tacoma and today's trip to Olympia to give students the opportunity to meet their representatives; additional programs include public education workshops for students and parents and after-school peer leadership programs focusing on leadership, civic engagement, college prep, and community service; and

WHEREAS, In addition to education programming, LEAP coordinates with Sea Mar Community Health Centers to offer a variety of scholarships;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate welcome the Latino/a Educational Achievement Project to Olympia and recognize them for their hard work advocating for positive academic outcomes for Washington's latino and latina students.

Senators Fain, Frockt, Bailey and Jayapal spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8700.

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

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5342, by Senators Hasegawa, Kohl-Welles, Padden, McAuliffe, Brown, Keiser, Roach, Chase and Conway

Concerning definitions related to human trafficking.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Bill No. 5342 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5342.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5342 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6091, by Senators Dammeier, O'Ban, Conway and Becker

Changing the definition of slayer.

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

The measure was read the second time.

MOTION

Senator Dammeier moved that the following striking amendment no. 529 by Senator Dammeier be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 11.84.010 and 2009 c 525 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Abuser" means any person who participates, either as a principal or an accessory before the fact, in the willful and unlawful financial exploitation of a vulnerable adult.

(2) "Decedent" means:

(a) Any person whose life is taken by a slayer; or

(b) Any deceased person who, at any time during life in which he or she was a vulnerable adult, was the victim of financial exploitation by an abuser.

(3) "Financial exploitation" has the same meaning as provided in RCW 74.34.020, as enacted or hereafter amended.

(4) "Property" includes any real and personal property and any right or interest therein.

(5) "Slayer" means any person who: (a) Participates, either as a principal or an accessory before the fact, in the willful and unlawful killing of any other person; or (b) is found not guilty by reason of insanity of a criminal offense constituting participation, either as a principal or an accessory before the fact, in the willful and unlawful killing of any other person.

(6) "Vulnerable adult" has the same meaning as provided in RCW 74.34.020.

NEW SECTION. Sec. 2. This act may be known and cited as Carol's law."

On page 1, line 1 of the title, after "slayer;" strike the remainder of the title and insert "amending RCW 11.84.010; and creating a new section."

Senator Dammeier spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 529 by Senator Dammeier to Senate Bill No. 6091.

The motion by Senator Dammeier carried and striking amendment no. 529 was adopted by voice vote.

MOTION

On motion of Senator Dammeier, the rules were suspended, Engrossed Senate Bill No. 6091 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier, Pedersen, Conway and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6091.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6091 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SENATE BILL NO. 6091, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUEST

The President welcomed and introduced Ms. Cheryl Gacek, a crime victim advocate and the twin sister of Ms. Carol Gacek Selland, a violent crime victim.

SECOND READING

SENATE BILL NO. 6160, by Senators O'Ban, Frockt, Fain, Hobbs, Nelson, Rolfes, Conway and Becker

Regulating the manufacture, sale, distribution, and installation of motor vehicle air bags.

MOTIONS

On motion of Senator O'Ban, Substitute Senate Bill No. 6160 was substituted for Senate Bill No. 6160 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator O'Ban, the rules were suspended, Substitute Senate Bill No. 6160 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6160.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6160 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6160, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6177, by Senator Rivers

Modifying marijuana research license provisions.

The measure was read the second time.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 6177 was substituted for Senate Bill No. 6177 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 6177 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6177.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6177 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6177, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced fifth grade students from Hedden Elementary School, Edgewood, and their teacher, Mrs. Lindsay Smolko, guests of Senator Roach, who were seated in the gallery.

SECOND READING

SENATE BILL NO. 6199, by Senators Pearson, Chase, Roach, Bailey and Benton

Providing for legislative review of the updated North Cascade elk herd plan.

The measure was read the second time.

MOTION

On motion of Senator Pearson, the rules were suspended, Senate Bill No. 6199 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson, Jayapal, Lias and Takko spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6199.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6199 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6199, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6296, by Senators Parlette, Ranker and Fraser

Extending the expiration date of the habitat and recreation lands coordinating group.

The measure was read the second time.

MOTION

On motion of Senator Parlette, the rules were suspended, Senate Bill No. 6296 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6296.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6296 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6296, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6405, by Senators Benton, Roach, McCoy, O'Ban, Angel and Conway

Addressing the civilian health and medical program for the veterans affairs administration.

The measure was read the second time.

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

MOTION

On motion of Senator Benton, the rules were suspended, Senate Bill No. 6405 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton, Mullet and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6405.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6405 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6405, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 5046, by Senators Padden and Pedersen

Correcting a codification error concerning the governor's designee to the traffic safety commission.

The bill was read on Third Reading.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5046.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5046 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5046, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

SENATE BILL NO. 5581, by Senators Angel and Hobbs

Addressing the benefits of group life and disability insurance policies.

The bill was read on Third Reading.

Senators Angel and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5581.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5581 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5581, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SENATE BILL NO. 5873, by Senators Conway, Bailey, Schoesler and Kohl-Welles

Permitting persons retired from the law enforcement officers' and firefighters' retirement system plan 1 to select a survivor benefit option.

The bill was read on Third Reading.

Senator Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5873.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5873 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette,

Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SENATE BILL NO. 5873, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5623, by Senate Committee on Transportation (originally sponsored by Senators Sheldon, Angel, Miloscia, Becker, Warnick and Conway)

Modifying the operation of motorcycles on roadways laned for traffic.

The bill was read on Third Reading.

MOTION

On motion of Senator Sheldon, the rules were suspended and Engrossed Substitute Senate Bill No. 5623 was returned to second reading for the purpose of amendment.

MOTION

Senator Sheldon moved that the following striking amendment no. 537 by Senators Sheldon and Hasegawa be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.61.608 and 2013 c 139 s 1 are each amended to read as follows:

(1) All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such a manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to motorcycles operated two abreast in a single lane.

(2)(a) The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken, except on the left-hand side of a vehicle traveling in the left-most lane of traffic on a numbered state route that is a divided highway having two or more lanes of traffic in each direction separated by a physical barrier or unpaved median if the operator of the motorcycle is traveling at a rate of speed no more than ten miles per hour over the speed of traffic flow and not more than twenty-five miles per hour. ((However, this subsection shall not apply)) When the operator of a motorcycle overtakes and passes a pedestrian or bicyclist ((while maintaining)), the operator shall maintain a safe passing distance of at least three feet.

(b) Any operator of a motor vehicle that intentionally impedes or attempts to prevent any operator of a motorcycle from operating his or her motorcycle as permitted under this subsection is guilty of a traffic infraction.

(3) No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles.

(4) Motorcycles shall not be operated more than two abreast in a single lane.

(5) Subsections (2) and (3) of this section shall not apply to police officers in the performance of their official duties.

"**Sec. 2.** RCW 47.52.025 and 2013 c 26 s 3 are each amended to read as follows:

(1) Highway authorities of the state, counties, and incorporated cities and towns, in addition to the specific powers granted in this chapter, shall also have, and may exercise, relative

to limited access facilities, any and all additional authority, now or hereafter vested in them relative to highways or streets within their respective jurisdictions, and may regulate, restrict, or prohibit the use of such limited access facilities by various classes of vehicles or traffic. Such highway authorities may reserve any limited access facility or portions thereof, including designated lanes or ramps for the exclusive or preferential use of (a) public transportation vehicles, (b) privately owned buses, (c) motorcycles, (d) private motor vehicles carrying not less than a specified number of passengers, or (e) the following private transportation provider vehicles if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle, and if such use does not interfere with the efficiency, reliability, and safety of public transportation operations: (i) Auto transportation company vehicles regulated under chapter 81.68 RCW; (ii) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (iii) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (iv) private employer transportation service vehicles, when such limitation will increase the efficient utilization of the highway facility or will aid in the conservation of energy resources. Regulations authorizing such exclusive or preferential use of a highway facility may be declared to be effective at all time or at specified times of day or on specified days.

(2) Any transit-only lanes that allow other vehicles to access abutting businesses that are reserved pursuant to subsection (1) of this section may not be authorized for the use of private transportation provider vehicles as described under subsection (1) of this section.

(3) Highway authorities of the state, counties, or incorporated cities and towns may prohibit the use of limited access facilities by the following private transportation provider vehicles: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, and marked or unmarked limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles, when the average transit speed in the high occupancy vehicle travel lane fails to meet department standards and falls below forty-five miles per hour at least ninety percent of the time during the peak hours for two consecutive months.

(4)(a) Local authorities are encouraged to establish a process for private transportation providers, described under subsections (1) and (3) of this section, to apply for the use of limited access facilities that are reserved for the exclusive or preferential use of public transportation vehicles.

(b) The process must provide a list of facilities that the local authority determines to be unavailable for use by the private transportation provider and must provide the criteria used to reach that determination.

(c) The application and review processes must be uniform and should provide for an expeditious response by the authority.

(5) When the department has opened the use of the shoulder of a limited access facility for public transportation vehicles, the department must allow motorcycles to use the shoulder during the same time periods and conditions.

(6) For the purposes of this section, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is similarly marked or identified to display the business name or logo on the driver and passenger sides of the vehicle, meets the annual certification requirements

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

of the department, and is offered by an employer for the benefit of its employees.

program. (REVISED FOR ENGROSSED: Addressing optional salary deferral programs.)

NEW SECTION. Sec. 3. Section 1 of this act expires July 31, 2018."

On page 1, line 2 of the title, after "traffic;" strike the remainder of the title and insert "amending RCW 46.61.608 and 47.52.025; prescribing penalties; and providing an expiration date."

MOTION

Senators Sheldon, King and Hasegawa spoke in favor of adoption of the amendment.

On motion of Senator Bailey, Substitute Senate Bill No. 5435 was substituted for Senate Bill No. 5435 and the substitute bill was placed on the second reading and read the second time.

Senator Liias spoke against adoption of the amendment.

MOTION

The President declared the question before the Senate to be the adoption of striking amendment no. 537 by Senators Sheldon and Hasegawa to Engrossed Substitute Senate Bill No. 5623.

Senator Bailey moved that the following striking amendment no. 536 by Senators Bailey and Schoesler be adopted:

The motion by Senator Sheldon carried and striking amendment no. 537 was adopted by voice vote.

Strike everything after the enacting clause and insert the following:

MOTION

"**Sec. 1.** RCW 41.50.770 and 2014 c 172 s 1 are each amended to read as follows:

On motion of Senator Sheldon, Second Engrossed Substitute Senate Bill No. 5623 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

(1) "Employee" as used in this section and RCW 41.50.780 includes all full-time, part-time, and career seasonal employees of the state, a county, a municipality, or other political subdivision of the state, whether or not covered by civil service; elected and appointed officials of the executive branch of the government, including full-time members of boards, commissions, or committees; justices of the supreme court and judges of the court of appeals and of the superior and district courts; and members of the state legislature or of the legislative authority of any county, city, or town.

Senators Sheldon, Hargrove, Roach, Hasegawa, Becker and Chase spoke in favor of passage of the bill.

Senators Liias and Nelson spoke against passage of the bill.

(2) The state, through the department, and any county, municipality, or other political subdivision of the state acting through its principal supervising official or governing body is authorized to contract with an employee to defer a portion of that employee's income, which deferred portion shall in no event exceed the amount allowable under 26 U.S.C. Sec. 401(a) or 457, and deposit or invest such deferred portion in a credit union, savings and loan association, bank, or mutual savings bank or purchase life insurance, shares of an investment company, individual securities, or fixed and/or variable annuity contracts from any insurance company or any investment company licensed to contract business in this state.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5623.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5623 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

(3) Beginning no later than January 1, 2017, all persons newly employed by the state on a full-time basis who are eligible to participate in a deferred compensation plan under 26 U.S.C. Sec. 457 shall be enrolled in the state deferred compensation plan unless the employee affirmatively elects to waive participation in the plan. Persons who participate in the plan without having selected a deferral amount or investment option shall contribute three percent of taxable compensation to their plan account which shall be invested in a default option selected by the state investment board in consultation with the director. This subsection does not apply to higher education undergraduate and graduate student employees and shall be administered consistent with the requirements of the federal internal revenue code.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Conway, Dammeier, Dansel, Ericksen, Fain, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, Miloscia, O'Ban, Padden, Parlette, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Cleveland, Darneille, Fraser, Frockt, Habib, Jayapal, Liias, McCoy, Mullet, Nelson, Pearson, Pedersen and Ranker

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5623, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5435, by Senators Bailey and Schoesler

Expanding participation in the Washington state deferred compensation program. Revised for 1st Substitute: Expanding participation in the Washington state deferred compensation

(4) Beginning no later than January 1, 2017, any county, municipality, or other political subdivision offering the state deferred compensation plan authorized under this section, may choose to administer the plan with an opt-out feature for new employees as described in subsection (3) of this section.

(5) Employees participating in the state deferred compensation plan under 26 U.S.C. Sec. 457 or money-purchase retirement savings plan under 26 U.S.C. Sec. 401(a) administered by the department shall self-direct the investment of the deferred portion of their income through the selection of investment options as set forth in subsection ((4)) (6) of this section.

((4)) (6) The department can provide such plans as it deems are in the interests of state employees. In addition to the types of

investments described in this section, the state investment board, with respect to the state deferred compensation plan under 26 U.S.C. Sec. 457 or money-purchase retirement savings plan under 26 U.S.C. Sec. 401(a), shall invest the deferred portion of an employee's income, without limitation as to amount, in accordance with RCW 43.84.150, 43.33A.140, and 41.50.780, and pursuant to investment policy established by the state investment board for the state deferred compensation plan((s)) under 26 U.S.C. Sec. 457 or money-purchase retirement savings plan under 26 U.S.C. Sec. 401(a). The state investment board, after consultation with the director regarding any recommendations made pursuant to RCW 41.50.088(2), shall provide a set of options for participants to choose from for investment of the deferred portion of their income. Any income deferred under ((such a plan)) these plans shall continue to be included as regular compensation, for the purpose of computing the state or local retirement and pension benefits earned by any employee.

((5)) (7) Coverage of an employee under ((a deferred compensation plan)) optional salary deferral programs under this section shall not render such employee ineligible for simultaneous membership and participation in any pension system for public employees.

Sec. 2. RCW 41.50.780 and 2010 1st sp.s. c 7 s 30 are each amended to read as follows:

(1) The deferred compensation principal account is hereby created in the state treasury.

(2) The amount of compensation deferred under 26 U.S.C. Sec. 457 by employees under agreements entered into under the authority contained in RCW 41.50.770 shall be paid into the deferred compensation principal account and shall be sufficient to cover costs of administration and staffing in addition to such other amounts as determined by the department. The deferred compensation principal account shall be used to carry out the purposes of RCW 41.50.770. All eligible state employees shall be given the opportunity to participate in agreements entered into by the department under RCW 41.50.770. State agencies shall cooperate with the department in providing employees with the opportunity to participate.

(3) Any county, municipality, or other subdivision of the state may elect to participate in any agreements entered into by the department under RCW 41.50.770, including the making of payments therefrom to the employees participating in a deferred compensation plan upon their separation from state or other qualifying service. Accordingly, the deferred compensation principal account shall be considered to be a public pension or retirement fund within the meaning of Article XXIX, section 1 of the state Constitution, for the purpose of determining eligible investments and deposits of the moneys therein.

(4) All moneys in the state deferred compensation principal account and the state deferred compensation administrative account, all property and rights purchased therewith, and all income attributable thereto, shall be held in trust by the state investment board, as set forth under RCW 43.33A.030, for the exclusive benefit of the state deferred compensation plan's participants and their beneficiaries. Neither the participant, nor the participant's beneficiary or beneficiaries, nor any other designee, has any right to commute, sell, assign, transfer, or otherwise convey the right to receive any payments under the plan. These payments and right thereto are nonassignable and nontransferable. Unpaid accumulated deferrals are not subject to attachment, garnishment, or execution and are not transferable by operation of law in event of bankruptcy or insolvency, except to the extent otherwise required by law.

(5) The state investment board has the full power to invest moneys in the state deferred compensation principal account and

the state deferred compensation administrative account in accordance with RCW 43.84.150, 43.33A.140, and 41.50.770, and cumulative investment directions received pursuant to RCW 41.50.770. All investment and operating costs of the state investment board associated with the investment of the deferred compensation plan assets shall be paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of these expenses, one hundred percent of all earnings from these investments shall accrue directly to the deferred compensation principal account.

(6)(a) No state board or commission, agency, or any officer, employee, or member thereof is liable for any loss or deficiency resulting from participant investments selected pursuant to RCW 41.50.770(((3))) (5).

(b) Neither the department, nor the director or any employee, nor the state investment board, nor any officer, employee, or member thereof is liable for any loss or deficiency resulting from reasonable efforts to implement investment directions pursuant to RCW 41.50.770(((3))) (5).

(7) The deferred compensation administrative account is hereby created in the state treasury. All expenses of the department pertaining to the deferred compensation plan including staffing and administrative expenses shall be paid out of the deferred compensation administrative account. Any excess balances credited to this account over administrative expenses disbursed from this account shall be transferred to the deferred compensation principal account at such time and in such amounts as may be determined by the department with the approval of the office of financial management. Any deficiency in the deferred compensation administrative account caused by an excess of administrative expenses disbursed from this account shall be transferred to this account from the deferred compensation principal account.

(8)(a)(i) The department shall keep or cause to be kept full and adequate accounts and records of the assets of each individual participant, obligations, transactions, and affairs of any deferred compensation plans created under RCW 41.50.770 and this section. The department shall account for and report on the investment of state deferred compensation plan assets or may enter into an agreement with the state investment board for such accounting and reporting.

(ii) The department's duties related to individual participant accounts include conducting the activities of trade instruction, settlement activities, and direction of cash movement and related wire transfers with the custodian bank and outside investment firms.

(iii) The department has sole responsibility for contracting with any recordkeepers for individual participant accounts and shall manage the performance of recordkeepers under those contracts.

(b)(i) The department's duties under (a)(ii) of this subsection do not limit the authority of the state investment board to conduct its responsibilities for asset management and balancing of the deferred compensation funds.

(ii) The state investment board has sole responsibility for contracting with outside investment firms to provide investment management for the deferred compensation funds and shall manage the performance of investment managers under those contracts.

(c) The state treasurer shall designate and define the terms of engagement for the custodial banks.

(9) The department may adopt rules necessary to carry out its responsibilities under RCW 41.50.770 and this section.

NEW SECTION. Sec. 3. A new section is added to chapter 41.50 RCW to read as follows:

(1) The money-purchase retirement savings principal account is hereby created in the state treasury.

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

(2) The amount of compensation deferred under 26 U.S.C. Sec. 401(a) by employees under agreements entered into under the authority contained in RCW 41.50.770 shall be paid into the money-purchase retirement savings principal account and shall be sufficient to cover costs of administration and staffing in addition to such other amounts as determined by the department. The money-purchase retirement savings principal account shall be used to carry out the purposes of RCW 41.50.770. All eligible state employees shall be given the opportunity to participate in agreements entered into by the department under RCW 41.50.770. State agencies shall cooperate with the department in providing employees with the opportunity to participate.

(3) Any county, municipality, or other subdivision of the state may elect to participate in any agreements entered into by the department under RCW 41.50.770, including the making of payments therefrom to the employees participating in a 26 U.S.C. Sec. 401(a) plan upon their separation from state or other qualifying service. Accordingly, the money-purchase retirement savings principal account shall be considered to be a public pension or retirement fund within the meaning of Article XXIX, section 1 of the state Constitution, for the purpose of determining eligible investments and deposits of the moneys therein.

(4) All moneys in the state money-purchase retirement savings principal account and the state money-purchase retirement savings administrative account, all property and rights purchased therewith, and all income attributable thereto, shall be held in trust by the state investment board, as set forth under RCW 43.33A.030, for the exclusive benefit of the state 26 U.S.C. Sec. 401(a) plan's participants and their beneficiaries. Neither the participant, nor the participant's beneficiary or beneficiaries, nor any other designee, has any right to commute, sell, assign, transfer, or otherwise convey the right to receive any payments under the plan. These payments and right thereto are nonassignable and nontransferable. Unpaid accumulated deferrals are not subject to attachment, garnishment, or execution and are not transferable by operation of law in event of bankruptcy or insolvency, except to the extent otherwise required by law.

(5) The state investment board has the full power to invest moneys in the state money-purchase retirement savings principal account and the state money-purchase retirement savings administrative account in accordance with RCW 43.84.150, 43.33A.140, and 41.50.770, and cumulative investment directions received pursuant to RCW 41.50.770. All investment and operating costs of the state investment board associated with the investment of the money-purchase retirement savings plan assets shall be paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of these expenses, one hundred percent of all earnings from these investments shall accrue directly to the money-purchase retirement savings principal account.

(6)(a) No state board or commission, agency, or any officer, employee, or member thereof is liable for any loss or deficiency resulting from participant investments selected pursuant to RCW 41.50.770(5).

(b) Neither the department, nor the director or any employee, nor the state investment board, nor any officer, employee, or member thereof is liable for any loss or deficiency resulting from reasonable efforts to implement investment directions pursuant to RCW 41.50.770(5).

(7) The money-purchase retirement savings administrative account is hereby created in the state treasury. All expenses of the department pertaining to the money-purchase retirement savings plan including staffing and administrative expenses shall be paid out of the money-purchase retirement savings administrative account. Any excess balances credited to this account over

administrative expenses disbursed from this account shall be transferred to the money-purchase retirement savings principal account at such time and in such amounts as may be determined by the department with the approval of the office of financial management. Any deficiency in the money-purchase retirement savings administrative account caused by an excess of administrative expenses disbursed from this account shall be transferred to this account from the money-purchase retirement savings principal account.

(8)(a)(i) The department shall keep or cause to be kept full and adequate accounts and records of the assets of each individual participant, obligations, transactions, and affairs of any deferred compensation plans created under RCW 41.50.770 and this section. The department shall account for and report on the investment of state money-purchase retirement savings plan assets or may enter into an agreement with the state investment board for such accounting and reporting.

(ii) The department's duties related to individual participant accounts include conducting the activities of trade instruction, settlement activities, and direction of cash movement and related wire transfers with the custodian bank and outside investment firms.

(iii) The department has sole responsibility for contracting with any recordkeepers for individual participant accounts and shall manage the performance of recordkeepers under those contracts.

(b)(i) The department's duties under (a)(ii) of this subsection do not limit the authority of the state investment board to conduct its responsibilities for asset management and balancing of the money-purchase retirement savings funds.

(ii) The state investment board has sole responsibility for contracting with outside investment firms to provide investment management for the money-purchase retirement savings funds and shall manage the performance of investment managers under those contracts.

(c) The state treasurer shall designate and define the terms of engagement for the custodial banks.

(9) The department may adopt rules necessary to carry out its responsibilities under RCW 41.50.770 and this section.

Sec. 4. RCW 43.84.092 and 2015 3rd sp.s. c 44 s 107 and 2015 3rd sp.s. c 12 s 3 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not

limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the money-purchase retirement savings administrative account, the money-purchase retirement savings principal account, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3

account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "optional salary deferral programs; amending RCW 41.50.770 and 41.50.780; reenacting

TWENTY SIXTH DAY, FEBRUARY 5, 2016
and amending RCW 43.84.092; and adding a new section to chapter 41.50 RCW."

The measure was read the second time.

Senator Bailey spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Senator Conway: "Will Senator Bailey yield to a question?"

President Owen: "Senator Bailey, do you yield? She does."

Senator Conway: "My question is on section three of the striking amendment, was that included in the original bill considered in the Ways & Means Committee?"

Senator Bailey: "The change to section three is one word – it is now permissive, not required. There were some issues around that with some of our cities and counties and they are now in agreement with the striking amendment."

The President declared the question before the Senate to be the adoption of striking amendment no. 536 by Senator Bailey to Substitute Senate Bill No. 5435.

The motion by Senator Bailey carried and striking amendment no. 536 was adopted by voice vote.

MOTION

On motion of Senator Bailey, the rules were suspended, Engrossed Substitute Senate Bill No. 5435 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5435.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5435 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5435, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6178, by Senator Honeyford

Concerning the outdoor burning of organic waste derived from pruning by commercial berry growers.

MOTION

On motion of Senator Honeyford, the rules were suspended, Senate Bill No. 6178 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6178.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6178 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Liias

SENATE BILL NO. 6178, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

MOTION

At 11:48 a.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of a meeting of the Committee on Rules and for caucus.

AFTERNOON SESSION

The Senate was called to order at 12:57 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL
APPOINTMENTS

MOTION

Senator Dammeier moved that Mona H. Bailey, Gubernatorial Appointment No. 9245, be confirmed as a member of the State Board of Education.

Senators Dammeier and McAuliffe spoke in favor of passage of the motion.

MOTION

On motion of Senator Habib, and without objection, Senator Billig was excused.

MOTION

On motion of Senator Ranker, and without objection, Senator Roach was excused.

APPOINTMENT OF MONA H. BAILEY

The President declared the question before the Senate to be the confirmation of Mona H. Bailey, Gubernatorial Appointment No. 9245, as a member of the State Board of Education.

The Secretary called the roll on the confirmation of Mona H. Bailey, Gubernatorial Appointment No. 9245, as a member of the State Board of Education, and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Billig and Roach

Mona H. Bailey, Gubernatorial Appointment No. 9245, having received the constitutional majority was declared confirmed as a member of the State Board of Education.

MOTION

Senator Hill moved that Vikki F. Smith, Gubernatorial Appointment No. 9299, be confirmed as a Director of the Department of Revenue.

Senators Hill and Carlyle spoke in favor of passage of the motion.

APPOINTMENT OF VIKKI F. SMITH

The President declared the question before the Senate to be the confirmation of Vikki F. Smith, Gubernatorial Appointment No. 9299, as Director of the Department of Revenue.

The Secretary called the roll on the confirmation of Vikki F. Smith, Gubernatorial Appointment No. 9299, as Director of the Department of Revenue and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Billig and Roach

Vikki F. Smith, Gubernatorial Appointment No. 9299, having received the constitutional majority was declared confirmed as a Director of the Department of Revenue.

MOTION

Senator King moved that Lynn Peterson, Gubernatorial Appointment No. 9137, be confirmed as the Secretary of the Department of Transportation.

Senator Hobbs spoke in favor of passage of the motion.
Senator Hill spoke against the passage of the motion.

MOTION

Senator Liias moved that the motion to confirm the appointment of Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation be tabled.

Senator Fain spoke against the motion.
Senator Liias spoke in favor of the motion.

MOTION

Senator Liias demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

ROLL CALL

The President declared the question before the Senate to be the motion by Senator Liias that the motion to confirm Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation be tabled.

The Secretary called the roll on the motion by Senator Liias that Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation, be tabled and the motion did not carry by the following vote: Yeas, 22; Nays, 25; Absent: 0; Excused, 2

Voting yea: Senators Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes, and Takko

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

Excused: Senators Billig and Roach

Senators Nelson, Habib, Ranker, Frockt, Conway, Keiser, Chase, Cleveland and McCoy spoke in favor of the motion to confirm.

Senators O'Ban, Rivers, Benton, Sheldon, Baumgartner, Danel and Ericksen spoke against the motion to confirm.

MOTION

Senator Liias moved that the appointment of Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation, be recommitted.

Senator Liias spoke in favor of the motion.

MOTION

Senator Liias demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

ROLL CALL

The President declared the question before the Senate to be the motion by Senator Liias that the appointment of Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation be recommitted.

The Secretary called the roll on the motion that the appointment of Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation, be recommitted and the motion did not carry by the following vote: Yeas, 22; Nays; 25; Absent, 0; Excused; 2

Voting yea: Senators Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes, and Takko

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

Excused: Senators Billig and Roach

Senators Fraser, Jayapal, Takko, Darneille and Hobbs spoke in favor of the motion to confirm.

Senators Miloscia spoke against the motion to confirm.

MOTION

Senator Rolfes moved to postpone Senate Gubernatorial Appointment No. 9137 until February 19, 2016.

POINT OF ORDER

Senator Benton: "The motion has been made and already voted upon by this body, Mr. President. The motion to table and the motion to postpone are tantamountly the same motion. One is for certain and one is indefinitely. The higher motion is the indefinite motion to table and we've already decided upon that motion, Mr. President."

RULING BY THE PRESIDENT

President Owen: "Senator Benton, they are listed separately and there has been intervening business since that time which allows it to be reconsidered."

Senators Liias and Nelson spoke in favor of the motion.

MOTION

Senator Nelson demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

Senator Sheldon spoke against the motion.

Senators Keiser, Hobbs, Carlyle, Hasegawa, Darneille, Mullet and Pedersen spoke in favor of the motion.

MOTION

On motion of Senator Habib, and without objection, Senator Ranker was excused.

ROLL CALL

The President declared the question before the Senate to be the motion by Senator Rolfes that the appointment of Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation be postponed until February 19, 2016.

The Secretary called the roll on the motion to postpone the appointment of Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation, and the motion did not carry by the following vote: Yeas: 21 Nays: 25 Absent: 0 Excused: 3

Voting yea: Senators Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Rolfes, and Takko

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

Excused: Senators Billig, Ranker, and Roach

MOTION

Senator Fain demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

PARLIAMENTARY INQUIRY

Senator Liias: "Is there a vote by the chamber on this motion, or a chance for members to comment?"

REPLY BY THE PRESIDENT

President Owen: "No, it is not debatable. The President allows for a person to make a brief comment on either side."

Senator Rolfes spoke against the motion.

The President declared the question before the Senate to be: "Shall the main question be now put?"

The motion by Senator Fain carried and the previous question was put by voice vote.

APPOINTMENT OF LYNN PETERSON

The President declared the question before the Senate to be the confirmation of Lynn Peterson, Gubernatorial Appointment No. 9137, as a Secretary of the Department of Transportation.

The Secretary called the roll on the confirmation of Lynn Peterson, Gubernatorial Appointment No. 9137, as the Secretary of the Department of Transportation and the appointment was not confirmed by the following vote: Yeas, 21; Nays, 25; Absent, 0; Excused, 3.

Voting yea: Senators Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Rolfes and Takko

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

Excused: Senators Billig, Ranker and Roach

Lynn Peterson, Gubernatorial Appointment No. 9137, having failed to receive the constitutional majority was declared not confirmed as the Secretary of the Department of Transportation.

MOTION

Senator Fain moved that the message of Gubernatorial Appointment No. 9137, Lynn Peterson, Secretary of Transportation was not confirmed by the Senate be immediately transmitted to the Governor.

Senator Liias spoke against the motion.

PARLIAMENTARY INQUIRY

Senator Liias: "If we don't immediately transmit the message, at what point will the message be transmitted to the Governor?"

REPLY BY THE PRESIDENT

President Owen: "The practice is a normal process, normally it's by the end of the day, or as soon as possible."

Senator Liias: "I withdraw my point."

The motion to immediately transmit the message that Gubernatorial Appointment No. 9137, Lynn Peterson, Secretary of Transportation was not confirmed by the Senate be immediately transmitted to the Governor passed by a voice vote.

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

MOTION

At 3:00 o'clock p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:50 p.m. by the acting President Pro Tempore, Senator Hewitt presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the first order of business.

REPORTS OF STANDING COMMITTEES

February 3, 2016

SB 5277 Prime Sponsor, Senator Kohl-Welles: Making the crime of patronizing a prostitute a gross misdemeanor. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 5589 Prime Sponsor, Senator O'Ban: Encouraging fairness in disciplinary actions of peace officers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 5635 Prime Sponsor, Senator Pedersen: Enacting the uniform power of attorney act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5635 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 5778 Prime Sponsor, Senator Becker: Concerning ambulatory surgical facilities. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 5778 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Parlette and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Ranking Minority Member; Jayapal and Keiser.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 5880 Prime Sponsor, Senator Padden: Enacting the Washington human trafficking reporting act. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5880 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6021 Prime Sponsor, Senator Roach: Requiring the voters to ratify the agreement between public hospital district No. 1 of King county and UW Medicine. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; McCoy, Ranking Minority Member and Dansel.

MINORITY recommendation: Do not pass. Signed by Senators Pearson, Vice Chair and Takko.

Passed to Committee on Rules for second reading.

February 4, 2016

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

SB 6026 Prime Sponsor, Senator Dansel: Concerning volunteer emergency workers volunteering with a nonprofit ambulance service provider. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6026 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel and Takko.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6036 Prime Sponsor, Senator Hill: Requiring certain health professionals to provide information on primary place of practice at the time of license renewal. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6036 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6081 Prime Sponsor, Senator Baumgartner: Creating a labor and industries ombuds within the department of commerce. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6081 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Conway; Darneille; Hasegawa; Nelson and Pedersen.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6129 Prime Sponsor, Senator Roach: Allowing cities, towns, code cities, and counties to choose to conduct district-based elections. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Takko.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member and Dansel.

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

Passed to Committee on Rules for second reading.

February 3, 2016
SB 6154 Prime Sponsor, Senator Miloscia: Creating an office of the corrections ombuds. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt and Roach.

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

Passed to Committee on Ways & Means.

February 3, 2016

SB 6165 Prime Sponsor, Senator Takko: Concerning short-barreled rifles. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6165 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Pearson and Roach.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Darneille and Frockt.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6189 Prime Sponsor, Senator McCoy: Requiring teacher preparation programs to integrate Native American curriculum developed by the office of the superintendent of public instruction into existing Pacific Northwest history and government requirements. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6203 Prime Sponsor, Senator Parlette: Updating statutes relating to the practice of pharmacy including the practice of pharmacy in long-term care settings. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6203 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6204 Prime Sponsor, Senator Roach: Removing disincentives to the voluntary formation of regional fire protection service authorities by equalizing certain provisions with existing laws governing fire protection districts and by

clarifying the formation process. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6206 Prime Sponsor, Senator Hasegawa: Authorizing the growing of industrial hemp. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6206 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6219 Prime Sponsor, Senator Brown: Concerning vehicular homicide sentencing. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6219 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6229 Prime Sponsor, Senator O'Ban: Streamlining foster care licensing. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6236 Prime Sponsor, Senator Padden: Concerning the 24/7 sobriety program. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6236 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice

Chair; Pedersen, Ranking Minority Member; Frockt; Pearson and Roach.

Passed to Committee on Transportation.

February 4, 2016

SB 6240 Prime Sponsor, Senator Parlette: Regulating nursing home facilities. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6240 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6242 Prime Sponsor, Senator O'Ban: Requiring the indeterminate sentence review board to provide certain notices upon receiving a petition for early release. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6242 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6243 Prime Sponsor, Senator Litzow: Concerning a training program for educators and parents to develop students' social and emotional skills to help prevent youth suicide. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6243 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6244 Prime Sponsor, Senator Litzow: Implementing strategies to close the educational opportunity gap. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6244 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Fain; Hill and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators McAuliffe, Ranking Minority Member; Billig; Mullet and Rolfes.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6248 Prime Sponsor, Senator Erickson: Concerning risk mitigation plans to promote the transition of eligible coal

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

units. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6248 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Braun; Cleveland; Habib and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators Sheldon, Vice Chair; Brown and Honeyford.

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

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6255 Prime Sponsor, Senator Sheldon: Addressing judge impartiality. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6255 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6259 Prime Sponsor, Senator Carlyle: Increasing compensation for school directors in districts enrolling twenty thousand or more students. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6259 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Fain; Hill and Rolfes.

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

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

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6261 Prime Sponsor, Senator Padden: Concerning human remains. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6261 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6268 Prime Sponsor, Senator Schoesler: Concerning the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington. Reported by Committee on Accountability & Reform

MAJORITY recommendation: That Substitute Senate Bill No. 6268 be substituted therefor, and the substitute bill do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair; Fraser, Ranking Minority Member; Danel and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6270 Prime Sponsor, Senator Becker: Providing prenatal vitamin coverage. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6270 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

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

Passed to Committee on Ways & Means.

February 4, 2016

SB 6272 Prime Sponsor, Senator Becker: Concerning the reimbursement rate primary care providers receive to participate in medicaid. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6272 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser and Rivers.

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

Passed to Committee on Ways & Means.

February 3, 2016

SB 6286 Prime Sponsor, Senator Pearson: Concerning reimbursement of correctional employees for offender assaults. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6286 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6287 Prime Sponsor, Senator Honeyford: Concerning the definition of hydraulic project in relation to the hydraulic project approval permits. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hewitt and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Jayapal, Ranking Minority Member; Chase and Fraser.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6292 Prime Sponsor, Senator Braun: Eliminating the reduction in state basic education funding that occurs in counties with federal forest lands. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Rivers and Rolfes.

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

Passed to Committee on Ways & Means.

February 3, 2016

SB 6295 Prime Sponsor, Senator Hasegawa: Clarifying the venue in which coroner's inquests are to be convened and payment of related costs. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6295 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6300 Prime Sponsor, Senator O'Ban: Concerning pro bono legal services for military service members, veterans, and their families. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6300 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6302 Prime Sponsor, Senator Rivers: Establishing crimes related to minors entering, remaining in, or being served by a marijuana retail outlet. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6311 Prime Sponsor, Senator Keiser: Providing a property tax exemption for certain property within an affordable housing incentive zone. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6311 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

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

Passed to Committee on Ways & Means.

February 4, 2016

SB 6312 Prime Sponsor, Senator Keiser: Regulating the core legislative powers of elected commissioners of a public hospital district. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6312 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; McCoy, Ranking Minority Member and Habib.

MINORITY recommendation: Do not pass. Signed by Senators Pearson, Vice Chair; Dansel and Takko.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6315 Prime Sponsor, Senator Roach: Concerning local government modernization. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6315 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6316 Prime Sponsor, Senator Parlette: Concerning designated disaster area financing. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6316 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6322 Prime Sponsor, Senator Pearson: Concerning the payment of health services by hospitals for inmates. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6322 be substituted therefor, and the substitute bill

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

Passed to Committee on Rules for second reading.

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

February 4, 2016

SB 6334 Prime Sponsor, Senator Benton: Concerning rail dependent uses for purposes of the growth management act and related development regulations. Reported by Committee on Government Operations & Security

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen, Ranking Minority Member and Frockt.

MAJORITY recommendation: That Substitute Senate Bill No. 6334 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dandel and Takko.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6327 Prime Sponsor, Senator Bailey: Providing for hospital discharge planning with lay caregivers. Reported by Committee on Health Care

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member and Habib.

Passed to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 6327 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Keiser; Parlette and Rivers.

February 4, 2016

SB 6335 Prime Sponsor, Senator Parlette: Modifying the nursing facility case mix classification methodology. Reported by Committee on Health Care

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6328 Prime Sponsor, Senator Dammeier: Concerning vapor products in respect to provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirements prohibiting vapor product sales to minors, prohibition of the purchase and possession of vapor products by minors, the liquor and cannabis board's enforcement authority over vapor products, preemption of certain local regulation of vapor products, and a requirement for vendor-assisted sales of vapor products in retail establishments. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6335 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6337 Prime Sponsor, Senator Darneille: Disposing tax foreclosed property to cities for affordable housing purposes. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6328 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Angel; Bailey; Baumgartner; Brown; Conway; Parlette and Rivers.

MAJORITY recommendation: That Substitute Senate Bill No. 6337 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

MINORITY recommendation: Do not pass. Signed by Senators Cleveland, Ranking Minority Member and Jayapal.

Passed to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt and Keiser.

February 4, 2016

SB 6347 Prime Sponsor, Senator Hobbs: Concerning forest fire prevention and suppression. Reported by Committee on Natural Resources & Parks

Passed to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dandel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6329 Prime Sponsor, Senator O'Ban: Creating the parent to parent program for individuals with developmental disabilities. Reported by Committee on Human Services, Mental Health & Housing

February 3, 2016

SB 6350 Prime Sponsor, Senator O'Ban: Addressing motor vehicle property offenses. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6329 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen,

Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6354 Prime Sponsor, Senator Liias: Adopting a higher education reverse transfer agreement plan. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6354 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6360 Prime Sponsor, Senator O'Ban: Developing a plan for the consolidation of traffic-based financial obligations. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6360 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6370 Prime Sponsor, Senator Litzow: Concerning the department of early learning's access to records and personal information for purposes of determining character and suitability of child care workers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6370 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6376 Prime Sponsor, Senator Fraser: Recognizing human trafficking awareness day. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6380 Prime Sponsor, Senator Benton: Eliminating unnecessary laws. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6380 be substituted therefor, and the substitute bill

do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dansel.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6382 Prime Sponsor, Senator O'Ban: Extending dates concerning measuring performance and performance-based contracting of the child welfare system. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6382 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6383 Prime Sponsor, Senator O'Ban: Concerning the requirements for filing a petition for a superior court to deal with a dependent child. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6387 Prime Sponsor, Senator Roach: Providing for fire protection district formation by the legislative authority of a city or town subject to voter approval. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6387 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

MINORITY recommendation: Do not pass. Signed by Senator Benton, Vice Chair.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6389 Prime Sponsor, Senator Keiser: Concerning the practice of certain East Asian medicine therapies. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6389 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2016

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

SB 6391 Prime Sponsor, Senator Braun: Concerning background checks in emergency placement situations requested by tribes. Reported by Committee on Human Services, Mental Health & Housing

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

Passed to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 6391 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

February 3, 2016

SB 6411 Prime Sponsor, Senator Angel: Expanding the eligibility of certain representatives and transferees to serve as directors, officers, and shareholders of professional service corporations. Reported by Committee on Law & Justice

Passed to Committee on Ways & Means.

MAJORITY recommendation: That Substitute Senate Bill No. 6411 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

February 4, 2016

SB 6396 Prime Sponsor, Senator Braun: Changing rule-making requirements to require preadoption review by the attorney general and a yearly expiration. Reported by Committee on Government Operations & Security

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dansel.

February 4, 2016

SB 6414 Prime Sponsor, Senator Rolfes: Concerning hatchery management agreements. Reported by Committee on Natural Resources & Parks

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Habib and Takko.

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6400 Prime Sponsor, Senator Hewitt: Concerning technical changes that clarify fish and wildlife enforcement laws. Reported by Committee on Natural Resources & Parks

February 4, 2016

SB 6420 Prime Sponsor, Senator Roach: Modifying certain land capacity review and evaluation requirements. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

MAJORITY recommendation: That Substitute Senate Bill No. 6420 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dansel.

Passed to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6401 Prime Sponsor, Senator Rolfes: Concerning recordkeeping requirements of secondary commercial fish receivers. Reported by Committee on Natural Resources & Parks

February 4, 2016

SB 6421 Prime Sponsor, Senator Ranker: Authorizing the use of epinephrine autoinjector devices through collaborative agreements. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

MAJORITY recommendation: That Substitute Senate Bill No. 6421 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6409 Prime Sponsor, Senator Bailey: Creating administrative efficiencies for institutions of higher education. Reported by Committee on Higher Education

February 3, 2016

SB 6423 Prime Sponsor, Senator Miloscia: Improving state budgeting through zero-based budget reviews. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass as amended. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle and Liias.

MAJORITY recommendation: Do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair and Dansel.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6424 Prime Sponsor, Senator Miloscia: Expanding the subjects to be covered in annual self-assessments performed by state agencies under the quality management statute and requiring the results of such assessments to be conveyed to the legislature. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair and Dansel.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6426 Prime Sponsor, Senator Conway: Allowing schools to be sited as essential public facilities outside an urban growth area. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6426 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel and Takko.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6429 Prime Sponsor, Senator McAuliffe: Creating the sandman act. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6429 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6430 Prime Sponsor, Senator Parlette: Providing continuity of care for recipients of medical assistance during periods of incarceration. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6430 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

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

Passed to Committee on Ways & Means.

February 3, 2016

SB 6437 Prime Sponsor, Senator Roach: Detecting and deterring dangerous drone operations near correctional facilities. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6437 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6438 Prime Sponsor, Senator Schoesler: Concerning improvements to tax and licensing laws administered by the department of revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6438 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6440 Prime Sponsor, Senator Parlette: Reducing public health threats that particularly impact highly exposed populations, including children and firefighters, by establishing a process for the department of health to restrict the use of toxic flame retardant chemicals in certain types of consumer products. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6440 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Angel; Bailey; Baumgartner; Brown; Conway; Parlette and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Ranking Minority Member; Frockt; Jayapal and Keiser.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6445 Prime Sponsor, Senator Braun: Clarifying the role of physician assistants in the delivery of mental health services. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6445 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6455 Prime Sponsor, Senator Dammeier: Expanding the professional educator workforce by increasing career opportunities in education, creating a more robust enrollment

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

forecasting, and enhancing recruitment efforts. Reported by Committee on Early Learning & K-12 Education

do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

MAJORITY recommendation: That Substitute Senate Bill No. 6455 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Fain; Hill; Rivers and Rolfes.

Passed to Committee on Ways & Means.

MINORITY recommendation: Do not pass. Signed by Senators McAuliffe, Ranking Minority Member and Mullet.

February 4, 2016

Passed to Committee on Ways & Means.

SB 6480 Prime Sponsor, Senator Ericksen: Creating a business and occupation tax credit for capital costs associated with providing retail broadband service using qualified broadband equipment. Reported by Committee on Energy, Environment & Telecommunications

February 3, 2016
SB 6464 Prime Sponsor, Senator Padden: Establishing deadlines for final determinations and dispositions in agency adjudicative proceedings. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6480 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown; Cleveland; Habib and Ranker.

MAJORITY recommendation: That Substitute Senate Bill No. 6464 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member and Honeyford.

Passed to Committee on Ways & Means.

Passed to Committee on Rules for second reading.

February 3, 2016

February 4, 2016
SB 6466 Prime Sponsor, Senator Habib: Concerning student services for students with disabilities. Reported by Committee on Higher Education

SB 6483 Prime Sponsor, Senator Hill: Concerning the Dan Thompson memorial developmental disabilities community trust account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6466 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Lias and Miloscia.

MAJORITY recommendation: That Substitute Senate Bill No. 6483 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

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

Passed to Committee on Rules for second reading.

February 4, 2016
SB 6467 Prime Sponsor, Senator Rivers: Permitting pharmacists to prescribe and dispense contraceptive patches and oral contraception. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6467 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Angel; Bailey; Baumgartner; Brown and Rivers.

February 4, 2016
SB 6485 Prime Sponsor, Senator Parlette: Expediting education requirements for chemical dependency professional licensure when the candidate holds another professional license. Reported by Committee on Human Services, Mental Health & Housing

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland, Ranking Minority Member; Frockt; Jayapal and Keiser.

MAJORITY recommendation: That Substitute Senate Bill No. 6485 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

Passed to Committee on Ways & Means.

February 4, 2016
SB 6477 Prime Sponsor, Senator Dammeier: Concerning a business and occupation tax deduction for chemical dependency services provided by a health or social welfare organization. Reported by Committee on Human Services, Mental Health & Housing

February 4, 2016
SB 6488 Prime Sponsor, Senator Becker: Directing the health care authority to apply for a federal innovation waiver to expand an employer-based coverage option with a portable health care account. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6477 be substituted therefor, and the substitute bill

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6489 Prime Sponsor, Senator Becker: Concerning fire suppression volunteers. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6489 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6490 Prime Sponsor, Senator Becker: Concerning fire suppression methodologies. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6491 Prime Sponsor, Senator Pedersen: Concerning apostille or other signature or attestation services by the secretary of state. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6492 Prime Sponsor, Senator Pedersen: Concerning filing documents with the corporations division of the secretary of state's office. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6492 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dansel; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6494 Prime Sponsor, Senator Darneille: Increasing access to adequate and appropriate mental health services for children and youth. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6494 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Darneille, Ranking Minority Member and Hargrove.

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

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

Passed to Committee on Ways & Means.

February 4, 2016

SB 6495 Prime Sponsor, Senator O'Ban: Concerning notification requirements for the department of social and health services. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6497 Prime Sponsor, Senator Hargrove: Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6497 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6498 Prime Sponsor, Senator Fain: Creating a testamentary privilege for alcohol or drug addiction recovery sponsors. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6498 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6502 Prime Sponsor, Senator Hargrove: Concerning forest fire prevention and suppression. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6502 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dansel, Vice

TWENTY SIXTH DAY, FEBRUARY 5, 2016

Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6503 Prime Sponsor, Senator Padden: Concerning the reliability of incentivized evidence and testimony. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6508 Prime Sponsor, Senator Chase: Concerning public works assistance account loan repayment. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6510 Prime Sponsor, Senator Parlette: Concerning the smoke management plan. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6510 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6511 Prime Sponsor, Senator Parlette: Concerning forest health through prudent wildfire prevention. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6511 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6512 Prime Sponsor, Senator Baumgartner: Requiring that a certain percentage of state need grant recipients be pursuing degrees in STEM subjects. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6512 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner,

2016 REGULAR SESSION

Vice Chair; Frockt, Ranking Minority Member; Becker and Miloscia.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle and Liias.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6518 Prime Sponsor, Senator Miloscia: Creating a department of housing. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6518 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair and Hargrove.

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

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

Passed to Committee on Ways & Means.

February 4, 2016

SB 6519 Prime Sponsor, Senator Becker: Expanding patient access to health services through telemedicine and establishing a collaborative for the advancement of telemedicine. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6519 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6524 Prime Sponsor, Senator Darneille: Addressing factors to be considered when sentencing youth in adult criminal court for crimes committed as minors. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

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

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6525 Prime Sponsor, Senator Angel: Concerning the state building code council. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6525 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice

Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6529 Prime Sponsor, Senator Hargrove: Strengthening opportunities for the rehabilitation and reintegration of juvenile offenders. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6529 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6533 Prime Sponsor, Senator McCoy: Improving the accuracy and transparency of the reporting and calculation of the fuel mix information to retail electric customers. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6533 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6534 Prime Sponsor, Senator O'Ban: Establishing a maternal mortality review panel. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6534 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6535 Prime Sponsor, Senator Warnick: Expanding distribution dates for supplemental nutrition assistance program benefits. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6535 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6536 Prime Sponsor, Senator Becker: Addressing the filing and rating of group health benefit plans other than small group plans, all stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and

health maintenance organizations. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6536 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Jayapal; Keiser; Parlette and Rivers.

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

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6537 Prime Sponsor, Senator Warnick: Concerning irrigation under the federal Columbia Basin project. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6538 Prime Sponsor, Senator Padden: Concerning the superior court judges' association. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6541 Prime Sponsor, Senator Miloscia: Requiring the establishment of performance management systems at state hospitals. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair and Dansel.

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

Passed to Committee on Ways & Means.

February 4, 2016

SB 6544 Prime Sponsor, Senator O'Ban: Simplifying behavioral health regulations and aligning them with other health regulations to support clinical integration. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6544 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

February 3, 2016

SB 6545 Prime Sponsor, Senator Ericksen: Creating a task force on Washington's clean energy economy. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown; Habib and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member and Cleveland.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6548 Prime Sponsor, Senator Warnick: Allowing the use of gender-segregated facilities. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6548 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6550 Prime Sponsor, Senator Pedersen: Allowing access to investigational products by terminally ill patients participating in clinical trials. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6550 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6551 Prime Sponsor, Senator Warnick: Concerning a notice of violation for discharges from agricultural activity on agricultural land based on information provided to the department of ecology by a third party. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Minority Member and Honeyford.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6555 Prime Sponsor, Senator Rolfes: Increasing the personal needs allowance for persons receiving state-financed care. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6556 Prime Sponsor, Senator Padden: Concerning the use of surety treatment bonds. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6558 Prime Sponsor, Senator Parlette: Allowing a hospital pharmacy license to include individual practitioner offices and multipractitioner clinics owned and operated by a hospital and ensuring such offices and clinics are inspected according to the level of service provided. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6558 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6564 Prime Sponsor, Senator O'Ban: Providing protections for persons with developmental disabilities. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6564 be substituted therefor, and the substitute bill do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6568 Prime Sponsor, Senator Warnick: Establishing a water discharge permit for concentrated animal feeding operations that is issued under the sole authority of state law. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Takko, Ranking Minority Member; Hobbs and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senator Dansel, Vice Chair.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6569 Prime Sponsor, Senator Cleveland: Creating a task force on patient out-of-pocket costs. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6569 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser and Rivers.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6570 Prime Sponsor, Senator Ericksen: Prioritizing the expenditure of funds associated with the model toxics control act for the cleanup of toxic pollution. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6570 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Cleveland and Habib.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6576 Prime Sponsor, Senator Warnick: Concerning contingency plans for the transport of biological oils and blends by railroads. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Cleveland; Habib and Ranker.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6583 Prime Sponsor, Senator Miloscia: Requiring the establishment of performance management systems at the state department of corrections. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair and Dansel.

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

Passed to Committee on Ways & Means.

February 4, 2016

SB 6584 Prime Sponsor, Senator Pearson: Establishing a proof of water reliance application process by which any property

owner who relies on legal water availability to obtain a building permit prior to the invalidation of an instream flow rule may secure proof that continued use of water at the property will not be considered to be causing impairment of minimum flows. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6585 Prime Sponsor, Senator Cleveland: Concerning elder justice centers. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6585 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6587 Prime Sponsor, Senator Liias: Changing provisions relating to services and activities fees at institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6587 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Ways & Means.

February 4, 2016

ESB 6589 Prime Sponsor, Senator Bailey: Concerning a feasibility study to examine whether water storage would provide noninterruptible water resources to users of permit exempt wells. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6598 Prime Sponsor, Senator Rivers: Concerning working connections child care eligibility for vulnerable children. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

February 4, 2016

TWENTY SIXTH DAY, FEBRUARY 5, 2016

2016 REGULAR SESSION

SB 6601 Prime Sponsor, Senator Frockt: Creating the Washington college savings program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6601 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6605 Prime Sponsor, Senator Warnick: Ensuring that solid waste management requirements prevent the spread of disease, plant pathogens, and pests. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6605 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Dansel, Vice Chair; Takko, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6611 Prime Sponsor, Senator Angel: Concerning traditional and alternative sewer systems. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dansel.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 3, 2016

SB 6612 Prime Sponsor, Senator Rivers: Prohibiting sex-selection abortions. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen, Ranking Minority Member; Darneille and Frockt.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6616 Prime Sponsor, Senator Benton: Concerning reserve studies and special assessments for homeowners' associations. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6616 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain and Roach.

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

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

Passed to Committee on Rules for second reading.

February 4, 2016

ESB 6617 Prime Sponsor, Senator Frockt: Concerning the University of Washington's alternative process for awarding contracts. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Ways & Means.

February 3, 2016

SB 6618 Prime Sponsor, Senator Rivers: Enacting the voter fraud protection act. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair and Dansel.

Passed to Committee on Rules for second reading.

February 4, 2016

ESB 6620 Prime Sponsor, Senator McAuliffe: Concerning a statewide plan for funding cost-effective methods for school safety. (REVISED FOR ENGROSSED: Concerning cost-effective methods for maintaining and increasing school safety.) Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6622 Prime Sponsor, Senator Fraser: Prohibiting the assignment of retirement benefits. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Parlette; Pedersen and Rolfes.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6626 Prime Sponsor, Senator Bailey: Creating a work group on accelerated baccalaureate degree programs. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 4, 2016

ESB 6631 Prime Sponsor, Senator Roach: Establishing a joint select committee to consider the political, economic, and security issues at Washington's largest ports. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass as amended. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

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

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6632 Prime Sponsor, Senator Braun: Concerning wildfire management. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 6632 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 4, 2016

SB 6633 Prime Sponsor, Senator Ranker: Concerning the marine resources advisory council. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib and Ranker.

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

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6638 Prime Sponsor, Senator Warnick: Concerning an assessment on cattle. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6638 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Takko, Ranking Minority Member and Hobbs.

MINORITY recommendation: Do not pass. Signed by Senator Dansel, Vice Chair.

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

Passed to Committee on Rules for second reading.

February 4, 2016

SB 6645 Prime Sponsor, Senator Roach: Allowing a city, town, code city, or county to request mediation in the event of a conflict with another city, town, code city, or county. Reported by Committee on Government Operations & Security

MAJORITY recommendation: That Substitute Senate Bill No. 6645 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dansel.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member and Takko.

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

Passed to Committee on Rules for second reading.

February 2, 2016

SGA 9255 JUNE A. DARLING, reappointed on September 8, 2015, for the term ending September 30, 2020, as Member of the Wenatchee Valley College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated, with the exception of Senate Bill 6026, Senate Bill 6316, Senate Bill 6396, Senate Bill 6494, Senate Bill 6508 and Senate Bill 6555 which were referred to the Committee on Ways and Means; Senate Bill 6248, Senate Bill 6354, Senate Bill 6464, Senate Bill 6466 and Senate Bill 6550 which were referred to the Committee on Rules; and Senate Bill 6236, which was referred to the Committee on Transportation.

MOTION

At 3:52 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Monday, February 8, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWENTY NINTH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, February 8, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6652 by Senator Keiser

AN ACT Relating to increasing equitable gender representation on the boards of directors of corporations; amending RCW 23B.08.030, 24.03.100, and 23.95.255; and creating a new section.

Referred to Committee on Law & Justice.

SB 6653 by Senators McAuliffe, Hobbs, Chase, Rolfes, Warnick, Hill, Litzow, Habib, Jayapal, Sheldon, Rivers, Cleveland, Lias, Keiser, Takko, Fain, Baumgartner, Benton and Roach

AN ACT Relating to a toll exemption for authorized emergency vehicles; amending RCW 47.46.100 and 47.56.850; and adding a new section to chapter 47.56 RCW.

Referred to Committee on Transportation.

SB 6654 by Senators Chase and Hasegawa

AN ACT Relating to extending the application of prevailing wage requirements to publicly subsidized projects; amending RCW 39.12.010, 39.12.030, 39.12.040, 39.12.042, 39.12.050, 39.12.065, and 39.12.070; adding a new section to chapter 39.12 RCW; adding a new section to chapter 82.32 RCW; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Labor.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 11:01 a.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Tuesday, February 9, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
 Tuesday, February 9, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Benton.

The Sergeant at Arms Color Guard consisting of Pages Mr. Shaheed Muhammad and Mr. Ethan Daniel Roach, presented the Colors.

Page Miss Olivia Grace Mohn led the Senate in the Pledge of Allegiance.

The prayer was offered by Imam Zafar Sawar of the Ahmadiyya Muslim Community.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6655 by Senators Fain, Rivers, Litzow, Baumgartner, Keiser and Roach

AN ACT Relating to ensuring equal pay for equal work by amending and enhancing enforcement of equal pay and protecting worker communications about wages; amending RCW 49.12.175; adding a new section to chapter 49.12 RCW; creating a new section; prescribing penalties; and making an appropriation.

Referred to Committee on Commerce & Labor.

MOTION

On motion of Senator Fain, and without objection, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Cleveland moved adoption of the following resolution:

**SENATE RESOLUTION
 8706**

By Senators Cleveland, Keiser, Becker, and Bailey

WHEREAS, Tens of millions of Americans are affected by bladder diseases and conditions including urinary incontinence, overactive bladder, underactive bladder, interstitial cystitis, nocturia, urinary tract infections, bladder cancer, urotrauma, and neurogenic bladder; and

WHEREAS, Bladder diseases and conditions have significant impact on health and quality of life — contributing to depression, social isolation, falls, sexual dysfunction, loss of self-esteem, hospitalizations, nursing home admissions, and even death; and

WHEREAS, Medical and behavioral research to better understand and maintain bladder health and treat bladder diseases is critically needed, yet poorly recognized; and

WHEREAS, Bladder problems are highly stigmatized, and open dialogue generated by Bladder Health Month can reduce stigma and empower providers and patients to have much-needed conversations about bladder health; and

WHEREAS, Industry professionals have strived to raise awareness by designating November as "Bladder Health Month";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate encourage Washingtonians to view November as a valuable reminder to take stock of their bladder health.

Senators Cleveland and Becker spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8706.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced Dr. Jeff Evans, Dr. Carlene Benson, and Debi Johnson, Executive Director, Washington State Urology Society who were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

MOTION

Senator Litzow moved that Ross Hunter, gubernatorial Appointment No. 9272, be confirmed as the Director of the Department of Early Learning.

Senators Litzow, Habib, Parlette, Hargrove, Hobbs and Baumgartner spoke in favor of the motion.

MOTION

On motion of Senator Habib, and without objection, Senator Jayapal was excused.

MOTION

On motion of Senator Rivers, and without objection, Senators Benton, Dassel and Ericksen was excused.

SECOND READING

APPOINTMENT OF ROSS HUNTER

The President declared the question before the Senate to be the confirmation of Ross Hunter, Gubernatorial Appointment No. 9272, as the Director of the Department of Early Learning.

The Secretary called the roll on the confirmation of Ross Hunter, Gubernatorial Appointment No. 9272, as the Director of the Department of Early Learning and the appointment was confirmed by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Padden

Excused: Senators Benton, Dandel and Ericksen

Ross Hunter, Gubernatorial Appointment No. 9272, having received the constitutional majority was declared confirmed as the Director of the Department of Early Learning.

MOTION

Senator Brown moved that Ted Baseler, Gubernatorial Appointment No. 9217, be confirmed as a member of the Board of Regents, Washington State University.

Senators Brown, Hewitt and Schoesler spoke in favor of the motion.

APPOINTMENT OF TED BASELER

The President declared the question before the Senate to be the confirmation of Ted Baseler, Gubernatorial Appointment No. 9217, as a member of the Board of Regents, Washington State University.

The Secretary called the roll on the confirmation of Ted Baseler, Gubernatorial Appointment No. 9217, as a member of the Board of Regents, Washington State University and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

Ted Baseler, Gubernatorial Appointment No. 9217, having received the constitutional majority was declared confirmed as a member of the Board of Regents, Washington State University.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SENATE BILL NO. 6180, by Senators King, Schoesler and Hasegawa

Creating a disadvantaged business enterprise advisory committee within the transportation commission.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 6180 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6180.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6180 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

SENATE BILL NO. 6180, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6281, by Senate Committee on Commerce & Labor (originally sponsored by Senators Fain, Pedersen, Baumgartner and Frockt)

Enacting amendments to the uniform athlete agents act.

MOTIONS

On motion of Senator Fain, Substitute Senate Bill No. 6281 was substituted for Senate Bill No. 6281 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fain, the rules were suspended, Substitute Senate Bill No. 6281 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6281.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6281 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

SUBSTITUTE SENATE BILL NO. 6281, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6273, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Liias, Litzow, Rolfes, Fain, Mullet, Carlyle, Billig, Fraser and McAuliffe)

Concerning safe technology use and digital citizenship in public schools.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 6273 was substituted for Senate Bill No. 6273 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 6273 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6273.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6273 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

SUBSTITUTE SENATE BILL NO. 6273, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6274, by Senators Parlette, Takko, Pearson, Rolfes, Hargrove, Schoesler, Becker, Warnick and Hewitt

Concerning the Columbia river recreational salmon and steelhead endorsement program.

The measure was read the second time.

MOTION

On motion of Senator Parlette, the rules were suspended, Senate Bill No. 6274 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette, Jayapal and Pearson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6274.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6274 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

SENATE BILL NO. 6274, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6299, by Senators King and Hobbs

Correcting certain manifest drafting errors in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 6299 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6299.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6299 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway,

THIRTIETH DAY, FEBRUARY 9, 2016

2016 REGULAR SESSION

Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Benton

SENATE BILL NO. 6299, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6284, by Senate Committee on Government Operations & Security (originally sponsored by Senators Takko and Roach)

Preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6284 was substituted for Senate Bill No. 6284 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 6284 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Nelson, Lias and Conway spoke against passage of the bill.

POINT OF INQUIRY

Senator Lias: "Thank you Mr. President. I was wondering if the Senator from the 19th would yield to a question?"

President Owen: "Senator Takko, do you yield? He does."

Senator Takko: "Do I have a choice?"

President Owen: "Yes, in fact, you do."

Senator Lias: "My question is: Are you now, or have you ever been, a member of a water or sewer commission?"

Senator Takko: "I am not currently a member of a water or sewer district, but, full disclosure, I served 30 years as a water and sewer district commissioner."

Senator Lias: "Mr. President, I think we see clearly here a conflict of interest. This is some sort of subtle agenda. I am also concerned he mentioned that this requires modern technology in order to implement and I've been to the 19th district and I am here to tell you that mimeograph machines and telegraphs are not modern technology. I am concerned about allowing this sort of modern sewage into such a backwater district. I think we should turn this down at this point and spend some more time studying this issue."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6284.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6284 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

SUBSTITUTE SENATE BILL NO. 6284, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF PERSONAL PRIVILEGE

Senator Rolfes: "This was Senator Takko's first Senate bill. Congratulations, Senator."

SECOND READING

SENATE BILL NO. 5029, by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen and O'Ban)

Concerning the uniform fiduciary access to digital assets act. Revised for 1st Substitute: Concerning the revised uniform fiduciary access to digital assets act.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5029 was substituted for Senate Bill No. 5029 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following striking amendment no. 533 by Senator Pedersen and Padden be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. SHORT TITLE. This act may be known and cited as the revised uniform fiduciary access to digital assets act.

NEW SECTION. Sec. 2. DEFINITIONS. In this chapter:

(1) "Account" means an arrangement under a terms-of-service agreement in which a custodian carries, maintains, processes, receives, or stores a digital asset of the user or provides goods or services to the user.

(2) "Agent" means an attorney in fact granted authority under a durable or nondurable power of attorney.

(3) "Carries" means engages in the transmission of an electronic communication.

(4) "Catalogue of electronic communications" means information that identifies each person with which a user has had an electronic communication, the time and date of the communication, and the electronic address of the person.

(5) "Content of an electronic communication" means information concerning the substance or meaning of the communication which:

- (a) Has been sent or received by a user;
- (b) Is in electronic storage by a custodian providing an electronic communication service to the public or is carried or maintained by a custodian providing a remote computing service to the public; and
- (c) Is not readily accessible to the public.
- (6) "Court" means the superior court of each county.
- (7) "Custodian" means a person that carries, maintains, processes, receives, or stores a digital asset of a user.
- (8) "Designated recipient" means a person chosen by a user using an online tool to administer digital assets of the user.
- (9) "Digital asset" means an electronic record in which an individual has a right or interest. The term does not include an underlying asset or liability unless the asset or liability is itself an electronic record.
- (10) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- (11) "Electronic communication" has the meaning set forth in 18 U.S.C. Sec. 2510(12), as it existed on the effective date of this section.
- (12) "Electronic communication service" means a custodian that provides to a user the ability to send or receive an electronic communication.
- (13) "Fiduciary" means an original, additional, or successor personal representative, guardian, agent, or trustee.
- (14) "Guardian" means a person appointed by a court to manage the estate or person, or both, of a living individual. The term includes a limited guardian or certified professional guardian.
- (15) "Incapacitated person" means an individual for whom a guardian has been appointed.
- (16) "Information" means data, text, images, videos, sounds, codes, computer programs, software, databases, or the like.
- (17) "Online tool" means an electronic service provided by a custodian that allows the user, in an agreement distinct from the terms-of-service agreement between the custodian and user, to provide directions for disclosure or nondisclosure of digital assets to a third person.
- (18) "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, or instrumentality, or other legal entity.
- (19) "Personal representative" means an executor, administrator, special administrator, or person that performs substantially the same function under law of this state other than this chapter.
- (20) "Power of attorney" means a record that grants an agent authority to act in the place of a principal.
- (21) "Principal" means an individual who grants authority to an agent in a power of attorney.
- (22) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.
- (23) "Remote computing service" means a custodian that provides to a user computer processing services or the storage of digital assets by means of an electronic communications system, as defined in 18 U.S.C. Sec. 2510(14), as it existed on the effective date of this section.
- (24) "Terms-of-service agreement" means an agreement that controls the relationship between a user and a custodian.
- (25) "Trustee" means a fiduciary with legal title to property under an agreement or declaration that creates a beneficial interest in another. The term includes a successor trustee.
- (26) "User" means a person that has an account with a custodian.

(27) "Will" includes a codicil, testamentary instrument that only appoints an executor, and instrument that revokes or revises a testamentary instrument.

NEW SECTION. Sec. 3. APPLICABILITY. (1) This chapter applies to:

- (a) A fiduciary acting under a will or power of attorney executed before, on, or after the effective date of this section;
- (b) A personal representative acting for a decedent who died before, on, or after the effective date of this section;
- (c) A guardian acting for an incapacitated person appointed before, on, or after the effective date of this section;
- (d) A trustee acting under a trust created before, on, or after the effective date of this section; and
- (e) A custodian if the user resides in this state or resided in this state at the time of the user's death.

(2) This chapter does not apply to a digital asset of an employer used by an employee in the ordinary course of the employer's business.

NEW SECTION. Sec. 4. USER DIRECTION FOR DISCLOSURE OF DIGITAL ASSETS. (1) A user may use an online tool to direct the custodian to disclose to a designated recipient or not to disclose some or all of the user's digital assets, including the content of electronic communications. If the online tool allows the user to modify or delete a direction at all times, a direction regarding disclosure using an online tool overrides a contrary direction by the user in a will, trust, power of attorney, or other record.

(2) If a user has not used an online tool to give direction under subsection (1) of this section or if the custodian has not provided an online tool, the user may allow or prohibit in a will, trust, power of attorney, or other record, disclosure to a fiduciary of some or all of the user's digital assets, including the content of electronic communications sent or received by the user.

(3) A user's direction under subsection (1) or (2) of this section overrides a contrary provision in a terms-of-service agreement that does not require the user to act affirmatively and distinctly from the user's assent to the terms-of-service agreement.

NEW SECTION. Sec. 5. TERMS-OF-SERVICE AGREEMENT. (1) This chapter does not change or impair a right of a custodian or a user under a terms-of-service agreement to access and use digital assets of the user.

(2) This chapter does not give a fiduciary or a designated recipient any new or expanded rights other than those held by the user for whom, or for whose estate, the fiduciary or designated recipient acts or represents.

(3) A fiduciary's or designated recipient's access to digital assets may be modified or eliminated by a user, by federal law, or by a terms-of-service agreement if the user has not provided direction under section 4 of this act.

NEW SECTION. Sec. 6. PROCEDURE FOR DISCLOSING DIGITAL ASSETS. (1) When disclosing digital assets of a user under this chapter, the custodian may at its sole discretion:

- (a) Grant a fiduciary or designated recipient full access to the user's account;
- (b) Grant a fiduciary or designated recipient partial access to the user's account sufficient to perform the tasks with which the fiduciary or designated recipient is charged; or
- (c) Provide a fiduciary or designated recipient a copy in a record of any digital asset that, on the date the custodian received the request for disclosure, the user could have accessed if the user were alive and had full capacity and access to the account.

(2) A custodian may assess a reasonable administrative charge for the cost of disclosing digital assets under this chapter.

(3) A custodian need not disclose under this chapter a digital asset deleted by a user.

(4) If a user directs or a fiduciary requests a custodian to disclose under this chapter some, but not all, of the user's digital assets, the custodian need not disclose the assets if segregation of the assets would impose an undue burden on the custodian. If the custodian believes the direction or request imposes an undue burden, the custodian or fiduciary may seek an order from the court to disclose:

- (a) A subset limited by date of the user's digital assets;
- (b) All of the user's digital assets to the fiduciary or designated recipient;
- (c) None of the user's digital assets; or
- (d) All of the user's digital assets to the court for review in camera.

NEW SECTION. Sec. 7. DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS OF DECEASED USER. If a deceased user consented to or a court directs disclosure of the contents of electronic communications of the user, the custodian shall disclose to the personal representative of the estate of the user the content of an electronic communication sent or received by the user if the personal representative gives the custodian:

- (1) A written request for disclosure in physical or electronic form;
- (2) A certified copy of the death certificate of the user;
- (3) A certified copy of the letter of appointment of the representative, or a small estate affidavit or court order;
- (4) Unless the user provided direction using an online tool, a copy of the user's will, trust, power of attorney, or other record evidencing the user's consent to disclosure of the content of electronic communications; and
- (5) If requested by the custodian:
 - (a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;
 - (b) Evidence linking the account to the user; or
 - (c) A finding by the court finding that:
 - (i) The user had a specific account with the custodian, identifiable by the information specified in (a) of this subsection;
 - (ii) Disclosure of the content of electronic communications of the user would not violate 18 U.S.C. Sec. 2701 et seq. and 47 U.S.C. Sec. 222, existing on the effective date of this section, or other applicable law;
 - (iii) Unless the user provided direction using an online tool, the user consented to disclosure of the content of electronic communications; or
 - (iv) Disclosure of the content of electronic communications of the user is reasonably necessary for administration of the estate.

NEW SECTION. Sec. 8. DISCLOSURE OF OTHER DIGITAL ASSETS OF DECEASED USER. Unless the user prohibited disclosure of digital assets or the court directs otherwise, a custodian shall disclose to the personal representative of the estate of a deceased user a catalogue of electronic communications sent or received by the user and digital assets, other than the content of electronic communications of the user, if the representative gives the custodian:

- (1) A written request for disclosure in physical or electronic form;
- (2) A certified copy of the death certificate of the user;
- (3) A certified copy of the letter of appointment of the representative, or a small estate affidavit or court order; and
- (4) If requested by the custodian:

(a) A number, user name, or address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(b) Evidence linking the account to the user;

(c) An affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or

(d) A finding by the court that:

(i) The user had a specific account with the custodian, identifiable by the information specified in (a) of this subsection;

(ii) Disclosure of the user's digital assets is reasonably necessary for administration of the estate.

NEW SECTION. Sec. 9. DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS OF PRINCIPAL.

To the extent a power of attorney expressly grants an agent authority over the content of electronic communications sent or received by the principal and unless directed otherwise by the principal or the court, a custodian shall disclose to the agent the content if the agent gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) An original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal;

(3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(4) If requested by the custodian:

(a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(b) Evidence linking the account to the principal.

NEW SECTION. Sec. 10. DISCLOSURE OF OTHER DIGITAL ASSETS OF PRINCIPAL. Unless otherwise ordered

by the court, directed by the principal, or provided by a power of attorney, a custodian shall disclose to an agent with specific authority over digital assets or general authority to act on behalf of a principal a catalogue of electronic communications sent or received by the principal and digital assets, other than the content of electronic communications of the principal, if the agent gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) An original or a copy of the power of attorney that gives the agent specific authority over digital assets or general authority to act on behalf of the principal;

(3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(4) If requested by the custodian:

(a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(b) Evidence linking the account to the principal.

NEW SECTION. Sec. 11. DISCLOSURE OF DIGITAL ASSETS HELD IN TRUST WHEN TRUSTEE IS ORIGINAL USER. Unless otherwise ordered by the court or provided in a trust,

a custodian shall disclose to a trustee that is an original user of an account any digital asset of that account held in trust, including a catalogue of electronic communications of the trustee and the content of electronic communications.

NEW SECTION. Sec. 12. DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS HELD IN TRUST WHEN TRUSTEE NOT ORIGINAL USER. Unless otherwise

ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose to a trustee that is not an original user of an account the content of an electronic communication sent or received by an original or successor user and carried, maintained,

processed, received, or stored by the custodian in the account of the trust if the trustee gives the custodian:

- (1) A written request for disclosure in physical or electronic form;
- (2) A certified copy of the trust instrument, or a certification of the trust under RCW 11.98.075, that includes consent to disclosure of the content of electronic communications to the trustee;
- (3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and
- (4) If requested by the custodian:
 - (a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or
 - (b) Evidence linking the account to the trust.

NEW SECTION. Sec. 13. DISCLOSURE OF OTHER DIGITAL ASSETS HELD IN TRUST WHEN TRUSTEE NOT ORIGINAL USER. Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose, to a trustee that is not an original user of an account, a catalogue of electronic communications sent or received by an original or successor user and stored, carried, or maintained by the custodian in an account of the trust and any digital assets, other than the content of electronic communications in which the trust has a right or interest, if the trustee gives the custodian:

- (1) A written request for disclosure in physical or electronic form;
- (2) A certified copy of the trust instrument or a certification of the trust under RCW 11.98.075;
- (3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and
- (4) If requested by the custodian:
 - (a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or
 - (b) Evidence linking the account to the trust.

NEW SECTION. Sec. 14. DISCLOSURE OF DIGITAL ASSETS TO GUARDIAN OF INCAPACITATED PERSON.

(1) Unless otherwise ordered by the court, a guardian appointed due to a finding of incapacity under RCW 11.88.010(1) has the right to access an incapacitated person's digital assets other than the content of digital communications.

(2) Unless otherwise ordered by the court or directed by the user, a custodian shall disclose to a guardian the catalogue of electronic communications sent or received by an incapacitated person and any digital assets, other than the content of electronic communications, if the guardian gives the custodian:

- (a) A written request for disclosure in physical or electronic form;
- (b) Certified copies of letters of guardianship and the court order appointing the guardian; and
- (c) If requested by the custodian:
 - (i) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the account of the person; or
 - (ii) Evidence linking the account to the incapacitated person.
- (3) A guardian may request a custodian of the incapacitated person's digital assets to suspend or terminate an account of the incapacitated person for good cause. A request made under this section must be accompanied by certified copies of letters of guardianship and the court order appointing the guardian.

NEW SECTION. Sec. 15. FIDUCIARY DUTY AND AUTHORITY. (1) The legal duties imposed on a fiduciary

charged with managing tangible property apply to the management of digital assets, including:

- (a) The duty of care;
- (b) The duty of loyalty; and
- (c) The duty of confidentiality.
- (2) A fiduciary's or designated recipient's authority with respect to a digital asset of a user:
 - (a) Except as otherwise provided in section 4 of this act, is subject to the applicable terms-of-service agreement;
 - (b) Is subject to other applicable law, including copyright law;
 - (c) In the case of a fiduciary, is limited by the scope of the fiduciary's duties; and
 - (d) May not be used to impersonate the user.
- (3) A fiduciary with authority over the property of a decedent, incapacitated person, principal, or settlor has the right to access any digital asset in which the decedent, incapacitated person, principal, or settlor had a right or interest and that is not held by a custodian or subject to a terms-of-service agreement.

(4) A fiduciary acting within the scope of the fiduciary's duties is an authorized user of the property of the decedent, incapacitated person, principal, or settlor for the purpose of applicable computer fraud and unauthorized computer access laws.

(5) A fiduciary with authority over the tangible, personal property of a decedent, incapacitated person, principal, or settlor:

- (a) Has the right to access the property and any digital asset stored in it; and
- (b) Is an authorized user for the purpose of computer fraud and unauthorized computer access laws.

(6) A custodian may disclose information in an account to a fiduciary of the user when the information is required to terminate an account used to access digital assets licensed to the user.

(7) A fiduciary of a user may request a custodian to terminate the user's account. A request for termination must be in writing, in either physical or electronic form, and accompanied by:

- (a) If the user is deceased, a certified copy of the death certificate of the user;
- (b) A certified copy of the letter of appointment of the representative or a small estate affidavit or court order, court order, power of attorney, or trust giving the fiduciary authority over the account; and
- (c) If requested by the custodian:
 - (i) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;
 - (ii) Evidence linking the account to the user; or
 - (iii) A finding by the court that the user had a specific account with the custodian, identifiable by the information specified in (c)(i) of this subsection.

NEW SECTION. Sec. 16. CUSTODIAN COMPLIANCE

AND IMMUNITY. (1) Not later than sixty days after receipt or the information required under sections 7 through 15 of this act, a custodian shall comply with a request under this chapter from a fiduciary or designated recipient to disclose digital assets or terminate an account. If the custodian fails to comply, the fiduciary or designated recipient may apply to the court for an order directing compliance.

(2) An order under subsection (1) of this section directing compliance must contain a finding that compliance is not in violation of 18 U.S.C. Sec. 2702, as it existed on the effective date of this section.

(3) A custodian may notify the user that a request for disclosure or to terminate an account was made under this chapter.

(4) A custodian may deny a request under this chapter from a fiduciary or designated recipient for disclosure of digital assets or

THIRTIETH DAY, FEBRUARY 9, 2016

2016 REGULAR SESSION

to terminate an account if the custodian is aware of any lawful access to the account following the receipt of the fiduciary's request.

(5) This section does not limit a custodian's ability to obtain or require a fiduciary or designated recipient requesting disclosure or termination under this chapter to obtain a court order which:

(a) Specifies that an account belongs to the incapacitated person, trustor, decedent, or principal;

(b) Specifies that there is sufficient consent from the incapacitated person, trustor, decedent, or principal to support the requested disclosure; and

(c) Contains a finding required by law other than this chapter.

(6) A custodian and its officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with this chapter.

NEW SECTION. **Sec. 17. UNIFORMITY OF APPLICATION AND CONSTRUCTION.** In applying and construing this chapter, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

NEW SECTION. **Sec. 18. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT.** This chapter modifies, limits, or supersedes the electronic signatures in global and national commerce act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede 15 U.S.C. Sec. 7001(c) or authorize electronic delivery of any of the notices described in 15 U.S.C. Sec. 7003(b).

NEW SECTION. **Sec. 19. SEVERABILITY.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 20.** Sections 1 through 19 of this act constitute a new chapter in Title 11 RCW."

On page 1, line 2 of the title, after "act;" strike the remainder of the title and insert "and adding a new chapter to Title 11 RCW."

Senator Pedersen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 533 by Senator Pedersen to Substitute Senate Bill No. 5029.

The motion by Senator Pedersen carried and striking amendment no. 533 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5029 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5029.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5029 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

ENGROSSED SUBSTITUTE SENATE BILL NO. 5029, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6007, by Senate Committee on Law & Justice (originally sponsored by Senators Roach and Padden)

Modifying theft of rental, leased, lease-purchased, or loaned property provisions.

MOTIONS

On motion of Senator Roach, Substitute Senate Bill No. 6007 was substituted for Senate Bill No. 6007 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Roach, the rules were suspended, Substitute Senate Bill No. 6007 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach, Pedersen and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6007.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6007 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

SUBSTITUTE SENATE BILL NO. 6007, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6179, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senator Honeyford)

Concerning water banking.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 6179 was substituted for Senate Bill No. 6179 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 6179 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford, Takko and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6179.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6179 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Ericksen
Excused: Senator Benton

SUBSTITUTE SENATE BILL NO. 6179, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5343, by Senate Committee on Transportation (originally sponsored by Senators Hasegawa, King, Jayapal, Chase, Rolfes, Keiser, Darneille and Conway)

Concerning parking impact mitigation from regional transit authority facility construction.

The bill was read on Third Reading.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5343.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5343 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

ENGROSSED SUBSTITUTE SENATE BILL NO. 5343, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6166, by Senators Takko, Rivers, Ericksen, Chase, Roach, Becker, Sheldon and Benton

Allowing incremental electricity produced as a result of certain capital investment projects to qualify as an eligible renewable resource under the energy independence act.

The measure was read the second time.

MOTION

Senator McCoy moved that the following amendment no. 535 by Senator McCoy be adopted:

On page 3, line 13, after "(f)" insert "(i)"

On page 3, line 18, after "freshwater" insert "

(ii) The facility must demonstrate that the incremental electricity resulted from the capital investment, which does not include expenditures on operation and maintenance in the normal course of business, through direct or calculated measurement"

Senators McCoy and Takko spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 535 by Senator McCoy to Senate Bill No. 6166.

The motion by Senator McCoy carried and amendment no. 535 on page 3, line 13 to Senate Bill No. 6166 was adopted by voice vote.

MOTION

Senator Takko moved that the following amendment no. 530 by Senators Takko and Ericksen be adopted:

On page 3, line 14, after "investment" strike "project"

On page 3, line 16, after "investment" strike "project"

On page 3, beginning on line 16, after "generated" strike "by a generation facility" and insert "in a facility that generates qualified biomass energy as defined under subsection (18)(c)(ii) of this section and"

On page 3, beginning on line 17, after "1999" strike all material through "freshwater" on line 18

THIRTIETH DAY, FEBRUARY 9, 2016

2016 REGULAR SESSION

Senators Takko and Ericksen spoke in favor of adoption of the amendment.

On motion of Senator Fain, and without objection, the Senate advanced to the first order of business.

The President declared the question before the Senate to be the adoption of amendment no. 530, on page 3 line 14 by Senators Takko and Ericksen to Senate Bill No. 6166.

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

REPORTS OF STANDING COMMITTEES

February 9, 2016

SB 5109 Prime Sponsor, Senator Brown: Concerning infrastructure financing for local governments. Reported by Committee on Ways & Means

MOTION

On motion of Senator Takko, the rules were suspended, Engrossed Senate Bill No. 6166 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6166.

MAJORITY recommendation: That Second Substitute Senate Bill No. 5109 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; O'Ban; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Nelson and Pedersen.

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

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6166 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Cleveland, Fraser, Frockt, Habib, Hasegawa, Jayapal, Lias, Litzow, McAuliffe, Mullet, Pedersen and Ranker

Excused: Senator Benton

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6097 Prime Sponsor, Senator Ranker: Modifying the future teachers conditional scholarship and loan repayment program to increase the number of early elementary teachers. Reported by Committee on Ways & Means

ENGROSSED SENATE BILL NO. 6166, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MAJORITY recommendation: That Substitute Senate Bill No. 6097 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Schoesler and Warnick.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced fourth grade students from Olympic Elementary School, Chehalis, and their teacher Ms. Amy DeBolt, guests of Senator Braun, who were seated in the gallery.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6154 Prime Sponsor, Senator Miloscia: Creating an office of the corrections ombuds. Reported by Committee on Ways & Means

MOTION

At 11:50 a.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

MAJORITY recommendation: That Substitute Senate Bill No. 6154 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Pedersen; Rolfes; Schoesler and Warnick.

EVENING SESSION

The Senate was called to order at 8:17 p.m. by President Owen.

Passed to Committee on Rules for second reading.

MOTION

February 9, 2016

SB 6195 Prime Sponsor, Senator Rivers: Concerning basic education obligations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6195 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6200 Prime Sponsor, Senator Hewitt: Providing funding for steelhead conservation through the issuance of Washington's fish license plate collection. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Ericksen; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6218 Prime Sponsor, Senator Brown: Creating the clean energy education program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Billig; Brown; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Darneille; Hasegawa; Nelson and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating and Conway.

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6236 Prime Sponsor, Senator Padden: Concerning the 24/7 sobriety program. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 6236 be substituted therefor, and the second substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member;

Liias; Carlyle; Cleveland; Ericksen; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6239 Prime Sponsor, Senator Fain: Authorizing local governments to adopt a property tax exemption program for the preservation of certain affordable housing. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6239 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Hewitt; Padden and Parlette.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6242 Prime Sponsor, Senator O'Ban: Requiring the indeterminate sentence review board to provide certain notices upon receiving a petition for early release. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6242 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6243 Prime Sponsor, Senator Litzow: Concerning a training program for educators and parents to develop students' social and emotional skills to help prevent youth suicide. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6243 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

THIRTIETH DAY, FEBRUARY 9, 2016

2016 REGULAR SESSION

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

February 8, 2016

Passed to Committee on Rules for second reading.

SB 6265 Prime Sponsor, Senator King: Concerning vehicle weight limits for the movement of agricultural commodities. Reported by Committee on Transportation

February 9, 2016

SB 6244 Prime Sponsor, Senator Litzow: Implementing strategies to close the educational opportunity gap. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6265 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Ericksen; Litzow; Miloscia; Rivers; Sheldon and Takko.

MAJORITY recommendation: That Second Substitute Senate Bill No. 6244 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Bailey; Becker; Billig; Darneille; Nelson; O'Ban; Parlette and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Liias, Assistant Ranking Minority Member; Carlyle; Cleveland and Jayapal.

Passed to Committee on Rules for second reading.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford, Vice Chair, Capital Budget Chair and Hasegawa.

February 9, 2016

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Brown; Conway; Hewitt; Padden; Schoesler and Warnick.

SB 6270 Prime Sponsor, Senator Becker: Providing prenatal vitamin coverage. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 6270 as recommended by Committee on Health Care be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6263 Prime Sponsor, Senator Warnick: Providing benefits for certain retirement system members who die or become disabled in the course of providing emergency management services. Reported by Committee on Ways & Means

February 9, 2016

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

SB 6286 Prime Sponsor, Senator Pearson: Concerning reimbursement of correctional employees for offender assaults. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

MAJORITY recommendation: That Substitute Senate Bill No. 6286 as recommended by Committee on Law & Justice be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6264 Prime Sponsor, Senator Dammeier: Allowing certain law enforcement officers' and firefighters' plan 2 retirees to purchase annuities. Reported by Committee on Ways & Means

February 9, 2016

MAJORITY recommendation: That Substitute Senate Bill No. 6264 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

SB 6287 Prime Sponsor, Senator Honeyford: Concerning the definition of hydraulic project in relation to the hydraulic project approval permits. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice

Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6292 Prime Sponsor, Senator Braun: Eliminating the reduction in state basic education funding that occurs in counties with federal forest lands. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Hewitt; Nelson; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Darneille and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig; Hasegawa and Rolfes.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6297 Prime Sponsor, Senator King: Concerning the disposition of penalties paid for failure to comply with recreational site or lands pass/permit requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6297 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa and Pedersen.

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

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6314 Prime Sponsor, Senator Fain: Concerning county road administration and maintenance. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6314 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Ericksen; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6317 Prime Sponsor, Senator Padden: Establishing an office of superior courts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6317 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Darneille; Hasegawa and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hargrove, Ranking Member; Billig and Conway.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6322 Prime Sponsor, Senator Pearson: Concerning the payment of health services by hospitals for inmates. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6322 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Becker; Brown; Conway; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Darneille and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ranker, Ranking Minority Member, Operating and Billig.

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6363 Prime Sponsor, Senator Takko: Concerning the design and construction of certain transportation facilities adjacent to or across a river or waterway. Reported by Committee on Transportation

THIRTIETH DAY, FEBRUARY 9, 2016

2016 REGULAR SESSION

MAJORITY recommendation: That Substitute Senate Bill No. 6363 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Lias, Assistant Ranking Minority Member; Carlyle; Cleveland; Ericksen; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6373 Prime Sponsor, Senator King: Modifying certain vehicle filing and service fees and fee distributions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Lias; Carlyle; Cleveland; Jayapal; Miloscia; Sheldon and Takko.

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

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6391 Prime Sponsor, Senator Braun: Concerning background checks in emergency placement situations requested by tribes. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ranker, Ranking Minority Member, Operating and Hasegawa.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6396 Prime Sponsor, Senator Braun: Changing rule-making requirements to require preadoption review by the attorney general and a yearly expiration. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6408 Prime Sponsor, Senator Hill: Concerning paraeducators. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6408 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes and Schoesler.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6409 Prime Sponsor, Senator Bailey: Creating administrative efficiencies for institutions of higher education. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6409 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6410 Prime Sponsor, Senator Hewitt: Requiring periodic certification elections for labor unions representing public employees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6410 as recommended by Committee on Commerce & Labor be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6427 Prime Sponsor, Senator Fain: Specifying the documentation that must be provided to determine when sales tax applies to the sale of a motor vehicle to an enrolled tribal member. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6427 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6430 Prime Sponsor, Senator Parlette: Providing continuity of care for recipients of medical assistance during periods of incarceration. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6430 as recommended by Committee on Human Services, Mental Health & Housing be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6439 Prime Sponsor, Senator Bailey: Addressing volunteer firefighters and reserve officers assisting with multiregional state emergencies. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6439 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6455 Prime Sponsor, Senator Dammeier: Expanding the professional educator workforce by increasing career opportunities in education, creating a more robust enrollment forecasting, and enhancing recruitment efforts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6455 be substituted therefor, and the second

substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6488 Prime Sponsor, Senator Becker: Directing the health care authority to apply for a federal innovation waiver to expand an employer-based coverage option with a portable health care account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6494 Prime Sponsor, Senator Darneille: Increasing access to adequate and appropriate mental health services for children and youth. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6494 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; O'Ban and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Bailey; Becker; Brown; Hewitt; Padden; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6497 Prime Sponsor, Senator Hargrove: Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6497 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa;

THIRTIETH DAY, FEBRUARY 9, 2016

2016 REGULAR SESSION

Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6519 Prime Sponsor, Senator Becker: Expanding patient access to health services through telemedicine and establishing a collaborative for the advancement of telemedicine. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6519 as recommended by Committee on Health Care be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6523 Prime Sponsor, Senator Pearson: Providing service credit for pension purposes for certain emergency medical services employees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6523 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6534 Prime Sponsor, Senator O'Ban: Establishing a maternal mortality review panel. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6534 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6541 Prime Sponsor, Senator Miloscia: Requiring the establishment of performance management systems at state hospitals. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6541 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Darneille; Nelson and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hargrove, Ranking Member; Billig and Hasegawa.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6544 Prime Sponsor, Senator O'Ban: Simplifying behavioral health regulations and aligning them with other health regulations to support clinical integration. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6544 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6555 Prime Sponsor, Senator Rolfes: Increasing the personal needs allowance for persons receiving state-financed care. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6555 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6564 Prime Sponsor, Senator O'Ban: Providing protections for persons with developmental disabilities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6564 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget;

Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6568 Prime Sponsor, Senator Warnick: Establishing a water discharge permit for concentrated animal feeding operations that is issued under the sole authority of state law. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6568 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Keiser, Assistant Ranking Member on the Capital Budget.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6580 Prime Sponsor, Senator Brown: Financing of improvements for state-owned lands to be transferred for private development. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Pedersen.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6583 Prime Sponsor, Senator Miloscia: Requiring the establishment of performance management systems at the state department of corrections. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6583 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Darneille and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hargrove, Ranking Member; Billig; Conway; Hasegawa and Nelson.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6584 Prime Sponsor, Senator Pearson: Establishing a proof of water reliance application process by which any property owner who relies on legal water availability to obtain a building permit prior to the invalidation of an instream flow rule may secure proof that continued use of water at the property will not be considered to be causing impairment of minimum flows. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6591 Prime Sponsor, Senator Hobbs: Concerning the issuance of nondomiciled commercial drivers' licenses and commercial learners' permits to nonresidents. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

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

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6595 Prime Sponsor, Senator Liias: Concerning driver regulation programs. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers and Takko.

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

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6601 Prime Sponsor, Senator Frockt: Creating the Washington college savings program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6601 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair and Hasegawa.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6605 Prime Sponsor, Senator Warnick: Ensuring that solid waste management requirements prevent the spread of disease, plant pathogens, and pests. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6605 as recommended by Committee on Agriculture, Water & Rural Economic Development be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; O'Ban; Padden; Parlette; Rolfes and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa; Nelson and Pedersen.

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6606 Prime Sponsor, Senator King: Concerning wholesale vehicle dealers. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6606 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias; Carlyle; Cleveland; Ericksen; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6607 Prime Sponsor, Senator Baumgartner: Removing state route number 276 from the state highway system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Ericksen; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6614 Prime Sponsor, Senator Hobbs: Concerning performance oversight of the state transportation system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Ericksen; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 9, 2016

ESB 6617 Prime Sponsor, Senator Frockt: Concerning the University of Washington's alternative process for awarding contracts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 8, 2016

SB 6623 Prime Sponsor, Senator King: Concerning the rental or lease of transportation property. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Ericksen; Litzow; Miloscia; Rivers; Sheldon and Takko.

MINORITY recommendation: Do not pass. Signed by Senators Liias, Assistant Ranking Minority Member; Carlyle; Cleveland and Jayapal.

Passed to Committee on Rules for second reading.

February 9, 2016

SB 6642 Prime Sponsor, Senator Ranker: Modifying legal financial obligations provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6642 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital

Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 8, 2016

SJM 8023 Prime Sponsor, Senator Hobbs: Requesting that the Stanwood railway station be named "Mary Margaret Haugen Station." Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Carlyle; Cleveland; Miloscia; Rivers and Takko.

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

At 8:18 p.m., on motion of Senator Fain, the Senate adjourned until 9:00 o'clock a.m., Wednesday, February 10, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 10, 2016

The Senate was called to order at 9:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Hayden McCoy and Miss Sabrina D'Onofrio, presented the Colors.

The prayer was offered by Reverend Melissa Harris of Eastridge Church in Issaquah.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Fraser moved adoption of the following resolution:

SENATE RESOLUTION
8705

By Senators Fraser, Darneille, Nelson, Conway, Fain, Hargrove, Keiser, Parlette, Dammeier, Honeyford, McCoy, Rolfes, and Liias

WHEREAS, On July 15, 2015, the Washington State Legislature lost a valued member of the Third House when Cherie Tessier passed on peacefully from this life; and

WHEREAS, Cherie was a dedicated advocate for those with developmental disabilities and special needs who became a familiar, friendly face often seen around campus; and

WHEREAS, Cherie was an active member in the communities in which she lived, belonging to Toast Masters; PAS-Port 4 Change, an advocacy group for Disability Rights Washington; and Self-Advocates in Leadership, a statewide group based at The Arc; and

WHEREAS, Through her work at PAS-Port 4 Change, Cherie worked to educate legislators that people with disabilities have the right to work in communities as equal citizens; and

WHEREAS, Cherie would represent the People First of Washington, testifying very effectively as their voice on issues and policies that affected their membership and others with different abilities; and

WHEREAS, An original member of the Committee on Legislative Action she participated in creating their legislative priorities each year; and

WHEREAS, Cherie worked tirelessly and selflessly as an advocate for People First of Thurston County, and was recognized as a champion for those with disabilities; and

WHEREAS, In addition to her community and advocacy roles, Cherie hosted and produced two award-winning public affairs shows; and

WHEREAS, These shows, "Let Your Voices Be Heard" and "Meet Your State Legislators" aired on Thurston County Television and often featured various members of the Legislature; and

WHEREAS, Through these programs, Cherie helped provide useful, interesting information to thousands of viewers, while giving a voice to those who might not be heard; and

WHEREAS, In her spare time, Cherie loved to knit and crochet, and found great joy in making items for her loved ones; and

WHEREAS, So many will miss Cherie singing Happy Birthday, because she always remembered; and

WHEREAS, Cherie was cherished by many as an inspiration, a tireless and effective advocate, and a wonderful, warm person;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the tremendous advocacy work, contributions, and life of Cherie Tessier; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the immediate family members of Cherie Tessier and to People First of Thurston County and Thurston County Television (TCTV).

Senators Conway, Fraser, Keiser and Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8705.

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

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

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

MOTION

At 9:10 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President for the purpose of caucus.

AFTERNOON SESSION

The Senate was called to order at 2:32 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without of objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6443, by Senators Ericksen, Bailey, Padden, O'Ban, Angel, Becker, Braun, Miloscia, Warnick, Dammeier, Honeyford, Hewitt, Roach and Benton

Concerning human rights commission rules on gender segregated facilities.

The measure was read the second time.

MOTION

On motion of Senator Ericksen, the rules were suspended, Senate Bill No. 6443 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Angel, Ericksen and Hargrove spoke in favor of passage of the bill.

Senators Darneille, Liias, Pedersen, Ranker, Habib, Jayapal and Nelson spoke against passage of the bill.

MOTION

Senator Nelson demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Nelson carried and the previous question was put by voice vote.

PARLIAMENTARY INQUIRY

Senator Ericksen: "As the maker of the motion, I believe I am able to speak twice during the course of the debate, and I'd like to speak to close the debate."

REPLY BY THE PRESIDENT

President Owen: "That's correct."

Senator Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6443.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6443 and the bill passed the Senate by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Hargrove, Hewitt, Honeyford, King, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hill, Hobbs, Jayapal, Keiser, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

SENATE BILL NO. 6443, having failed to receive the constitutional majority, was declared lost.

SECOND READING

SENATE BILL NO. 6219, by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Angel, Padden, Hewitt, O'Ban, Roach and Pearson)

Concerning vehicular homicide sentencing.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 6219 was substituted for Senate Bill No. 6219 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 6219 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Becker and Hewitt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6219.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6219 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6219, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5221, by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Benton and Roach)

Concerning the disposition of tenant property placed upon the nearest public property.

The bill was read on Third Reading.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5221.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5221 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs,

THIRTY FIRST DAY, FEBRUARY 10, 2016

2016 REGULAR SESSION

Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

CHANGES TO THE EXISTING PUBLIC WORKS PROGRAM

SUBSTITUTE SENATE BILL NO. 5221, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Sec. 201. RCW 43.155.020 and 2009 c 565 s 33 are each amended to read as follows:

((Unless the context clearly requires otherwise,)) The definitions in this section ((shall)) apply throughout this chapter unless the context clearly requires otherwise.

THIRD READING

ENGROSSED SENATE BILL NO. 5624, by Senators Keiser, Honeyford and Conway

Concerning financing essential public infrastructure.

The bill was read on Third Reading.

(1) "Board" means the public works board created in RCW 43.155.030.

(2) "Capital facility plan" means a capital facility plan required by the growth management act under chapter 36.70A RCW or, for local governments not fully planning under the growth management act, a plan required by the public works board.

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

(4) ("Financing guarantees" means the pledge of money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects.

(5)) "Local governments" means cities, towns, counties, special purpose districts, and any other municipal corporations or quasi-municipal corporations in the state excluding school districts and port districts.

MOTION

On motion of Senator Keiser, the rules were suspended and Engrossed Senate Bill No. 5624 was returned to second reading for the purpose of amendment.

((((6))) (5) "Public works financing assistance program" is the program established in sections 301 through 305 of this act.

WITHDRAWAL OF AMENDMENT

On motion of Senator Keiser and without objection, amendment no. 519 by Senator Keiser to Engrossed Senate Bill No. 5624 was withdrawn.

(6) "Public works financing loans" are loans made with bond proceeds of bonds issued by the state and repaid from loan repayments under provisions of the public works financing assistance program.

On page 10, on line 8, strike "2016" and insert "2017"

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

(7) "Public works project" means a project of a local government for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of streets and roads, bridges, water systems, or storm and sanitary sewage systems and solid waste facilities, including recycling facilities. A planning project may include the compilation of biological, hydrological, or other data on a county, drainage basin, or region necessary to develop a base of information for a capital facility plan.

MOTION

Senator Keiser moved that the following striking amendment no. 526 by Senators Keiser and Honeyford be adopted:

Strike everything after the enacting clause and insert the following:

((((7))) (8) "Solid waste or recycling project" means remedial actions necessary to bring abandoned or closed landfills into compliance with regulatory requirements and the repair, restoration, and replacement of existing solid waste transfer, recycling facilities, and landfill projects limited to the opening of landfill cells that are in existing and permitted landfills.

"PART 1

FINDINGS AND INTENT

NEW SECTION. **Sec. 101.** The legislature finds that local governments that borrow small amounts or access capital markets infrequently can have difficulty accessing low-cost financing for their essential public infrastructure projects. Competition has increased between prior efforts to finance essential public infrastructure projects with state tax resources and other growing essential demands on those same state taxes. This competition has eroded the reliability of state tax funded public infrastructure financing programs that in turn has created uncertainty and delay in improving local public infrastructure. The state's excellent credit standing and frequency of access to capital markets allows the state to issue bonds at a significantly lower total cost than can be obtained by many local governments. Therefore, the legislature intends to improve access and reliability to low-cost financing for local government infrastructure projects by authorizing public works bonds when local governments can demonstrate: (1) The importance of the project; (2) their difficulties accessing existing private credit markets for borrowings at reasonable interest rates; and (3) the ability to reliably repay their share of the state's total cost of retiring the public works bonds.

((((8))) (9) "Technical assistance" means training and other services provided to local governments to: (a) Help such local governments plan, apply, and qualify for loans and financing guarantees from the board, and (b) help local governments improve their ability to plan for, finance, acquire, construct, repair, replace, rehabilitate, and maintain public facilities.

PART 2

Sec. 202. RCW 43.155.040 and 1985 c 446 s 10 are each amended to read as follows:

The board may:

(1) Accept from any state or federal agency, loans or grants for the planning or financing of any public works project and enter into agreements with any such agency concerning the loans or grants;

(2) Provide technical assistance to local governments;

(3) Accept any gifts, grants, or loans of funds, property, or financial or other aid in any form from any other source on any terms and conditions which are not in conflict with this chapter;

(4) Adopt rules under chapter 34.05 RCW as necessary to carry out the purposes of this chapter;

(5) Do all acts and things necessary or convenient to carry out the powers expressly granted or implied under this chapter;

(6) Implement the public works financing assistance program.

Sec. 203. RCW 43.155.050 and 2015 3rd sp.s. c 4 s 959 and 2015 3rd sp.s. c 3 s 7032 are each reenacted and amended to read as follows:

The public works assistance account is ((hereby)) established in the state treasury. ((Money may be placed in the public works assistance account from the proceeds of bonds when authorized by the legislature or from any other lawful source.)) Money in the public works assistance account shall be used to make loans ((and to give financial guarantees)) to local governments for public works projects. Moneys in the account may also be appropriated or transferred to the water pollution control revolving account and the drinking water assistance account to provide for state match requirements under federal law ((for projects and activities conducted and financed by the board under the drinking water assistance account. Not more than fifteen percent of the biennial capital budget appropriation to the public works board from this account may be expended or obligated)). Money in the account may also be appropriated for the administration of the public works financing assistance program. Money in the account may also be appropriated for preconstruction loans((,)) and emergency loans((, or loans for capital facility planning under this chapter; of this amount, not more than ten percent of the biennial capital budget appropriation may be expended for emergency loans and not more than one percent of the biennial capital budget appropriation may be expended for capital facility planning loans. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the general fund, the water pollution control revolving account, and the drinking water assistance account such amounts as reflect the excess fund balance of the account. During the 2013-2015 fiscal biennium, the legislature may transfer from the public works assistance account to the education legacy trust account such amounts as specified by the legislature)). During the 2015-2017 fiscal biennium, the legislature may appropriate moneys from the account for activities related to the growth management act and the voluntary stewardship program. During the 2015-2017 fiscal biennium, the legislature may transfer from the public works assistance account to the state general fund such amounts as specified by the legislature. In the 2017-2019 fiscal biennium the legislature intends to allocate seventy-three million dollars of future loan repayments paid into the public works assistance account to support basic education.

Sec. 204. RCW 43.155.060 and 1988 c 93 s 2 are each amended to read as follows:

(1) In order to aid the financing of public works projects, the board may:

((1)) (a) Make low-interest or interest-free loans to local governments from the public works assistance account ((or other funds and accounts)) for the purpose of assisting local governments in financing public works projects. The board may require such terms and conditions and may charge such rates of interest on its loans as it deems necessary or convenient to carry out the purposes of this ((chapter)) section. Money received from local governments in repayment of loans made under this section shall be paid into the public works assistance account for uses consistent with this chapter.

((2)) Pledge money in the public works assistance account, or money to be received by the public works assistance account, to the repayment of all or a portion of the principal of or interest on obligations issued by local governments to finance public works projects. The board shall not pledge any amount greater than the sum of money in the public works assistance account plus money to be received from the payment of the debt service on loans made

from that account, nor shall the board pledge the faith and credit or the taxing power of the state or any agency or subdivision thereof to the repayment of obligations issued by any local government.

(3)) (b) Create such subaccounts in the public works assistance account as the board deems necessary to carry out the purposes of this chapter.

((4)) (c) Provide a method for the allocation of loans ((and financing guarantees)) and the provision of technical assistance under this chapter.

(2) All local public works projects aided in whole or in part under the provisions of this chapter shall be put out for competitive bids, except for emergency public works under RCW 43.155.065 for which the recipient jurisdiction shall comply with this requirement to the extent feasible and practicable. The competitive bids called for shall be administered in the same manner as all other public works projects put out for competitive bidding by the local governmental entity aided under this chapter.

Sec. 205. RCW 43.155.065 and 2001 c 131 s 3 are each amended to read as follows:

The board may make low-interest or interest-free loans to local governments for emergency public works projects from the public works assistance account. Emergency public works projects shall include the construction, repair, reconstruction, replacement, rehabilitation, or improvement of a public water system that is in violation of health and safety standards and is being operated by a local government on a temporary basis. The loans may be used to help fund all or part of an emergency public works project less any reimbursement from any of the following sources: (1) Federal disaster or emergency funds, including funds from the federal emergency management agency; (2) state disaster or emergency funds; (3) insurance settlements; or (4) litigation.

Sec. 206. RCW 43.155.068 and 2001 c 131 s 4 are each amended to read as follows:

(1) The board may make low-interest or interest-free loans to local governments from the public works assistance account for preconstruction activities on public works projects before the legislature approves the construction phase of the project. Preconstruction activities include design, engineering, bid-document preparation, environmental studies, right-of-way acquisition, and other preliminary phases of public works projects as determined by the board. The purpose of the loans authorized in this section is to accelerate the completion of public works projects by allowing preconstruction activities to be performed before the approval of the construction phase of the project by the legislature.

(2) Projects receiving loans for preconstruction activities under this section must be evaluated using the priority process and factors in RCW 43.155.070((2)) (4). The receipt of a loan for preconstruction activities does not ensure the receipt of a construction loan for the project under this chapter. Construction loans for projects receiving a loan for preconstruction activities under this section are subject to legislative approval under RCW 43.155.070 ((4) and (5)) (7) and (8). The board shall adopt a single application process for local governments seeking both a loan for preconstruction activities under this section and a construction loan for the project from the public works assistance account.

Sec. 207. RCW 43.155.070 and 2015 3rd sp.s. c 3 s 7033 are each amended to read as follows:

(1) To qualify for financial assistance from the public works assistance account under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

THIRTY FIRST DAY, FEBRUARY 10, 2016

2016 REGULAR SESSION

(b) The local government must have developed a capital facility plan; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) Except where necessary to address a public health need or substantial environmental degradation, a county, city, or town planning under RCW 36.70A.040 may not receive financial assistance from the public works assistance account under this chapter unless it has adopted a comprehensive plan, including a capital facilities plan element, and development regulations as required by RCW 36.70A.040. This subsection does not require any county, city, or town planning under RCW 36.70A.040 to adopt a comprehensive plan or development regulations before requesting or receiving financial assistance under this chapter if such request is made before the expiration of the time periods specified in RCW 36.70A.040. A county, city, or town planning under RCW 36.70A.040 that has not adopted a comprehensive plan and development regulations within the time periods specified in RCW 36.70A.040 may apply for and receive financial assistance under this chapter if the comprehensive plan and development regulations are adopted as required by RCW 36.70A.040 before executing a contractual agreement for financial assistance with the board.

(3) In considering awarding financial assistance from the public works assistance account for public facilities to special districts requesting funding for a proposed facility located in a county, city, or town planning under RCW 36.70A.040, the board must consider whether the county, city, or town planning under RCW 36.70A.040 in whose planning jurisdiction the proposed facility is located has adopted a comprehensive plan and development regulations as required by RCW 36.70A.040.

(4) The board must develop a priority process for public works projects financed from the public works assistance account as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board must attempt to ((assure)) ensure a geographical balance in assigning priorities to projects. The board must consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Except as otherwise conditioned by RCW 43.155.110, whether the entity receiving assistance is a Puget Sound partner, as defined in RCW 90.71.010;

(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310;

(d) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(e) Whether the applicant's permitting process has been certified as streamlined by the office of regulatory assistance;

(f) Whether the applicant has developed and adhered to guidelines regarding its permitting process for those applying for development permits consistent with section 1(2), chapter 231, Laws of 2007;

(g) The cost of the project compared to the size of the local government and amount of loan money available;

(h) The number of communities served by or funding the project;

(i) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(j) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public

water system that is in violation of health and safety standards, including the cost of extending existing service to such a system;

(k) Except as otherwise conditioned by RCW 43.155.120, and effective one calendar year following the development of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030;

(l) The relative benefit of the project to the community, considering the present level of economic activity in the community and the existing local capacity to increase local economic activity in communities that have low economic growth; and

(m) Other criteria that the board considers advisable.

(5) For the 2015-2017 fiscal biennium, in place of the criteria, ranking, and submission processes for construction loan lists provided in subsections (4) and (7) of this section:

(a) The board must develop a process for numerically ranking applications for construction loans submitted by local governments. The board must consider, at a minimum and in any order, the following factors in assigning a numerical ranking to a project:

(i) Whether the project is critical in nature and would affect the health and safety of many people;

(ii) The extent to which the project leverages nonstate funds;

(iii) The extent to which the project is ready to proceed to construction;

(iv) Whether the project is located in an area of high unemployment, compared to the average state unemployment;

(v) Whether the project promotes the sustainable use of resources and environmental quality;

(vi) Whether the project consolidates or regionalizes systems;

(vii) Whether the project encourages economic development through mixed-use and mixed income development consistent with chapter 36.70A RCW;

(viii) Whether the system is being well-managed in the present and for long-term sustainability;

(ix) Achieving equitable distribution of funds by geography and population;

(x) The extent to which the project meets the following state policy objectives:

(A) Efficient use of state resources;

(B) Preservation and enhancement of health and safety;

(C) Abatement of pollution and protection of the environment;

(D) Creation of new, family-wage jobs, and avoidance of shifting existing jobs from one Washington state community to another;

(E) Fostering economic development consistent with chapter 36.70A RCW;

(F) Efficiency in delivery of goods and services, public transit, and transportation;

(G) Avoidance of additional costs to state and local governments that adversely impact local residents and small businesses; and

(H) Reduction of the overall cost of public infrastructure; and

(xi) Other criteria that the board considers necessary to achieve the purposes of this chapter.

(b) Before November 1, 2016, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a ranked list of qualified public works projects which have been evaluated by the board and are recommended for funding by the legislature. The maximum amount of funding that the board may recommend for any

jurisdiction is ten million dollars per biennium. For each project on the ranked list, as well as for eligible projects not recommended for funding, the board must document the numerical ranking that was assigned.

(6) Existing debt or financial obligations of local governments may not be refinanced under this chapter. Each local government applicant must provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(7) Before November 1st of each even-numbered year, the board must develop and submit to the appropriate fiscal committees of the senate and house of representatives a description of the loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list must include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list must also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(8) The board may not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature may not change the order of the priorities recommended for funding by the board.

(9) Subsection (8) of this section does not apply to loans made under RCW 43.155.065, 43.155.068, and subsection (10) of this section.

(10) Loans made for the purpose of capital facilities plans are exempted from subsection (8) of this section.

(11) To qualify for loans ((or pledges)) from the public works assistance account for solid waste or recycling facilities under this chapter, a city or county must demonstrate that the solid waste or recycling facility is consistent with and necessary to implement the comprehensive solid waste management plan adopted by the city or county under chapter 70.95 RCW.

(12) After January 1, 2010, any project designed to address the effects of storm water or wastewater on Puget Sound may be funded from the public works assistance account under this section only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(13) During the 2015-2017 fiscal biennium, for projects funded from the public works assistance account involving repair, replacement, or improvement of a wastewater treatment plant or other public works facility for which an investment grade efficiency audit is obtainable, the public works board must require as a contract condition that the project sponsor undertake an investment grade efficiency audit. The project sponsor may finance the costs of the audit as part of its public works assistance account program loan.

(14)((a)) For public works assistance account application rounds conducted during the 2015-2017 fiscal biennium, the board must implement policies and procedures designed to maximize local government use of federal funds to finance local infrastructure including, but not limited to, drinking water and clean water state revolving funds operated by the state

departments of health and ecology. Projects that are eligible for the drinking water and clean water state revolving funds may receive public works board preconstruction loans. Projects that are eligible for the drinking water and clean water state revolving funds are not eligible for public works board construction loans. For purposes of this subsection "eligible for drinking water and clean water state revolving funds" means:

((i)) (a) Projects that have applied to the state revolving funds and are awaiting a funding decision;

((ii)) (b) Projects that have been rejected for funding solely due to not meeting readiness requirements; and

((iii)) (c) Projects that have not applied, but would likely be eligible if the project applied and met the project readiness requirements.

((b) For all construction loan projects proposed to the legislature for funding during the 2015-2017 fiscal biennium, the board must base interest rates on the average daily market interest rate for tax-exempt municipal bonds as published in the bond buyer's index for the period from sixty to thirty days before the start of the application cycle. For projects with a repayment period between five and twenty years, the rate must be sixty percent of the market rate. For projects with a repayment period under five years, the rate must be thirty percent of the market rate. The board must also provide reduced interest rates, extended repayment periods, or forgivable principal loans for projects that meet financial hardship criteria as measured by the affordability index or similar standard measure of financial hardship.)

Sec. 208. RCW 43.155.075 and 2001 c 227 s 10 are each amended to read as follows:

In providing loans for public works projects from the public works assistance account, the board shall require recipients to incorporate the environmental benefits of the project into their applications, and the board shall utilize the statement of environmental benefits in its prioritization and selection process. The board shall also develop appropriate outcome-focused performance measures to be used both for management and performance assessment of the loan program. To the extent possible, the department should coordinate its performance measure system with other natural resource-related agencies as defined in RCW 43.41.270. The board shall consult with affected interest groups in implementing this section.

Sec. 209. RCW 43.155.120 and 2008 c 299 s 30 are each amended to read as follows:

When administering funds from the public works assistance account under this chapter, the board shall give preference only to an evergreen community recognized under RCW 35.105.030 in comparison to other entities that are eligible to receive evergreen community designation. Entities not eligible for designation as an evergreen community shall not be given less preferential treatment than an evergreen community.

PART 3 PUBLIC WORKS FINANCING ASSISTANCE PROGRAM

NEW SECTION. Sec. 301. A new section is added to chapter 43.155 RCW to read as follows:

(1) A public infrastructure project eligible for the public works financing assistance program is a capital project by an eligible local government, as identified in subsection (2) of this section, that is necessary to:

(a) Provide safe and adequate drinking water;

(b) Collect, manage, and treat wastewater and storm water;

(c) Provide safe and efficient transportation, including public parking facilities, public transit facilities, and nonmotorized transportation;

(d) Provide or renovate facilities for safe and readily accessible recreation;

THIRTY FIRST DAY, FEBRUARY 10, 2016

2016 REGULAR SESSION

(e) Provide flood control and floodplain management facilities and improvements;

(f) Provide water supply improvements and water basin management enhancements, including culvert replacement projects to improve fish passage;

(g) Provide or renovate county or city criminal justice facilities;

(h) Provide or renovate fire protection or emergency medical response services facilities; or

(i) Provide or renovate public library facilities.

(2) In order to be eligible for the public works financing assistance program a local government must:

(a) Demonstrate difficulties accessing existing private credit markets for borrowings at reasonable interest rates. The public works board must determine compliance with this requirement under guidance and advice by the state treasurer's office;

(b) Demonstrate the ability to reliably pay all periodic financing costs to retire the loan or loans provided under the public works financing assistance program. The public works board must determine compliance with this requirement under guidance and advice by the state treasurer's office; and

(c) Demonstrate that bond proceeds loaned to the local government would be expended for capital expenditures on a public works project eligible to be financed with the proceeds of tax-exempt bonds under the internal revenue code. The public works board must determine compliance with this requirement under guidance and advice by the state treasurer's office.

(3) The board must prioritize applications for assistance under the public works financing assistance program to achieve the greatest community benefit in jurisdictions that would most benefit from this assistance as measured by the difference in the total cost of financing under this program compared to financing cost from private capital markets. The board must adopt criteria for prioritizing applications and submit the scoring under those criteria in the annual report required in section 302 of this act.

NEW SECTION. Sec. 302. A new section is added to chapter 43.155 RCW to read as follows:

(1) The board must not sign contracts or otherwise financially obligate funds from the public works financing assistance account created in section 303 of this act unless the legislature has authorized the necessary bonds and appropriated sufficient amounts from the account for the approved projects.

(2) The board must execute contracts for project loans with local governments under the public works financing program to ensure that:

(a) Disbursements against authorized loans are in predictable amounts as required to meet project expenditures without resulting in prolonged and excessive project fund balances;

(b) Repayments by local governments are sufficient and timely to cover the state's repayment obligations of public works financing bond issued on behalf of the project; and

(c) All other requirements are met, including compliance with state laws regarding the issuance and limits on local government debt.

(3) By July 1st of each year, the board must submit a report to the state treasurer, the office of financial management, and the fiscal committees of the legislature. The report must include:

(a) The list of projects approved in the preceding fiscal year with the project scores against the board's prioritization criteria;

(b) The total amount of loan disbursements made from the public works financing assistance bond repayment account, created in section 304 of this act, in the preceding fiscal year;

(c) The total amount of loan repayments in the preceding fiscal year for outstanding loans made from the public works financing assistance account;

(d) The total amount of loan repayments due from local governments for outstanding loans by fiscal year over the following ten-year period; and

(e) Any further information required by the state treasurer's office necessary to meet internal revenue service requirements for tax compliance, or for determining whether projected revenues are sufficient to meet projected debt service obligations.

NEW SECTION. Sec. 303. A new section is added to chapter 43.155 RCW to read as follows:

The public works financing assistance account is created in the state treasury. All bond proceeds issued to support public works financing assistance projects must be deposited in the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the public works financing assistance program.

NEW SECTION. Sec. 304. A new section is added to chapter 43.155 RCW to read as follows:

The public works financing assistance bond repayment account is created in the custody of the state treasury. All repayments for public works financing loans from local governments must be deposited in the account. Expenditures from the account must only be made for payment of principal and interest to retire bonds issued pursuant to this section. The account is subject to the allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

NEW SECTION. Sec. 305. A new section is added to chapter 43.155 RCW to read as follows:

(1) To ensure that sufficient revenues are collected to meet debt service requirements on bonds issued in accordance with this chapter:

(a) The board:

(i) May charge an additional amount on public works financing loans to local governments to create a reserve to meet potential shortfalls; or

(ii) Must take other actions as are necessary to ensure that sufficient revenues are collected to meet debt service obligations on bonds issued to support a public works financing loan.

(2) If the board is unable to collect sufficient revenues to meet debt service obligations on bonds issued to support public works financing loans, the legislature must take any action legally authorized to raise such revenue from loan repayments to meet this obligation, including, but not limited to, collect loan repayments directly from distributions to local governments in the event of nonpayment, or any other method deemed appropriate to ensure that adequate revenues are received to meet debt service obligations.

(3) If there is insufficient revenue to meet projected debt service obligations, as determined by the office of the state treasurer, the state finance committee may not approve the issuance or sale of bonds for this purpose until such time as the projected amount of revenue is at least equal to the projected amount of debt service then owed on bonds issued to support public works financing loans.

PART 4

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 401. This act takes effect January 1, 2017, if the proposed amendment to Article VIII, section 1 of the state Constitution, contained in Second Engrossed Senate Joint Resolution No. 8204, is validly submitted to and is approved and ratified by voters at the next general election. If the proposed amendment is not approved and ratified, this act is void in its entirety."

On page 1, beginning on line 1 of the title, after "infrastructure;" strike the remainder of the title and insert "amending RCW 43.155.020, 43.155.040, 43.155.060,

43.155.065, 43.155.068, 43.155.070, 43.155.075, and 43.155.120; reenacting and amending RCW 43.155.050; adding new sections to chapter 43.155 RCW; creating a new section; and providing a contingent effective date."

Senators Keiser and King spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 526 by Senators Honeyford and Keiser to Engrossed Senate Bill No. 5624.

The motion by Senator Keiser carried and the striking amendment no. 526 was adopted by voice vote.

Senators Keiser and Hill spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Senate Bill No. 5624.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Senate Bill No. 5624 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Dansel and Hasegawa

SECOND ENGROSSED SENATE BILL NO. 5624, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

ENGROSSED SENATE JOINT RESOLUTION NO. 8204, by Senators Keiser, Honeyford and Conway

Amending the Constitution to allow the state to guarantee debt issued on behalf of a political subdivision for essential public infrastructure.

The bill was read on Third Reading.

MOTION

On motion of Senator Keiser, the rules were suspended and Engrossed Senate Joint Resolution No. 8204 was returned to second reading for the purpose of amendment.

MOTION

Senator Keiser moved that the following committee amendment no. 527 on page 1, line 8 by the Committee on Ways & Means be adopted:

Beginning on page 1, at the beginning of line 8, strike all material through page 5, line 17, and insert the following:

"Article VIII, section 1. (a) The state may contract debt, the principal of which shall be paid and discharged within thirty years

from the time of contracting thereof, in the manner set forth herein.

(b) The aggregate debt contracted by the state, as calculated by the treasurer at the time debt is contracted, shall not exceed that amount for which payments of principal and interest in any fiscal year would require the state to expend more than the applicable percentage limit of the arithmetic mean of its general state revenues for the six immediately preceding fiscal years as certified by the treasurer. The term "applicable percentage limit" means eight and one-half percent from July 1, 2014, through June 30, 2016; eight and one-quarter percent from July 1, 2016, through June 30, 2034; eight percent from July 1, 2034, and thereafter. The term "fiscal year" means that period of time commencing July 1 of any year and ending on June 30 of the following year.

(c) The term "general state revenues," when used in this section, shall include all state money received in the treasury from each and every source, including moneys received from ad valorem taxes levied by the state and deposited in the general fund in each fiscal year, but not including: (1) Fees and other revenues derived from the ownership or operation of any undertaking, facility, or project; (2) Moneys received as gifts, grants, donations, aid, or assistance or otherwise from the United States or any department, bureau, or corporation thereof, or any person, firm, or corporation, public or private, when the terms and conditions of such gift, grant, donation, aid, or assistance require the application and disbursement of such moneys otherwise than for the general purposes of the state of Washington; (3) Moneys to be paid into and received from retirement system funds, and performance bonds and deposits; (4) Moneys to be paid into and received from trust funds and the several permanent and irreducible funds of the state and the moneys derived therefrom but excluding bond redemption funds; (5) Moneys received from taxes levied for specific purposes and required to be deposited for those purposes into specified funds or accounts other than the general fund; and (6) Proceeds received from the sale of bonds or other evidences of indebtedness.

(d) In computing the amount required for payment of principal and interest on outstanding debt under this section, debt shall be construed to mean borrowed money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be repaid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation, or quasi public corporation of the state, any state university or college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, but shall not include obligations for the payment of current expenses of state government, nor shall it include debt hereafter incurred pursuant to section 3 of this article, obligations guaranteed as provided for in subsection (g) of this section, principal of bond anticipation notes or obligations issued to fund or refund the indebtedness of the Washington state building authority. In addition, for the purpose of computing the amount required for payment of interest on outstanding debt under subsection (b) of this section and this subsection, "interest" shall be reduced by subtracting the amount scheduled to be received by the state as payments from the federal government in each year in respect of bonds, notes, or other evidences of indebtedness subject to this section.

(e) The state may pledge the full faith, credit, and taxing power of the state to guarantee the voter approved general obligation debt of school districts in the manner authorized by the legislature. Any such guarantee does not remove the debt obligation of the school district and is not state debt.

THIRTY FIRST DAY, FEBRUARY 10, 2016

2016 REGULAR SESSION

(f) The state may, without limitation, fund or refund, at or prior to maturity, the whole or any part of any existing debt or of any debt hereafter contracted pursuant to section 1, section 2, or section 3 of this article, including any premium payable with respect thereto and interest thereon, or fund or refund, at or prior to maturity, the whole or any part of any indebtedness incurred or authorized prior to the effective date of this amendment by any entity of the type described in subsection (h) of this section, including any premium payable with respect thereto and any interest thereon. Such funding or refunding shall not be deemed to be contracting debt by the state.

(g) Notwithstanding the limitation contained in subsection (b) of this section, the state may pledge its full faith, credit, and taxing power to guarantee the payment of any obligation payable from revenues received from any of the following sources: (1) Fees collected by the state as license fees for motor vehicles; (2) Excise taxes collected by the state on the sale, distribution or use of motor vehicle fuel; ((and)) (3) Interest on the permanent common school fund; and (4) Amounts received by the state in repayment of loans made by the state to local governments for infrastructure projects: Provided, That the legislature shall, at all times, provide sufficient revenues from such sources to pay the principal and interest due on all obligations for which said source of revenue is pledged.

(h) No money shall be paid from funds in custody of the treasurer with respect to any debt contracted after the effective date of this amendment by the Washington state building authority, the capitol committee, or any similar entity existing or operating for similar purposes pursuant to which such entity undertakes to finance or provide a facility for use or occupancy by the state or any agency, department, or instrumentality thereof.

(i) The legislature shall prescribe all matters relating to the contracting, funding or refunding of debt pursuant to this section, including: The purposes for which debt may be contracted; by a favorable vote of three-fifths of the members elected to each house, the amount of debt which may be contracted for any class of such purposes; the kinds of notes, bonds, or other evidences of debt which may be issued by the state; and the manner by which the treasurer shall determine and advise the legislature, any appropriate agency, officer, or instrumentality of the state as to the available debt capacity within the limitation set forth in this section. The legislature may delegate to any state officer, agency, or instrumentality any of its powers relating to the contracting, funding or refunding of debt pursuant to this section except its power to determine the amount and purposes for which debt may be contracted.

(j) The full faith, credit, and taxing power of the state of Washington are pledged to the payment of the debt created on behalf of the state pursuant to this section and the legislature shall provide by appropriation for the payment of the interest upon and installments of principal of all such debt as the same falls due, but in any event, any court of record may compel such payment.

(k) Notwithstanding the limitations contained in subsection (b) of this section, the state may issue certificates of indebtedness in such sum or sums as may be necessary to meet temporary deficiencies of the treasury, to preserve the best interests of the state in the conduct of the various state institutions, departments, bureaus, and agencies during each fiscal year; such certificates may be issued only to provide for appropriations already made by the legislature and such certificates must be retired and the debt discharged other than by refunding within twelve months after the date of incurrence.

(l) Bonds, notes, or other obligations issued and sold by the state of Washington pursuant to and in conformity with this article shall not be invalid for any irregularity or defect in the proceedings of the issuance or sale thereof and shall be

incontestable in the hands of a bona fide purchaser or holder thereof.

BE IT FURTHER RESOLVED, That the statement of subject and concise description for the ballot title of this constitutional amendment shall read "The legislature has proposed a constitutional amendment on issuing bonds to help finance local public works projects. This amendment would enable the state to issue general obligation bonds to finance loans for local infrastructure. The bonds would be retired by local repayments and outside the state's debt limit.

Should this constitutional amendment be:

Approved

Rejected

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of this constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state."

Senators Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the committee amendment no. 527 on page 1, line 8 by the Committee on Ways & Means to Engrossed Senate Joint Resolution No. 8204.

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

MOTION

On motion of Senator Keiser, the rules were suspended, Second Engrossed Senate Joint Resolution No. 8204 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senators Keiser, Mullet and Hill spoke in favor of passage of the resolution.

The President declared the question before the Senate to be the final passage of Second Engrossed Senate Joint Resolution No. 8204.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Senate Joint Resolution No. 8204 and the resolution was adopted by the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Chase, Dandel, Ericksen, Hasegawa, McCoy and Padden

SECOND ENGROSSED SENATE JOINT RESOLUTION NO. 8204, having received the constitutional majority, was adopted.

THIRD READING

SENATE BILL NO. 5143, by Senators Becker, Bailey, Dammeier, Rivers, Frockt, Brown and Parlette

Concerning the availability of childhood immunization resources for expecting parents.

The bill was read on Third Reading.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5143.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5143 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

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

Absent: Senators Dansel and Ericksen

SENATE BILL NO. 5143, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 3:58 p.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:01 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6245, by Senators Litzow, Hill, Fain, Rolfes, McAuliffe and Mullet

Concerning visual screening in schools.

The measure was read the second time.

MOTION

On motion of Senator Litzow, the rules were suspended, Senate Bill No. 6245 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6245.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6245 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Ericksen

SENATE BILL NO. 6245, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6290, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Honeyford, Hobbs and Parlette)

Concerning the apple commission.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 6290 was substituted for Senate Bill No. 6290 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 6290 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6290.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6290 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6290, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6449, by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt and Conway)

THIRTY FIRST DAY, FEBRUARY 10, 2016

2016 REGULAR SESSION

Concerning enhanced raffles.

MOTIONS

On motion of Senator Hewitt, Substitute Senate Bill No. 6449 was substituted for Senate Bill No. 6449 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hewitt, the rules were suspended, Substitute Senate Bill No. 6449 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Hewitt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6449.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6449 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Dammeier and Hargrove

SUBSTITUTE SENATE BILL NO. 6449, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6187, by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Ranker, Fraser and Sheldon)

Concerning the authority of the pollution liability insurance agency.

MOTIONS

On motion of Senator Litzow, Second Substitute Senate Bill No. 6187 was substituted for Senate Bill No. 6187 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Litzow, the rules were suspended, Second Substitute Senate Bill No. 6187 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6187.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6187 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SECOND SUBSTITUTE SENATE BILL NO. 6187, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6150, by Senators Honeyford, McCoy, Sheldon, Parlette and Chase

Increasing the available term of water pollution control revolving fund program loans to reflect the 2014 amendments to the federal clean water act allowing such an increase.

The measure was read the second time.

MOTION

On motion of Senator Honeyford, the rules were suspended, Senate Bill No. 6150 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6150.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6150 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6150, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6345, by Senators Takko, Warnick and Hobbs

Merging the department of agriculture's fruit and vegetable inspection districts and accounts.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 6345 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6345.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6345 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6345, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6464, by Senate Committee on Law & Justice (originally sponsored by Senator Padden)

Establishing deadlines for final determinations and dispositions in agency adjudicative proceedings.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6464 was substituted for Senate Bill No. 6464 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 6464 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6464.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6464 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Keiser

SUBSTITUTE SENATE BILL NO. 6464, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6211, by Senate Committee on Ways & Means (originally sponsored by Senators Dammeier, Rolfes, Fraser, Conway, McCoy, O'Ban, Litzow, Fain, Rivers, Becker, Darneille, McAuliffe, Habib, Chase and Benton)

Concerning the exemption of property taxes for nonprofit homeownership development.

MOTIONS

On motion of Senator Dammeier, Substitute Senate Bill No. 6211 was substituted for Senate Bill No. 6211 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dammeier, the rules were suspended, Substitute Senate Bill No. 6211 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier, Darneille, Benton and Rolfes spoke in favor of passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senator Keiser was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6211.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6211 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Senators Dansel, Ericksen and Rivers

SUBSTITUTE SENATE BILL NO. 6211, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6398, by Senators Hasegawa and Chase

Concerning certain cultural foods.

The measure was read the second time.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Senate Bill No. 6398 was advanced to third reading, the second

THIRTY FIRST DAY, FEBRUARY 10, 2016

2016 REGULAR SESSION

reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6398.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6398 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6398, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6371, by Senators Litzow, Mullet, Dammeier, Hargrove, Fain, Hobbs, Hill and McAuliffe

Concerning the definition of "agency" for purposes of early learning programs.

The measure was read the second time.

MOTION

On motion of Senator Litzow, the rules were suspended, Senate Bill No. 6371 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6371.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6371 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe,

McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SENATE BILL NO. 6371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 5689, by Senators Becker, Keiser, Dammeier, Frockt, Jayapal and McAuliffe

Concerning the scope and costs of the diabetes epidemic in Washington.

The bill was read on Third Reading.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5689.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5689 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5689, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:00 o'clock p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Thursday, February 11, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, February 11, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Elsa Marie Bley and Mr. Benjamin Payton Crosby, presented the Colors.

Ms. Riana and Mr. Derik Nelson, guests of Senator Sheldon, performed the National Anthem.

The prayer was offered by Pastor Elizabeth Sorensen of Full Gospel Christian Life Center in Edmonds.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 10, 2016

MR. PRESIDENT:

The House has passed:

- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1236,
- ENGROSSED HOUSE BILL NO. 1409,
- ENGROSSED HOUSE BILL NO. 1465,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1571,
- HOUSE BILL NO. 1659,
- THIRD SUBSTITUTE HOUSE BILL NO. 1682,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763,
- HOUSE BILL NO. 1804,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1808,
- SUBSTITUTE HOUSE BILL NO. 1867,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1875,
- ENGROSSED HOUSE BILL NO. 1918,
- HOUSE BILL NO. 2317,
- HOUSE BILL NO. 2322,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2323,
- HOUSE BILL NO. 2331,
- SUBSTITUTE HOUSE BILL NO. 2357,
- HOUSE BILL NO. 2399,
- SUBSTITUTE HOUSE BILL NO. 2417,
- SUBSTITUTE HOUSE BILL NO. 2440,
- HOUSE BILL NO. 2457,
- ENGROSSED HOUSE BILL NO. 2478,
- SUBSTITUTE HOUSE BILL NO. 2500,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2511,
- HOUSE BILL NO. 2516,
- SUBSTITUTE HOUSE BILL NO. 2585,

- HOUSE BILL NO. 2597,
- SUBSTITUTE HOUSE BILL NO. 2598,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2621,
- HOUSE BILL NO. 2639,
- HOUSE BILL NO. 2694,
- SUBSTITUTE HOUSE BILL NO. 2743,
- HOUSE BILL NO. 2888.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6656 by Senators Hill, Hargrove, Ranker, Darneille, Parlette, Becker, Braun, Fain and Bailey

AN ACT Relating to the reform of practices at state hospitals; amending RCW 71.24.016 and 71.24.045; adding a new section to chapter 71.24 RCW; creating new sections; repealing RCW 71.24.310; and providing an effective date.

Referred to Committee on Ways & Means.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Jayapal moved adoption of the following resolution:

**SENATE RESOLUTION
8710**

By Senators Jayapal, Darneille, Litzow, King, Miloscia, Hargrove, Keiser, Lias, Conway, Chase, Hasegawa, Carlyle, McCoy, Ranker, Mullet, Fraser, Takko, Billig, Rolfes, Cleveland, Pedersen, Nelson, McAuliffe, Roach, and Frockt

WHEREAS, The collective story of the United States is of a nation of refugees and immigrants seeking safety, opportunity, and a better life free from oppression and tyranny; and

WHEREAS, Washington State's deep-rooted and bipartisan tradition of opening its doors to welcome refugees began with Governor Dan Evans when he heard the plight of Vietnamese refugees in need and welcomed 500 into our state; and

WHEREAS, The tradition started by Governor Evans has led to Washington State today assisting almost 3,000 refugees each year from across the globe; and

WHEREAS, Refugees contribute in countless ways to the vibrancy of Washington State's culture and success of our economy; and

WHEREAS, The refugees of today fleeing persecution, political unrest, and oppression are no different and no less deserving of a fresh start than our ancestors; and

WHEREAS, The Muslim children and families of today share our country's strong family values, and want to succeed by working hard and supporting their families; they are mothers and fathers, aunts and uncles, brothers and sisters all with the hope of a better life; and

WHEREAS, Almost every refugee and immigrant group seeking entry to the United States, from Irish to Italian, German to Jewish, Chinese to Japanese initially experienced discrimination and xenophobia; and

WHEREAS, In spite of overwhelming odds, our forebearers were able to overcome the obstacles of fear and hatred to find common humanity and embrace one another; and

WHEREAS, If Washington State is to continue to be a leader in technology, aerospace, agriculture, and energy, we must ensure our minds and our borders are open to new ideas, new opportunities, and new collaboration with people of many faiths and backgrounds; and

WHEREAS, As elected leaders we must look past the differences of religion and race to see today's refugees as they are: Families with ingenuity and determination in need of our compassion;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate reaffirm our commitment to ensuring Washington State is a safe and secure home for refugees from across the globe—recognizing that doing so upholds the values of the people of the great state of Washington.

Senators Jayapal, Hargrove, Fraser, Darneille, Miloscia, Frockt, Conway, Warnick, Nelson, McCoy and Roach spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8710.

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

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

MOTION

At 10:38 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:43 p.m. by the President of the Senate, Lt. Governor Owen presiding.

INTRODUCTION OF GUESTS

The President welcomed and introduced the Yeonggwang Girls High School Missionary Choir from Gunsan, South Korea, who were at the rostrum.

With permission of the Senate, business was suspended to allow the Yeonggwang Girls High School Missionary Choir to perform for the Senate.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL
APPOINTMENTS

MOTION

On motion of Senator Roach, and without objection, Senator Benton was excused.

MOTION

Senator Rivers moved that Roy Jennings, Gubernatorial Appointment No. 9074, be confirmed as a member of the Transportation Commission.

Senators Rivers and Cleveland spoke in favor of passage of the motion.

APPOINTMENT OF ROY JENNINGS

The President declared the question before the Senate to be the confirmation of Roy Jennings, Gubernatorial Appointment No. 9074, as a member of the Transportation Commission.

The Secretary called the roll on the confirmation of Roy Jennings, Gubernatorial Appointment No. 9074, as a member of the Transportation Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dassel, Darneille, Erickson, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator McAuliffe

Excused: Senator Benton

Roy Jennings, Gubernatorial Appointment No. 9074, having received the constitutional majority was declared confirmed as a member of the Transportation Commission.

MOTION

Senator Fain moved that Robert A. Roegner, Gubernatorial Appointment No. 9293, be confirmed as a member of the Highline College Board of Trustees.

Senators Fain and Keiser spoke in favor of passage of the motion.

APPOINTMENT OF ROBERT A. ROEGNER

The President declared the question before the Senate to be the confirmation of Robert A. Roegner, Gubernatorial Appointment No. 9293, as a member of the Highline College Board of Trustees.

The Secretary called the roll on the confirmation of Robert A. Roegner, Gubernatorial Appointment No. 9293, as a member of the Highline College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Benton

Robert A. Roegner, Gubernatorial Appointment No. 9293, having received the constitutional majority was declared confirmed as a member of the Highline College Board of Trustees.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6342, by Senators Miloscia and Hobbs

Concerning private activity bond allocation.

MOTIONS

On motion of Senator Miloscia, Substitute Senate Bill No. 6342 was substituted for Senate Bill No. 6342 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Miloscia, the rules were suspended, Substitute Senate Bill No. 6342 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6342.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6342 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Excused, 1.

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

Excused: Senator Benton

SUBSTITUTE SENATE BILL NO. 6342, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6291, by Senators Braun, Becker, Angel, Rivers, Sheldon and Liias

Authorizing the use of weighted grade point averages for accelerated courses.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 6291 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Liias, Baumgartner and Brown spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6291.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6291 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Hasegawa and McCoy

SENATE BILL NO. 6291, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5767, by Senators Cleveland, Benton, Honeyford and Fraser

Revising local government treasury practices and procedures.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5767 was substituted for Senate Bill No. 5767 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5767 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5767.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5767 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser,

THIRTY SECOND DAY, FEBRUARY 11, 2016

2016 REGULAR SESSION

Froct, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE SENATE BILL NO. 5767, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5561, by Senators Bailey, Kohl-Welles, Froct, Honeyford, Hewitt, Rolfes, McAuliffe and Angel

Concerning veteran survivor tuition waiver eligibility.

MOTION

On motion of Senator Bailey, Substitute Senate Bill No. 5561 was substituted for Senate Bill No. 5561 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Fain, further consideration of Substitute Senate Bill No. 5561 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 6282, by Senators Benton, Hasegawa, Mullet and Angel

Addressing the expiration date of the mortgage lending fraud prosecution account.

The measure was read the second time.

MOTION

On motion of Senator Benton, the rules were suspended, Senate Bill No. 6282 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6282.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6282 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6282, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6202, by Senators Hobbs, Angel, Roach, Bailey, Conway, Rivers, Rolfes, McCoy, McAuliffe and Benton

Concerning the enforcement of employment rights arising from state active duty service by a member of the national guard.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 6202 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hobbs spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6202.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6202 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6202, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Roach: "Well thank you Mr President. So members will notice on their desks, well I don't see one, they must have been put away already. We have a copy of something called the 'Reel' news, and also, oh there they are, and also an invitation. We're going to be having the first ever Fish-In here at the Washington State Capitol. It will be right outside the guard shack between the Cherberg building and us here. It's an opportunity, because it's on President's Day, to bring children, bring grandchildren. We'll have 400 fish, 40 of them will be tagged, and if you or one of your loved ones catches one, or someone here on campus, there will be a lovely prize to go with it. We're talking about the recreational fishing, the 1.1 million people who buy a fishing license every year, a wonderful aspect of the northwest living that is augmented by the fact that we have such a wonderful outdoor life. So I hope you'll take part, there is also a cutthroat, is that the name of a trout? There is also a cutthroat competition between caucuses. It's not like the other event that we'll hold the following week, this one is by weight. So I invite each member to go out during the lunch and we will weigh the basket of fish caught by the Senate Democratic Caucus and the basket of

fish caught by the Senate Republican Caucus and they'll do the same in the House to come out with an overall weight winner. So I hope over there and over here you will accept the challenge and I understand there's some really big trout in there so I just wanted to make that invitation to you. Thank you so much. This is on behalf of the Sportsman's Caucus, Senator Hargrove is still the captain over there on that side. Thanks."

The Senate resumed consideration of Substitute Senate Bill 5561 which had been deferred earlier in the day.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5561, by Senators Bailey, Kohl-Welles, Frockt, Honeyford, Hewitt, Rolfes, McAuliffe and Angel

Concerning veteran survivor tuition waiver eligibility.

The measure was previously held on second reading.

MOTION

Senator Bailey moved that the following striking amendment no. 573 by Senator Bailey be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.15.621 and 2015 c 55 s 222 are each amended to read as follows:

(1) The legislature finds that active military and naval veterans, reserve military and naval veterans, and national guard members called to active duty have served their country and have risked their lives to defend the lives of all Americans and the freedoms that define and distinguish our nation. The legislature intends to honor active military and naval veterans, reserve military and naval veterans, and national guard members who have served on active military or naval duty for the public service they have provided to this country.

(2) Subject to the limitations in RCW 28B.15.910, the governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges, may waive all or a portion of tuition and fees for an eligible veteran or national guard member.

(3) The governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges, may waive all or a portion of tuition and fees for a military or naval veteran who is a Washington domiciliary, but who did not serve on foreign soil or in international waters or in another location in support of those serving on foreign soil or in international waters and who does not qualify as an eligible veteran or national guard member under subsection (8) of this section. However, there shall be no state general fund support for waivers granted under this subsection.

(4) Subject to the conditions in subsection (5) of this section and the limitations in RCW 28B.15.910, the governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges, shall waive all tuition and fees for the following persons:

(a) A child and the spouse or the domestic partner or surviving spouse or surviving domestic partner of an eligible veteran or national guard member who became totally disabled as a result of serving in active federal military or naval service, or who is determined by the federal government to be a prisoner of war or missing in action; and

(b) A child and the surviving spouse or surviving domestic partner of an eligible veteran or national guard member who lost

his or her life as a result of serving in active federal military or naval service.

(5) The conditions in this subsection (5) apply to waivers under subsection (4) of this section.

(a) A child must be a Washington domiciliary and:

(i) Be between the age of seventeen and twenty-six to be eligible for the tuition waiver; or

(ii) Meet one of the exceptions provided in 38 U.S.C. Sec. 3512(a)(1)-(8) as it exists on the effective date of this section.

(b) A child's marital status does not affect eligibility.

((b)) (c)(i) A surviving spouse or surviving domestic partner must be a Washington domiciliary.

(ii) Except as provided in ((b)) (c)(iii) of this subsection, a surviving spouse or surviving domestic partner has ten years from the date of the death, total disability, or federal determination of prisoner of war or missing in action status of the eligible veteran or national guard member to receive benefits under the waiver. Upon remarriage or registration in a subsequent domestic partnership, the surviving spouse or surviving domestic partner is ineligible for the waiver of all tuition and fees.

(iii) If a death results from total disability, the surviving spouse has ten years from the date of death in which to receive benefits under the waiver.

((c)) (d) Each recipient's continued participation is subject to the school's satisfactory progress policy.

((d)) (e) Tuition waivers for graduate students are not required for those who qualify under subsection (4) of this section but are encouraged.

((e)) (f) Recipients who receive a waiver under subsection (4) of this section may attend full-time or part-time. Total credits earned using the waiver may not exceed two hundred quarter credits, or the equivalent of semester credits.

(6) Required waivers of all tuition and fees under subsection (4) of this section shall not affect permissive waivers of tuition and fees under subsection (3) of this section.

(7) Private vocational schools and private higher education institutions are encouraged to provide waivers consistent with the terms in subsections (2) through (5) of this section.

(8) The definitions in this subsection apply throughout this section.

(a) "Child" means a biological child, adopted child, or stepchild.

(b) "Eligible veteran or national guard member" means a Washington domiciliary who was an active or reserve member of the United States military or naval forces, or a national guard member called to active duty, who served in active federal service, under either Title 10 or Title 32 of the United States Code, in a war or conflict fought on foreign soil or in international waters or in another location in support of those serving on foreign soil or in international waters, and if discharged from service, has received an honorable discharge.

(c) "Totally disabled" means a person who has been determined to be one hundred percent disabled by the federal department of veterans affairs.

(d) "Washington domiciliary" means a person whose true, fixed, and permanent house and place of habitation is the state of Washington. "Washington domiciliary" includes a person who is residing in rental housing or residing in base housing. In ascertaining whether a child or surviving spouse or surviving domestic partner is domiciled in the state of Washington, public institutions of higher education shall, to the fullest extent possible, rely upon the standards provided in RCW 28B.15.013.

(9) As used in subsection (4) of this section, "fees" includes all assessments for costs incurred as a condition to a student's full participation in coursework and related activities at an institution of higher education.

(10) The governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges shall report to the higher education committees of the legislature by November 15, 2010, and every two years thereafter, regarding the status of implementation of the waivers under subsection (4) of this section. The reports shall include the following data and information:

- (a) Total number of waivers;
- (b) Total amount of tuition waived;
- (c) Total amount of fees waived;
- (d) Average amount of tuition and fees waived per recipient;
- (e) Recipient demographic data that is disaggregated by distinct ethnic categories within racial subgroups; and
- (f) Recipient income level, to the extent possible."

On page 1, line 1 of the title, after "eligibility;" strike the remainder of the title and insert "and amending RCW 28B.15.621."

Senator Bailey spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Bailey to Substitute Senate Bill No. 5561.

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

MOTION

On motion of Senator Bailey, the rules were suspended, Engrossed Substitute Senate Bill No. 5561 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Frockt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5561.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5561 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5561, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6206, by Senators Hasegawa, Takko, Chase, Schoesler and Sheldon

Authorizing the growing of industrial hemp.

MOTION

On motion of Senator Hasegawa, Substitute Senate Bill No. 6206 was substituted for Senate Bill No. 6206 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hasegawa moved that the following amendment no. 546 by Senators Hasegawa and Warnick be adopted:

On page 1, line 19, after "contain a" strike "tetrahydrocannabinol" and insert "THC"

On page 2, beginning on line 2, after "65.50.101." strike all material through "inhalation." on line 5

On page 2, line 12, after "total" strike "THC" and inset "tetrahydrocannabinol"

On page 2, beginning on line 15, strike all of section 3 and insert the following:

"NEW SECTION. **Sec. 3.** Except as otherwise provided in this chapter, industrial hemp is an agricultural product that may be grown, produced, possessed, processed, and exchanged in the state solely and exclusively as part of an industrial hemp research program supervised by the department. Processing any part of industrial hemp, except seed, as food, extract, oil, cake, concentrate, resin, or other preparation for topical use, oral consumption, or inhalation by humans is prohibited."

On page 2, line 23, after "application" insert ", issuance,"

On page 3, line 6, after "fund" strike "or conduct"

On page 3, line 20, after "enforcement" strike "agency" and insert "administration"

Senator Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 546 by Senators Hasegawa and Warnick on page 1, line 19 to Substitute Senate Bill No. 6206.

The motion by Senator Hasegawa carried and amendment no. 546 was adopted by voice vote.

MOTION

Senator Hasegawa moved that the following amendment no. 547 by Senators Hasegawa and Warnick be adopted:

On page 2, after line 36, insert the following:

"(4) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described."

On page 3, after line 22, insert the following:

"(5) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described."

On page 4, after line 28, insert the following:

"(9) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described."

Senator Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 547 by Senators Hasegawa and Warnick on page 2, after line 36 to Substitute Senate Bill No. 6206.

The motion by Senator Hasegawa carried and amendment no. 547 was adopted by voice vote.

MOTION

Senator Honeyford moved that the following amendment no. 548 by Senator Honeyford be adopted:

On page 4, beginning on line 3, after "(2)" strike all material through "(3)" on line 6

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

Senator Honeyford spoke in favor of adoption of the amendment.

Senator Hasegawa spoke against adoption of the amendment.

MOTION

On motion of Senator Fain, further consideration of Substitute Senate Bill No. 6206 was deferred and the bill held its place on the second reading calendar.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 6162, by Senators Honeyford, Rolfes, Chase, Parlette, Pearson, Roach and Fraser

Concerning the expiration date of the invasive species council and account.

The bill was read on Third Reading.

Senators Honeyford and Jayapal spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6162.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6162 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6162, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRD READING

SENATE BILL NO. 5270, by Senators Roach, Lias and Benton

Concerning a nonoperating advisory board reporting to the state patrol.

The bill was read on Third Reading.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5270.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5270 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Benton

SENATE BILL NO. 5270, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6285, by Senators Fain, Hobbs and Roach

Providing that the horse racing commission operating account is a nonappropriated account. Revised for 1st Substitute: Concerning the operating and reserve accounts of the horse racing commission.

MOTIONS

On motion of Senator Fain, Substitute Senate Bill No. 6285 was substituted for Senate Bill No. 6285 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fain, the rules were suspended, Substitute Senate Bill No. 6285 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6285.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6285 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette,

THIRTY SECOND DAY, FEBRUARY 11, 2016

2016 REGULAR SESSION

Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE SENATE BILL NO. 6285, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

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

MOTION

At 2:53 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:48 p.m. by President Owen.

SECOND READING

SENATE BILL NO. 6220, by Senators Brown, Angel, Braun, Hewitt, Roach, Parlette and Sheldon

Promoting economic development by maximizing the use of federal economic development funding opportunities.

The measure was read the second time.

MOTION

On motion of Senator Brown, the rules were suspended, Senate Bill No. 6220 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Chase and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6220.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6220 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Jayapal

SENATE BILL NO. 6220, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6528, by Senators Brown, Sheldon, Dammeier, Parlette, Schoesler, Warnick, Honeyford, Braun, Angel, Hewitt, Miloscia, O'Ban, Becker, Rivers and Rolfes

Enacting the cybersecurity jobs act. Revised for 1st Substitute: Enacting the cybersecurity jobs act. (REVISED FOR PASSED LEGISLATURE: Enacting the cybersecurity jobs act of 2016.)

MOTION

On motion of Senator Brown, Substitute Senate Bill No. 6528 was substituted for Senate Bill No. 6528 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Brown moved that the following striking amendment no. 559 by Senator Brown be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Communication and information resources in the various state agencies are strategic and vital assets belonging to the people of Washington and are an important component of maintaining a vibrant economy. Coordinated efforts and a sense of urgency are necessary to protect these assets against unauthorized access, disclosure, use, and modification or destruction, whether accidental or deliberate, as well as to assure the confidentiality, integrity, and availability of information.

(2) State government has a duty to Washington citizens to ensure that the information entrusted to state agencies is safe, secure, and protected from unauthorized access, unauthorized use, or destruction.

(3) Securing the state's communication and information resources is a statewide imperative requiring a coordinated and shared effort from all departments, agencies, and political subdivisions of the state and a long-term commitment to state funding that ensures the success of such efforts.

(4) Risks to communication and information resources must be managed, and the integrity of data and the source, destination, and processes applied to data must be assured.

(5) Information security standards, policies, and guidelines must be adopted and implemented throughout state agencies to ensure the development and maintenance of minimum information security controls to protect communication and information resources that support the operations and assets of those agencies.

(6) Washington state must build upon its existing expertise in information technology including research and development facilities and workforce to become a national leader in cybersecurity.

Sec. 2. RCW 43.105.020 and 2015 3rd sp.s. c 1 s 102 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) "Agency" means the consolidated technology services agency.

(2) "Board" means the technology services board.

(3) "Customer agencies" means all entities that purchase or use information technology resources, telecommunications, or services from the consolidated technology services agency.

(4) "Director" means the state chief information officer, who is the director of the consolidated technology services agency.

(5) "Enterprise architecture" means an ongoing activity for translating business vision and strategy into effective enterprise change. It is a continuous activity. Enterprise architecture creates, communicates, and improves the key principles and models that describe the enterprise's future state and enable its evolution.

(6) "Equipment" means the machines, devices, and transmission facilities used in information processing, including but not limited to computers, terminals, telephones, wireless communications system facilities, cables, and any physical facility necessary for the operation of such equipment.

(7) "Information" includes, but is not limited to, data, text, voice, and video.

(8) "Information security" means the protection of communication and information resources from unauthorized access, use, disclosure, disruption, modification, or destruction in order to:

(a) Prevent improper information modification or destruction;

(b) Preserve authorized restrictions on information access and disclosure;

(c) Ensure timely and reliable access to and use of information; and

(d) Maintain the confidentiality, integrity, and availability of information.

(9) "Information technology" includes, but is not limited to, all electronic technology systems and services, automated information handling, system design and analysis, conversion of data, computer programming, information storage and retrieval, telecommunications, requisite system controls, simulation, electronic commerce, radio technologies, and all related interactions between people and machines.

((9)) (10) "Information technology portfolio" or "portfolio" means a strategic management process documenting relationships between agency missions and information technology and telecommunications investments.

((10)) (11) "K-20 network" means the network established in RCW 43.41.391.

((11)) (12) "Local governments" includes all municipal and quasi-municipal corporations and political subdivisions, and all agencies of such corporations and subdivisions authorized to contract separately.

((12)) (13) "Office" means the office of the state chief information officer within the ((consolidated technology services agency)) Washington technology solutions.

((13)) (14) "Oversight" means a process of comprehensive risk analysis and management designed to ensure optimum use of information technology resources and telecommunications.

((14)) (15) "Proprietary software" means that software offered for sale or license.

((15)) (16) "Public agency" means any agency of this state or another state; any political subdivision or unit of local government of this state or another state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any public benefit nonprofit corporation; any agency of the United States; and any Indian tribe recognized as such by the federal government.

((16)) (17) "Public benefit nonprofit corporation" means a public benefit nonprofit corporation as defined in RCW 24.03.005 that is receiving local, state, or federal funds either directly or through a public agency other than an Indian tribe or political subdivision of another state.

((17)) (18) "Public record" has the definitions in RCW 42.56.010 and chapter 40.14 RCW and includes legislative records and court records that are available for public inspection.

((18)) (19) "Security incident" means an accidental or deliberative event that results in or constitutes an imminent threat of the unauthorized access, loss, disclosure, modification,

disruption, or destruction of communication and information resources.

(20) "State agency" means every state office, department, division, bureau, board, commission, or other state agency, including offices headed by a statewide elected official.

((19)) (21) "Telecommunications" includes, but is not limited to, wireless or wired systems for transport of voice, video, and data communications, network systems, requisite facilities, equipment, system controls, simulation, electronic commerce, and all related interactions between people and machines.

((20)) (22) "Utility-based infrastructure services" includes personal computer and portable device support, servers and server administration, security administration, network administration, telephony, email, and other information technology services commonly used by state agencies.

Sec. 3. RCW 43.105.054 and 2015 3rd sp.s. c 1 s 108 are each amended to read as follows:

(1) The director shall establish standards and policies to govern information technology in the state of Washington.

(2) The office shall have the following powers and duties related to information services:

(a) To develop statewide standards and policies governing the:

(i) Acquisition of equipment, software, and technology-related services;

(ii) Disposition of equipment;

(iii) Licensing of the radio spectrum by or on behalf of state agencies; and

(iv) Confidentiality of computerized data;

(b) To develop statewide and interagency technical policies, standards, and procedures;

(c) To review and approve standards and common specifications for new or expanded telecommunications networks proposed by agencies, public postsecondary education institutions, educational service districts, or statewide or regional providers of K-12 information technology services;

(d) With input from the legislature and the judiciary, to provide direction concerning strategic planning goals and objectives for the state;

(e) To establish policies for the periodic review by the director of state agency performance which may include but are not limited to analysis of:

(i) Planning, management, control, and use of information services;

(ii) Training and education;

(iii) Project management; and

(iv) Cybersecurity;

(f) To coordinate with state agencies with an annual information technology expenditure that exceeds ten million dollars to implement a technology business management program to identify opportunities for savings and efficiencies in information technology expenditures and to monitor ongoing financial performance of technology investments; ((and))

(g) In conjunction with the consolidated technology services agency, to develop statewide standards for agency purchases of technology networking equipment and services;

(h) To implement a process for detecting, reporting, and responding to security incidents consistent with the information security standards, policies, and guidelines adopted by the director;

(i) To develop plans and procedures to ensure the continuity of commerce for information resources that support the operations and assets of state agencies in the event of a security incident; and

(j) To work with the department of commerce and other economic development stakeholders to facilitate the development

THIRTY SECOND DAY, FEBRUARY 11, 2016

2016 REGULAR SESSION

of a strategy that includes key local, state, and federal assets that will create Washington as a national leader in cybersecurity. The office shall collaborate with, including but not limited to, community colleges, universities, the national guard, the department of defense, the department of energy, and national laboratories to develop the strategy.

(3) Statewide technical standards to promote and facilitate electronic information sharing and access are an essential component of acceptable and reliable public access service and complement content-related standards designed to meet those goals. The office shall:

(a) Establish technical standards to facilitate electronic access to government information and interoperability of information systems, including wireless communications systems; and

(b) Require agencies to include an evaluation of electronic public access needs when planning new information systems or major upgrades of systems.

In developing these standards, the office is encouraged to include the state library, state archives, and appropriate representatives of state and local government.

NEW SECTION. Sec. 4. This act may be known and cited as the cybersecurity jobs act."

On page 1, line 2 of the title, after "resources;" strike the remainder of the title and insert "amending RCW 43.105.054; reenacting and amending RCW 43.105.020; and creating new sections."

Senator Brown spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Brown to Substitute Senate Bill No. 6528.

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

On motion of Senator Brown, the rules were suspended, Engrossed Substitute Senate Bill No. 6528 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Chase spoke in favor of passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senator Jayapal was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6528.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6528 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6528, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

The Senate resumed consideration of Engrossed Senate Bill No. 5251 which had been deferred on February 8, 2016.

THIRD READING

ENGROSSED SENATE BILL NO. 5251, by Senators Honeyford and Keiser

Transferring public water system financial assistance activities from the public works board and the department of commerce to the department of health.

The bill was read on Third Reading.

MOTION

On motion of Senator Honeyford, the rules were suspended and Engrossed Senate Bill No. 5251 was returned to second reading for the purpose of amendment.

MOTION

Senator Honeyford moved that the following amendment no. 544 by Senator Honeyford be adopted:

On page 1, line 21, after "June 30," strike "2017" and insert "2018"

On page 2, line 3, strike "2017" and insert "2018"

On page 3, line 24, after "December 31," strike "2015" and insert "2016"

Senator Honeyford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 544 by Senator Honeyford on page 1, line 21 to Engrossed Senate Bill No. 5251.

The motion by Senator Honeyford carried and amendment no. 544 was adopted by voice vote.

MOTION

On motion of Senator Honeyford, the rules were suspended, Second Engrossed Senate Bill No. 5251 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Senate Bill No. 5251.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Senate Bill No. 5251 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Padden

SECOND ENGROSSED SENATE BILL NO. 5251, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6620, by Senators McAuliffe, Dammeier, Rolfes, Litzow, Billig, Keiser and Conway

Concerning a statewide plan for funding cost-effective methods for school safety. (REVISED FOR ENGROSSED: Concerning cost-effective methods for maintaining and increasing school safety.)

The measure was read the second time.

MOTION

Senator Dammeier moved that the following amendment no. 564 by Senator Dammeier be adopted: On page 1, after the enacting clause, insert the following:

"PART I"

On page 2, after line 26, strike all of subsection (5) and insert the following:

"(5) Legislative members of the summit are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW."

On page 2, after line 30, insert the following:

"PART II"

NEW SECTION. Sec. 4. The legislature finds that school personnel are often the first responders when there is a violent threat or natural or man-made disaster at a school. The legislature further finds there is a need to develop training for school personnel to intervene and provide assistance during these emergency incidents. The legislature recognizes an educational service district has developed a model for a regional school safety and security center, which can provide this type of training.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.310 RCW to read as follows:

(1) Educational service districts may implement a regional school safety and security program modeled after the educational service district that has developed a regional school safety and security center.

(2) The programs should include the following components:

(a) Establishment of a network of school safety coordinators for the educational service districts, which shall focus on

prevention planning, intervention, mitigation, crisis response, and community recovery regarding emergency incidents in schools;

(b) Collaboration with the educational service district that developed the model for a regional school safety and security center to adopt its model for a regional school safety and security center;

(c) Creation of technology-based systems that enable more efficient and effective communication between schools and emergency response entities, including local law enforcement, local fire department, and state and federal responders;

(d) Provision of technology support to improve communication and data management between schools and emergency response entities;

(e) Ongoing training of school personnel and emergency responders to establish a system for preventative identification, intervention strategies, and management of risk behaviors;

(f) Development of a professional development to train school personnel as first responders until the arrival of emergency responders; and

(g) Building collaborative relationships between other educational service districts, the office of the superintendent of public instruction, and the school safety advisory committee."

On page 1, line 1 of the title after "to" strike the remainder of the title and insert "cost-effective methods for maintaining and increasing school safety; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.310 RCW; creating new sections; and providing an expiration date."

Senators Dammeier and McAuliffe spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 564 by Senator Dammeier on page 1 to Senate Bill No. 6620.

The motion by Senator Dammeier carried and amendment no. 564 was adopted by voice vote.

MOTION

On motion of Senator McAuliffe, the rules were suspended, Engrossed Senate Bill No. 6620 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McAuliffe and Dammeier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6620.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6620 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SENATE BILL NO. 6620, having received the constitutional majority, was declared passed. There being no

THIRTY SECOND DAY, FEBRUARY 11, 2016

2016 REGULAR SESSION

objection, the title of the bill was ordered to stand as the title of the act.

The Senate resumed consideration of Substitute Senate Bill No. 6206 which had been deferred earlier in the day.

SECOND READING

SUBSTITUTE SENATE BILL NO. 6206, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hasegawa, Takko, Chase, Schoesler and Sheldon)

Authorizing the growing of industrial hemp.

MOTION

Senator Honeyford moved that the following amendment no. 548 by Senator Honeyford be adopted:

On page 4, beginning on line 3, after "(2)" strike all material through "(3)" on line 6

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

Senators Honeyford and Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 548 by Senator Honeyford on page 4, beginning on line 3 to Substitute Senate Bill No. 6206.

The motion by Senator Honeyford carried and amendment no. 548 was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, Engrossed Substitute Senate Bill No. 6206 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa, Warnick, Takko and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6206.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6206 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Hargrove

ENGROSSED SUBSTITUTE SENATE BILL NO. 6206, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6626, by Senators Bailey, Frockt, Baumgartner, Liias and McAuliffe

Creating a work group on accelerated baccalaureate degree programs.

The measure was read the second time.

MOTION

On motion of Senator Bailey, the rules were suspended, Senate Bill No. 6626 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Bailey spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6626.

MOTION

On motion of Senator Billig, and without objection, Senator Hasegawa was excused.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6626 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hasegawa

SENATE BILL NO. 6626, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE SENATE BILL NO. 6203, by Senators Parlette, Becker, Keiser and Conway

Updating statutes relating to the practice of pharmacy including the practice of pharmacy in long-term care settings.

MOTION

Senator Parlette moved that the following amendment no. 568 by Senators Parlette, Cleveland and Becker be adopted:

On page 7, beginning on line 26, after "18.71 RCW" strike all material through "18.57 RCW," and insert ", an osteopathic physician licensed under chapter 18.57 RCW, or"

On page 18, beginning on line 32, after "practitioner" strike all material through "transmission" on line 35 and insert "for a resident in a long-term care facility or hospice program, pursuant to a valid order and authorization under section 2 of this act, constitutes a valid electronic communication of prescription

information. Such an authorized signature and transmission by an agent in a long-term care facility or hospice program"

Senator Parlette spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 568 by Senators Parlette, Cleveland and Becker on page 7, line 26 to Substitute Senate Bill No. 6203.

The motion by Senator Parlette carried and amendment no. 568 was adopted by voice vote.

MOTION

On motion of Senator Parlette, the rules were suspended, Engrossed Substitute Senate Bill No. 6203 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6203.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6203 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hasegawa

ENGROSSED SUBSTITUTE SENATE BILL NO. 6203, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5694, by Senators Padden, Baumgartner and Billig

Allowing assessments for nuisance abatement in cities and towns.

The bill was read on Third Reading.

MOTION

On motion of Senator Fain, the rules were suspended and Substitute Senate Bill No. 5694 was returned to second reading for the purpose of amendment.

MOTION

Senator Padden moved that the following striking amendment no. 541 by Senator Padden be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 35.21 RCW to read as follows:

(1) A city or town that exercises its authority under chapter 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to abate a nuisance which threatens health or safety must provide prior notice to the property owner that abatement is pending and a special assessment may be levied on the property for the expense of abatement. Such special assessment authority is supplemental to any existing authority of a city or town to levy an assessment or obtain a lien for costs of abatement. The notice must be sent by regular mail.

(2) A city or town that exercises its authority under chapter 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to declare a nuisance, abate a nuisance, or impose fines or costs upon persons who create, continue, or maintain a nuisance may levy a special assessment on the land or premises where the nuisance is situated to reimburse the city or town for the expense of abatement. A city or town must, before levying a special assessment, notify the property owner and any identifiable mortgage holder that a special assessment will be levied on the property and provide the estimated amount of the special assessment. The notice must be sent by regular mail.

(3) The special assessment authorized by this section constitutes a lien against the property and is binding upon successors in title only from the date the lien is recorded in the county where the affected real property is located. Up to two thousand dollars of the recorded lien is of equal rank with state, county, and municipal taxes.

(4) A city or town levying a special assessment under this section may contract with the county treasurer to collect the special assessment in accordance with RCW 84.56.035.

NEW SECTION. Sec. 2. A new section is added to chapter 35A.21 RCW to read as follows:

(1) A code city that exercises its authority under chapter 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to abate a nuisance which threatens health or safety must provide prior notice to the property owner that abatement is pending and a special assessment may be levied on the property for the expense of abatement. Such special assessment authority is supplemental to any existing authority of a code city to levy an assessment or obtain a lien for costs of abatement. The notice must be sent by regular mail.

(2) A code city that exercises its authority under chapter 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to declare a nuisance, abate a nuisance, or impose fines or costs upon persons who create, continue, or maintain a nuisance may levy a special assessment on the land or premises where the nuisance is situated to reimburse the code city for the expense of abatement. A code city must, before levying a special assessment, notify the property owner and any identifiable mortgage holder that a special assessment will be levied on the property and provide the estimated amount of the special assessment. The notice must be sent by regular mail.

(3) The special assessment authorized by this section constitutes a lien against the property and is binding upon successors in title only from the date the lien is recorded in the county where the affected real property is located. Up to two thousand dollars of the recorded lien is of equal rank with state, county, and municipal taxes.

THIRTY SECOND DAY, FEBRUARY 11, 2016

2016 REGULAR SESSION

(4) A code city levying a special assessment under this section may contract with the county treasurer to collect the special assessment in accordance with RCW 84.56.035."

On page 1, line 2 of the title, after "towns;" strike the remainder of the title and insert "adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW."

Senator Padden spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 541 by Senator Padden to Substitute Senate Bill No. 5694.

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

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Substitute Senate Bill No. 5694 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5694.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5694 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hasegawa

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6400, by Senators Hewitt, Hargrove and Warnick

Concerning technical changes that clarify fish and wildlife enforcement laws.

The measure was read the second time.

MOTION

On motion of Senator Hewitt, the rules were suspended, Senate Bill No. 6400 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hewitt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6400.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6400 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6400, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5605, by Senators Darneille, Jayapal, Kohl-Welles and McAuliffe

Concerning the arrest of sixteen and seventeen year olds for domestic violence assault.

The measure was read the second time.

MOTION

On motion of Senator Darneille, the rules were suspended, Senate Bill No. 5605 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5605.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5605 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Sheldon and Takko

Voting nay: Senators Angel, Bailey, Benton, Danel, Honeyford, Padden, Pearson, Schoesler and Warnick

SENATE BILL NO. 5605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6341, by Senators Rivers and Conway

Concerning the provision of personal services and promotional items by cannabis producers and processors.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 6341 was substituted for Senate Bill No. 6341 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 6341 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rivers spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6341.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6341 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Habib, Hasegawa, Hewitt, Hill, Hobbs, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Pedersen, Ranker, Rivers, Rolfes, Schoesler and Takko

Voting nay: Senators Benton, Dandel, Ericksen, Frockt, Hargrove, Honeyford, O'Ban, Padden, Parlette, Pearson, Roach, Sheldon and Warnick

SUBSTITUTE SENATE BILL NO. 6341, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 5:59 p.m., on motion of Senator Fain, the Senate adjourned until 9:00 o'clock a.m., Friday, February 12, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 12, 2016

The Senate was called to order at 9:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Keenan Joseph Ganz and Mr. Trent McLellan Smith, presented the Colors.

The prayer was offered by Pastor Casey Treat of Christian Faith Center in Federal Way.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 11, 2016

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1022,
- SECOND ENGROSSED HOUSE BILL NO. 2086,
- SUBSTITUTE HOUSE BILL NO. 2334,
- ENGROSSED HOUSE BILL NO. 2400,
- SUBSTITUTE HOUSE BILL NO. 2405,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2433,
- HOUSE BILL NO. 2587,
- HOUSE BILL NO. 2808,
- SUBSTITUTE HOUSE BILL NO. 2851,
- HOUSE BILL NO. 2929.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

February 11, 2016

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1294,
- HOUSE BILL NO. 1322,
- SUBSTITUTE HOUSE BILL NO. 1428,
- HOUSE BILL NO. 1560,
- SUBSTITUTE HOUSE BILL NO. 1718,
- ENGROSSED HOUSE BILL NO. 1752,
- HOUSE BILL NO. 1858,
- SUBSTITUTE HOUSE BILL NO. 2296,
- HOUSE BILL NO. 2298,
- HOUSE BILL NO. 2326,
- SECOND SUBSTITUTE HOUSE BILL NO. 2335,

- HOUSE BILL NO. 2391,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458,
- SUBSTITUTE HOUSE BILL NO. 2465,
- SUBSTITUTE HOUSE BILL NO. 2501,
- SUBSTITUTE HOUSE BILL NO. 2541,
- HOUSE BILL NO. 2543,
- HOUSE BILL NO. 2557,
- HOUSE BILL NO. 2648,
- HOUSE BILL NO. 2663,
- SUBSTITUTE HOUSE BILL NO. 2678,
- SECOND SUBSTITUTE HOUSE BILL NO. 2681,
- SUBSTITUTE HOUSE BILL NO. 2725,
- HOUSE BILL NO. 2772,
- HOUSE BILL NO. 2773,
- SUBSTITUTE HOUSE BILL NO. 2805,
- SUBSTITUTE HOUSE BILL NO. 2849,
- HOUSE BILL NO. 2918.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6657 by Senators Parlette, Hargrove and Hobbs
AN ACT Relating to wildfire management.

Referred to Committee on Ways & Means.

SB 6658 by Senators Pedersen, Litzow, Frockt, Angel, Nelson, King, Billig, Parlette, Keiser, Carlyle, Takko, Rolfes, Conway, Darneille, Mullet, Ranker, Cleveland, Lias, McCoy, Hobbs, McAuliffe, Hasegawa, Fraser, Habib, Jayapal, Hewitt, Chase, Braun, Honeyford, Roach, Bailey, Brown and Benton

AN ACT Relating to granting relatives, including but not limited to grandparents, the right to seek visitation with a child through the courts; adding a new chapter to Title 26 RCW; and repealing RCW 26.09.240.

Referred to Committee on Law & Justice.

SB 6659 by Senator Braun
AN ACT Relating to workplace industrial safety and health penalties; and amending RCW 43.05.090 and 49.17.180.

Referred to Committee on Commerce & Labor.

SB 6660 by Senators Keiser, Ericksen, Hargrove, Honeyford, Ranker and Conway

AN ACT Relating to the hazardous substance tax rate; amending RCW 82.21.030; and declaring an emergency.

Referred to Committee on Ways & Means.

E2SHB 1236 by House Committee on Higher Education
(originally sponsored by Representatives Ortiz-Self,

Johnson, Santos, Lytton, Moscoso, Pettigrew, Walkinshaw, Kilduff, Sawyer, Reykdal, Bergquist, Fey, Tarleton and Hudgins)

AN ACT Relating to eliminating the parent or guardian approval requirement for the college bound scholarship pledge; amending RCW 28B.118.040; and reenacting and amending RCW 28B.118.010.

Referred to Committee on Higher Education.

EHB 1409 by Representatives Walkinshaw, Hayes, Clibborn, Hargrove, Fey, Farrell, Zeiger, Orcutt and Tarleton

AN ACT Relating to the disclosure of vessel owner information; amending RCW 46.12.630, 46.12.635, and 46.12.640; adding a new section to chapter 88.02 RCW; and prescribing penalties.

Referred to Committee on Transportation.

EHB 1465 by Representatives MacEwen, Hudgins and Ormsby

AN ACT Relating to creating a dedicated account for elevators, lifting devices, moving walks, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, and contractor registration and compliance activities; amending RCW 70.87.210; adding a new section to chapter 18.27 RCW; adding a new section to chapter 43.22 RCW; and adding a new section to chapter 51.44 RCW.

Referred to Committee on Commerce & Labor.

ESHB 1571 by House Committee on Environment (originally sponsored by Representatives Peterson, Goodman, Fitzgibbon, McBride, Pollet, Robinson, Stanford, S. Hunt and Riccelli)

AN ACT Relating to paint stewardship; amending RCW 43.21B.110 and 43.21B.110; reenacting and amending RCW 42.56.270; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1659 by Representatives Vick, Kirby, Parker and Blake

AN ACT Relating to the benefits of group life and disability insurance policies; amending RCW 48.24.280; and adding a new section to chapter 48.21 RCW.

Referred to Committee on Financial Institutions & Insurance.

3SHB 1682 by House Committee on Appropriations (originally sponsored by Representatives Fey, Stambaugh, Walsh, Riccelli, Goodman, Orwall, Zeiger, Appleton, Van De Wege, Lytton, Gregerson, Reykdal, Tarleton, Ortiz-Self, Kagi, Carlyle, Wylie, Bergquist, S. Hunt, Tharinger, Senn, Robinson, Moscoso, Pollet, Walkinshaw, McBride and Jinkins)

AN ACT Relating to improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services; amending RCW 28A.300.540; adding a new section to chapter 28A.300 RCW; adding a new section to chapter

43.185C RCW; adding a new section to chapter 28A.320 RCW; and creating new sections.

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

E2SHB 1763 by House Committee on General Government & Information Technology (originally sponsored by Representatives Van De Wege, Lytton, Riccelli and Tharinger)

AN ACT Relating to regulating music licensing agencies; amending RCW 18.235.020 and 43.24.150; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1804 by Representatives Springer, Magendanz, Lytton, Muri and Reykdal

AN ACT Relating to confidentiality of educator professional growth plans; and amending RCW 42.56.250.

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

E2SHB 1808 by House Committee on Transportation (originally sponsored by Representatives Stanford, Manweller, Blake, Orcutt, Ryu, Zeiger, Moscoso, Harris, Appleton, Wilcox, Takko, Haler, Pollet, Kochmar, Ormsby, Holy, Vick, Fey, Sells, Dunshee, Hayes, Farrell, S. Hunt, Reykdal and Van De Wege)

AN ACT Relating to passenger-carrying vehicles for railroad employees; amending RCW 81.61.010 and 81.61.040; and adding new sections to chapter 81.61 RCW.

Referred to Committee on Commerce & Labor.

SHB 1867 by House Committee on Education (originally sponsored by Representatives Bergquist, Orwall, Pollet, S. Hunt and Tarleton)

AN ACT Relating to the frequency of evaluations for certain classroom teachers; amending RCW 28A.405.100; creating a new section; and providing an expiration date.

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

ESHB 1875 by House Committee on Appropriations (originally sponsored by Representatives Walsh, Kagi, Johnson, Sawyer, Pettigrew, Moscoso, Zeiger, Ormsby, Appleton and Young)

AN ACT Relating to the definition of work activity for the purposes of the WorkFirst program; and amending RCW 74.08A.250 and 74.08A.341.

Referred to Committee on Human Services, Mental Health & Housing.

EHB 1918 by Representatives Shea, Orcutt, Hayes and Scott
AN ACT Relating to provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers; and amending RCW 38.52.180, 46.09.320, 46.09.442, and 46.09.457.

Referred to Committee on Transportation.

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

HB 2317 by Representatives Van De Wege, Tharinger, Pettigrew, Moeller and Magendanz

AN ACT Relating to expanding the use of neighborhood and medium-speed electric vehicles; amending RCW 46.61.723 and 46.61.725; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2322 by Representative Zeiger

AN ACT Relating to the vehicle license cost recovery fee charged for certain rental car transactions; and reenacting and amending RCW 47.04.310.

Referred to Committee on Transportation.

ESHB 2323 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kilduff, Walsh, Stanford, Kagi, Robinson, McBride, Bergquist, Jinkins and Pollet)

AN ACT Relating to the creation of the Washington achieving a better life experience program; amending RCW 43.33A.190; reenacting and amending RCW 43.79A.040; adding new sections to chapter 43.330 RCW; and providing an expiration date.

Referred to Committee on Health Care.

HB 2331 by Representatives Chandler, Stanford, Blake, Kretz, Wilcox, Walkinshaw, Haler, Buys and Tharinger

AN ACT Relating to the expiration date of the invasive species council and account; and amending RCW 79A.25.310 and 79A.25.370.

Referred to Committee on Natural Resources & Parks.

SHB 2357 by House Committee on Environment (originally sponsored by Representatives Peterson, Young, S. Hunt, Fitzgibbon, Kirby, Buys, Pollet and Kretz)

AN ACT Relating to the authority of the pollution liability insurance agency; amending RCW 70.148.020, 70.148.900, 70.149.900, 82.23A.020, and 82.23A.902; reenacting and amending RCW 43.84.092; adding a new chapter to Title 70 RCW; creating a new section; repealing RCW 70.148.120, 70.148.130, 70.148.140, 70.148.150, 70.148.160, and 70.148.170; providing an effective date; and providing expiration dates.

Referred to Committee on Energy, Environment & Telecommunications.

HB 2399 by Representatives Holy, Appleton, Manweller, S. Hunt, Haler, Moscoso, Taylor, Shea, Young, Hayes, Van Werven, Walsh, Bergquist, Farrell, Klippert, Rodne, Dent, Parker, Scott, Griffey, G. Hunt, Reykdal, Goodman, Caldier, Pike, Condotta, Fitzgibbon, Tharinger, Magendanz, Stanford, Muri, Blake, Kilduff, Ormsby and Riccelli

AN ACT Relating to prohibiting the consideration of the number of citations for traffic infractions issued by a law enforcement officer in the performance review of the officer; adding a new section to chapter 46.64 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

SHB 2417 by House Committee on Transportation (originally sponsored by Representatives Pike, Moeller and Wylie)

AN ACT Relating to modifying certain driver's license requirements; amending RCW 46.20.075; creating new sections; and providing an effective date.

Referred to Committee on Transportation.

SHB 2440 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Smith, McBride, Hargrove, McCaslin, Dent, Clibborn, Walsh, Walkinshaw, Scott, Sawyer, Ortiz-Self, Caldier, Hudgins, Senn, Robinson, Ormsby, Cody, Jinkins, Fey, Zeiger, Frame, Kilduff, Bergquist and Goodman)

AN ACT Relating to host home programs for youth; amending RCW 74.15.020; and adding a new section to chapter 43.330 RCW; and providing an expiration date.

Referred to Committee on Human Services, Mental Health & Housing.

HB 2457 by Representative Young

AN ACT Relating to recorded interests in easements by an electric utility; and amending RCW 36.35.290.

Referred to Committee on Government Operations & Security.

EHB 2478 by Representatives Peterson, Stambaugh, Buys, Dent, Gregerson, Riccelli, Orwall, Stanford, Blake, Sawyer, Tharinger, Fitzgibbon, Walkinshaw, Tarleton, McBride, Moscoso, Bergquist, Pollet, S. Hunt, Goodman and Wilcox

AN ACT Relating to supporting agricultural production, including that of apiarists, through the preservation of forage for pollinators; amending RCW 17.10.145; adding a new section to chapter 43.220 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SHB 2500 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Caldier, Blake, Young, Dent and Wilson)

AN ACT Relating to creating a preferred alternative for the placement and sale of impounded livestock; and amending RCW 16.24.110, 16.24.120, 16.24.130, and 16.24.150.

Referred to Committee on Agriculture, Water & Rural Economic Development.

ESHB 2511 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Pike, Scott, Vick, Shea, Walsh and Young)

AN ACT Relating to child care center licensing requirements; adding a new section to chapter 43.215 RCW; and creating a new section.

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

HB 2516 by Representatives Kirby, Vick, Griffey and Ormsby
AN ACT Relating to commuter ride-sharing arrangements;
and reenacting and amending RCW 48.177.005.

Referred to Committee on Transportation.

SHB 2585 by House Committee on Community
Development, Housing & Tribal Affairs (originally
sponsored by Representatives Robinson, Walsh and
McBride)

AN ACT Relating to private activity bond allocation; and
amending RCW 39.86.120, 39.86.140, and 39.86.190.

Referred to Committee on Financial Institutions &
Insurance.

HB 2597 by Representatives Orwall, Magendanz, Reykdal,
McBride, Lytton, Caldier, Frame, Rossetti, S. Hunt and
Pollet

AN ACT Relating to sexual abuse response plans; and
amending RCW 28A.320.127.

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

SHB 2598 by House Committee on Transportation
(originally sponsored by Representatives Orcutt and
Clibborn)

AN ACT Relating to authorizing the use of certain cargo
extensions that connect to a recreational vehicle frame;
amending RCW 46.04.620, 46.37.050, 46.37.340,
46.37.500, and 46.44.037; adding a new section to chapter
46.04 RCW; creating a new section; and providing an
effective date.

Referred to Committee on Transportation.

ESHB 2621 by House Committee on Early Learning & Human
Services (originally sponsored by Representatives
Kagi, Walsh, Senn, Stokesbary, Lytton, Magendanz,
Muri and Goodman)

AN ACT Relating to the department of early learning's
access to records and personal information for purposes of
determining character and suitability of child care workers;
amending RCW 13.50.100, 26.44.031, 26.44.100,
43.215.200, and 74.04.060; reenacting and amending RCW
43.43.832 and 43.215.215; and creating a new section.

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

HB 2639 by Representatives McCabe, Santos, Johnson,
Kochmar, Cody, Caldier, Muri, Kilduff and McBride

AN ACT Relating to studying the costs and benefits of
requiring school bus safety devices on new school buses; and
creating new sections.

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

HB 2694 by Representatives DeBolt, Johnson, Condotta, Sells,
Wilson, S. Hunt and Pettigrew

AN ACT Relating to background checks in emergency
placement situations requested by tribes; and amending
RCW 26.44.240.

Referred to Committee on Human Services, Mental Health
& Housing.

SHB 2743 by House Committee on Education (originally
sponsored by Representatives Reykdal, McBride,
Rossetti, Santos and Pollet)

AN ACT Relating to the issuance of a Washington state high
school diploma; amending RCW 28B.50.536; creating new
sections; and providing an expiration date.

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

HB 2888 by Representatives Van De Wege, Pettigrew, Stanford,
Morris, Kuderer, S. Hunt, Appleton, Peterson,
Fitzgibbon, Hurst, Pollet and Farrell

AN ACT Relating to cetacean captivity; adding a new
section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

MOTION

On motion of Senator Fain, and without objection, all
measures listed on the Introduction and First Reading report were
referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate
advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pearson moved that ROGER E. SCHMITT,
Gubernatorial Appointment No. 9157, be confirmed as a member
of the Parks and Recreation Committee.

Senator Pearson spoke in favor of the motion.

APPOINTMENT OF ROGER E. SCHMITT

The President declared the question before the Senate to be
the confirmation of Roger E. Schmitt, Gubernatorial
Appointment No. 9157, as a member of the Parks and Recreation
Committee.

The Secretary called the roll on the confirmation of Roger E.
Schmitt, Gubernatorial Appointment No. 9157, as a member of
the Parks and Recreation Committee and the appointment was
confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0;
Excused, 0.

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

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

Roger E. Schmitt, Gubernatorial Appointment No. 9157, having received the constitutional majority was declared confirmed as a member of the Parks and Recreation Committee.

MOTION

Senator Pearson moved that Ken Bounds, Gubernatorial Appointment No. 9016, be confirmed as a member of the Parks and Recreation Committee.

Senator Pearson spoke in favor of the motion.

APPOINTMENT OF KEN BOUNDS

The President declared the question before the Senate to be the confirmation of Ken Bounds, Gubernatorial Appointment No. 9016, as a member of the Parks and Recreation Committee.

The Secretary called the roll on the confirmation of Ken Bounds, Gubernatorial Appointment No. 9016, as a member of the Parks and Recreation Committee and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Ken Bounds, Gubernatorial Appointment No. 9016, having received the constitutional majority was declared confirmed as a member of the Parks and Recreation Committee.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

REMARKS BY THE PRESIDENT

President Owen: "Ladies and gentleman of the Senate, the President has been informed that it is a big day for Senator Dansel and his wife, it's their anniversary from what I understand. She may be in Republic but then absence makes the heart grow fonder. Senator Dansel, congratulations to you and your wife."

PERSONAL PRIVILEGE

Senator Dansel: "Thank you Mr. President. My anniversary isn't until Valentine's Day, but I figure any lady that will get married in a drive through wedding chapel in Las Vegas, Nevada, is one that's going to be with me through anything and then I ran for the Senate so I've got to tell you, she's a great lady."

PERSONAL PRIVILEGE

Senator Becker: "Well, Senator Dansel I want to congratulate you, but I have it up on you, today is my forty-third anniversary. And since I was elected, I've not spent one anniversary with my husband. So I called him this morning and said, 'Beat you, happy anniversary.' So congratulations to you."

REMARKS BY THE PRESIDENT

President Owen: "Senator Becker, the President apologizes, he did not know. Cupid did not drop that note on my desk, only this one here."

SECOND READING

SENATE BILL NO. 6254, by Senators Sheldon, Bailey, Rivers, Roach, O'Ban, Hill, Becker, Miloscia, Angel, Warnick, Honeyford, Padden, Hobbs, Pearson, Hargrove, Braun, Dammeier, Fain, Parlette, Hewitt, Schoesler, Baumgartner, Ericksen, Rolfes, Conway, Mullet and Chase

Authorizing the issuance of Purple Heart license plates for more than one motor vehicle.

MOTIONS

On motion of Senator Sheldon, Substitute Senate Bill No. 6254 was substituted for Senate Bill No. 6254 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Sheldon, the rules were suspended, Substitute Senate Bill No. 6254 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Sheldon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6254.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6254 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6254, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6558, by Senators Parlette and Cleveland

Allowing a hospital pharmacy license to include individual practitioner offices and multipractitioner clinics owned and operated by a hospital and ensuring such offices and clinics are inspected according to the level of service provided.

MOTIONS

On motion of Senator Parlette, Substitute Senate Bill No. 6558 was substituted for Senate Bill No. 6558 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Parlette, the rules were suspended, Substitute Senate Bill No. 6558 was advanced to third reading,

the second reading considered the third and the bill was placed on final passage.

Senators Parlette and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6558.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6558 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5206, by Senate Committee on Ways & Means (originally sponsored by Senators Becker, Miloscia, Bailey, Braun, Padden, Hewitt, Hill, Dammeier, Honeyford and Parlette)

Addressing state audit findings of noncompliance with state law.

The bill was read on Third Reading.

Senators Becker, Hill, Ericksen, Baumgartner, Hewitt, Billig, Dansel, Padden, Jayapal and Rolfes spoke in favor of passage of the bill.

Senators Fraser, McCoy, Liias and Keiser spoke against passage of the bill.

POINT OF ORDER

Senator Padden: "Thank you Mr. President, I would ask that you consider reminding the gentleman from the Twenty-first District to speak on the bill, not on an ancillary subject."

REPLY BY THE PRESIDENT

President Owen: "Senator Liias, I think his remarks were somewhat relative, but please make sure that they are on point when you're speaking."

POINT OF INQUIRY

Senator Fain: "Thank you Mr. President. I was wondering if Senator Becker would yield to a question? Senator, have there

been any changes to this legislation since it passed off the floor, 47 to 2 last year?"

Senator Becker: "No."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5206.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5206 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Fraser, Hasegawa, Liias, McAuliffe, McCoy and Nelson

SUBSTITUTE SENATE BILL NO. 5206, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE JOINT RESOLUTION NO. 8211, by Senators Roach, Benton, Pearson, Rivers, Braun, Schoesler, Dammeier, O'Ban, Miloscia and Bailey

Amending the Constitution to require a two-thirds majority vote of the legislature to raise taxes.

The measure was read the second time.

MOTION

Senator Chase moved that the following amendment no. 567 by Senator Chase be adopted:

On page 2, beginning on line 13, after "(3)" insert "No funds raised by a measure approved by a two-thirds vote of both the house of representatives and the senate, as provided in subsection (1) of this section, may be given, loaned, or used in aid of any individual or private association, company, or other organization, except for the necessary support of the poor and infirm. This prohibition must be broadly construed to prohibit the use of funds for these purposes, including where such use serves the public interest, carries out a fundamental government purpose, or does not involve donative intent.

(4)"

Renumber subsections accordingly.

Senator Chase spoke in favor of adoption of the amendment.

Senators Roach and Ericksen spoke against adoption of the amendment.

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

The President declared the question before the Senate to be the adoption of amendment no. 567 by Senator Chase on page 2, line 13 to Senate Joint Resolution No. 8211.

The motion by Senator Chase did not carry and amendment no. 567 was not adopted by voice vote.

MOTION

Senator Carlyle moved that the following amendment no. 574 by Senator Carlyle be adopted.

On page 2, line 13, after "(3)", insert "(a) Every bill enacting a tax preference for economic development must include a tax preference performance statement that states the legislative purpose for the tax preference. The tax preference performance statement must specify clear, relevant, and ascertainable metrics and data requirements that allow the legislature to measure the effectiveness of the tax preference in achieving its purpose.

(b) Taxpayers claiming a tax preference for economic development must report the amount of the tax preference claimed by the taxpayer to the state as otherwise required by statute.

(c) The amount claimed by a taxpayer for any tax preference for economic development is subject to public disclosure and is not considered confidential tax information in accordance with law.

(d) Itemized costs or amounts of any tax preference for economic development must be included in the omnibus biennial operating appropriations act.

(4)"

On page 2, line 16, after "(b)" insert ""Tax preference" means an exemption, exclusion, or deduction from the base of a state tax; a credit against a state tax; a deferral of a state tax; or a preferential state tax rate.

(c)"

Senator Carlyle spoke in favor of adoption of the amendment.

Senators Roach and Ericksen spoke against adoption of the amendment.

Senator Liias demanded a roll call.

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

The President declared the question before the Senate to be the adoption of amendment no. 574 by Senator Carlyle on page 2, line 13 to Senate Joint Resolution No. 8211.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 574 by Senator Carlyle and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

MOTION

Senator Keiser moved that the following amendment no. 576 by Senator Keiser be adopted:

On page 2, line 19, strike "general fund.", and insert "general fund, except that a modification, adjustment, termination or other change to a tax incentive, preferential rate, exemption, or credit for the purpose of investing additional funds to provide housing, health care, emergency support or other services for Washington's veterans shall not be considered to be raising taxes."

Senator Keiser spoke in favor of adoption of the amendment. Senators Roach and Baumgartner spoke against adoption of the amendment.

Senator Liias demanded a roll call.

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

The President declared the question before the Senate to be the adoption of amendment no. 576 by Senator Keiser on page 2, line 19, to Senate Joint Resolution No. 8211.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 576 by Senator Keiser and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

MOTION

Senator Frockt moved that the following amendment no. 577 by Senator Frockt be adopted:

On page 2, line 19, strike "general fund.", and insert "general fund, except that a modification, adjustment, termination or other change to a tax incentive, preferential rate, exemption, or credit for the purpose of investing additional funds to support the state's paramount duty to fund basic education shall not be considered to be raising taxes."

Senators Frockt and Carlyle spoke in favor of adoption of the amendment.

Senators Roach and Ericksen spoke against adoption of the amendment.

POINT OF INQUIRY

Senator Frockt: "How many votes will it take for the bill to pass?"

REPLY BY THE PRESIDENT

President Owen: "It will take thirty three votes or two-thirds."

Senator Frockt demanded a roll call.

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

The President declared the question before the Senate to be the adoption of amendment no. 577 by Senator Frockt on page 2, line 19, to Senate Joint Resolution No. 8211.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 577 by Senator Frockt and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

MOTION

Senator Carlyle moved that the following amendment no. 575 by Senator Carlyle be adopted:

On page 2, after line 19, insert the following:

"(4) This section expires ten years after the date of enactment of this section."

Senators Carlyle and Keiser spoke in favor of adoption of the amendment.

Senators Roach and Dansel spoke against adoption of the amendment.

POINT OF INQUIRY

Senator Baumgartner: "Will Senator Carlyle yield to a question?"

REPLY BY THE PRESIDENT

President Owen: "Senator Carlyle? Do you yield? He does."

Senator Baumgartner: "I'm sincerely intrigued by the ten-year sunset. Would you vote for the underlying memorial if we accepted your amendment?"

Senator Carlyle: "If you can convince Alexander Hamilton and James Madison it's a good idea, I would join them. They're pretty strongly against it, so I'm still a no."

POINT OF INQUIRY

Senator Baumgartner: "So even if we accepted this amendment, you would still be a no?"

Senator Carlyle: "That's right."

The President declared the question before the Senate to be the adoption of amendment no. 575 by Senator Carlyle on page 2, after line 19 to Senate Joint Resolution No. 8211.

The motion by Senator Carlyle did not carry and amendment no. 575 was not adopted by voice vote.

MOTION

On motion of Senator Roach, the rules were suspended, Senate Joint Resolution No. 8211 was advanced to third reading,

the second reading considered the third and the resolution was placed on final passage.

Senators Roach, Schoesler, Baumgartner, Angel, Hill, Fain, Dansel, Benton, Miloscia and Padden spoke in favor of passage of the resolution.

Senators Ranker, Hargrove, Jayapal, Hasegawa, Takko and Carlyle spoke against passage of the resolution.

The President declared the question before the Senate to be the final passage of Senate Joint Resolution No. 8211.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 8211 and the resolution failed to pass the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

SENATE JOINT RESOLUTION NO. 8211, having failed to receive the constitutional majority, was declared lost.

PERSONAL PRIVILEGE

Senator Liias: "Thank you, Mr. President. I don't know if you knew this, but Senator Hobbs had some big news in his life today. I actually learned about it on Facebook. I don't know how many people have seen it, but it's actually his birthday. And so I just wanted to see if, Mr. President, you would congratulate the good senator on his birthday. Mr. President, I want to congratulate Senator Hobbs on his birthday."

PERSONAL PRIVILEGE

Senator Padden: "Yes, I would just like to announce to the body that starting very shortly over in Hearing Room 1 there will be a presentation, an educational briefing actually, on commercial sexual exploitation and will be led by our former colleague, Senator Jeanne Kohl-Welles. So I urge anybody to go over there and attend in Hearing Room 1. Thank you."

PERSONAL PRIVILEGE

Senator Roach: "Remember Monday is our Fish-In, please remember to bring your grandkids, kids, we've got poles for you, and remember this is a competition, which caucus can fish out the most pounds of trout. Thank you."

PERSONAL PRIVILEGE

Senator Rolfes: "Could I ask that the fish-in, I think a lot of us might like to participate. Could we have a scheduled time that we might not be on the floor so we could come down for fifteen minutes to do that?"

MOTION

At 11:57 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:56 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Keiser moved adoption of the following resolution:

SENATE RESOLUTION
8702

By Senators Keiser, Bailey, Cleveland, Brown, Jayapal, Fraser, Nelson, and Benton

WHEREAS, The legislature passed and the governor signed Substitute Senate Bill No. 6124 during the 2014 session; and

WHEREAS, Substitute Senate Bill No. 6124 established the Alzheimer's Disease Working Group and directed it to examine the needs of individuals with Alzheimer's, the services available to meet these needs, and the capacity of the state and current providers to meet these and future needs; and

WHEREAS, Alzheimer's disease and other dementias are now the third leading cause of death in Washington state; and

WHEREAS, An outstanding group of knowledgeable citizens, including consumers, providers, scientists, advocates, and legislators worked together over the past year to develop the first Washington State Plan to Address Alzheimer's Disease and Other Dementias; and

WHEREAS, Fifteen town meetings and community listening sessions were held around the state to gather input and ideas from citizens with personal and family experiences with Alzheimer's disease; and

WHEREAS, The progressive nature of Alzheimer's, its long duration, and its effect on memory, self-care, decision making, and behavior create formidable challenges for individuals and families; the most common concern expressed by participants was the need to increase home care and family support and provider education to improve early diagnosis and treatment; and

WHEREAS, The Plan is now complete and is being submitted to the legislature this week, and includes reports showing that Alzheimer's disease is one of the most costly chronic conditions in our state, posing financial burdens for families; and

WHEREAS, The Plan sets forth both short-term and long-term goals and strategies to be pursued to offer hope and support to individuals and families in coping with the disease while using public and private resources as efficiently as possible;

NOW, THEREFORE, BE IT RESOLVED, That the Senate express deep gratitude and appreciation to all citizens and staff who worked to research and prepare the Washington State Plan to Address Alzheimer's Disease and Other Dementias; and

BE IT FURTHER RESOLVED, That the Senate welcome further advisement from the Alzheimer's Disease Working Group in our efforts to implement the Plan.

Senators Keiser, Bailey, Cleveland, Jayapal and Parlette spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8702.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced Mr. Bob Le Roy Executive Director, and Mr. Dennis Mahar, Chairman, of the Washington State Chapter of the Alzheimer's Association who were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE JOINT MEMORIAL NO. 8019, by Senators Conway, Dammeier, Hobbs, Darneille, King, O'Ban, Roach and Hasegawa

Requesting that a portion of state route number 509 be named the Philip Martin Lelli Memorial Highway.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Joint Memorial No. 8019 was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senators Conway and King spoke in favor of passage of the memorial.

MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

The President declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8019.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8019 and the memorial passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Habib

SENATE JOINT MEMORIAL NO. 8019, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced the son and daughter-in-law of Mr. Phil Lelli, Mr. Vance Lelli and Ms. Kimberlie Lelli, Legislative Assistant, Senator Conway.

SECOND READING

SENATE BILL NO. 6260, by Senators Hewitt, Hargrove, Fain and McAuliffe

Providing postsecondary education to enhance education opportunities and public safety.

The measure was read the second time.

MOTION

On motion of Senator Hewitt, the rules were suspended, Senate Bill No. 6260 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hewitt and Hargrove spoke in favor of passage of the bill.

MOTION

On motion of Senator Fain, further consideration of Senate Bill No. 6260 was deferred and the bill held its place on the third reading calendar.

SECOND READING

SUBSTITUTE SENATE BILL NO. 6483, by Senators Hill, Hobbs, Becker, Hargrove, Bailey, Miloscia, Benton, Braun, Parlette, Angel, Dammeier, Warnick, Litzow, Padden, Rivers, Brown, Dansel, King, Sheldon, Fain and Darneille

Concerning the Dan Thompson memorial developmental disabilities community trust account.

The measure was read the second time.

MOTION

On motion of Senator Hill, the rules were suspended, Substitute Senate Bill No. 6483 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hill spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6483.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6483 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hewitt, Hill, Hobbs, Jayapal, Keiser, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Hasegawa, Honeyford and King
Excused: Senator Habib

SUBSTITUTE SENATE BILL NO. 6483, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6343, by Senators Warnick, Takko, Hobbs and Chase

Modifying the powers and duties of the Washington dairy products commission to include research and education related to the economic uses of nutrients produced by dairy farms.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6343 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6343.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6343 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Habib

SENATE BILL NO. 6343, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6401, by Senators Rolfes and Warnick

Concerning recordkeeping requirements of secondary commercial fish receivers.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, Senate Bill No. 6401 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Ranker spoke in favor of passage of the bill.

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

The President declared the question before the Senate to be the final passage of Senate Bill No. 6401.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6401 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Habib

SENATE BILL NO. 6401, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5575, by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Honeyford and Hatfield)

Providing sales and use tax exemptions to encourage coal-fired electric generation plants to convert to natural gas-fired plants. Revised for 1st Substitute: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants or biomass energy facilities to convert to natural gas-fired plants. (REVISED FOR ENGROSSED: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants to convert to natural gas-fired plants or biomass energy facilities.)

The bill was read on Third Reading.

MOTION

On motion of Senator Braun, the rules were suspended and Engrossed Substitute Senate Bill No. 5575 was returned to second reading for the purpose of amendment.

MOTION

Senator Braun moved that the following striking amendment no. 532 by Senators Braun and Ranker be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. This section is the tax preference performance statement for the tax preference contained in sections 2 and 3 of this act. This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of

action by any party or be used to determine eligibility for preferential tax treatment.

(1) The legislature categorizes this tax preference as one intended to create or retain jobs, as indicated in RCW 82.32.808(2)(c).

(2) It is the legislature's specific public policy objective to retain jobs at existing coal-fired electric generation facilities by providing a tax exemption to allow these facilities to convert into natural gas-fired generation plants or biomass energy facilities rather than shut down entirely. It is the legislature's intent to provide a tax exemption for the conversion of a coal-fired electric generation facility into a natural gas-fired generation plant or biomass energy facility, in order to reduce the costs recently imposed by the legislature on companies that operate coal-fired electric generation facilities, thereby increasing the ability of these companies to continue their operations in Washington state, thereby retaining jobs that otherwise would be lost if a coal-fired electric generation facility were to shut down.

(3) This tax preference is created to provide an opportunity for coal-fired electric generation facilities to convert into natural gas-fired generation plants or biomass energy facilities. This tax preference is meant to expire and, therefore, the joint legislative audit and review committee is exempt from reviewing this tax preference as required in chapter 43.136 RCW.

NEW SECTION. Sec. 2. A new section is added to chapter 82.08 RCW to read as follows:

(1) Subject to the requirements in subsection (2) of this section, a taxpayer is eligible for an exemption from the tax imposed by RCW 82.08.020 on the sale of or charge made for:

(a) Labor and services rendered in respect to the constructing of new structures, and expansion or renovation of existing structures, for the purpose of converting a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility;

(b) Materials that will be incorporated as an ingredient or component of new or existing structures during the course of such constructing, expanding, or renovating; or

(c) Machinery and equipment that is required to convert a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility, including labor and services rendered in respect to installing such machinery and equipment.

(2)(a) The exemption in this section is in the form of a remittance. A purchaser claiming an exemption from the tax in the form of a remittance under this section must pay all applicable state and local sales taxes imposed under RCW 82.08.020 and chapter 82.14 RCW on all purchases qualifying for the exemption. After the conversion of a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility is operationally complete, but not earlier than April 1, 2020, the purchaser may then apply to the department for a remittance of one hundred percent of the state and local sales taxes paid under RCW 82.08.020 and chapter 82.14 RCW for purchases qualifying under subsection (1) of this section. The purchaser must specify the amount of exempted tax claimed and the qualifying purchases for which the exemption is claimed. The purchaser must retain, in adequate detail, records to enable the department to determine whether the purchaser is entitled to an exemption under this section, including: Invoices; proof of tax paid; and construction contracts.

(b) The department may not accept any application for a remittance that it does not receive by the later of July 1, 2020, or within one year after the department determines that the conversion of a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility is operationally complete.

(c) The department must determine eligibility under this section based on information provided by the purchaser, which is subject to audit verification by the department. The department must remit exempted amounts to qualifying purchasers who submitted timely applications during the previous calendar quarter. No remittances may be paid before July 1, 2020.

(3) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Biomass energy" means energy derived from solid organic fuels from wood or forest or field residues.

(b)(i) "Machinery and equipment" means industrial fixtures, devices, and support facilities that are integral and necessary to the generation of electricity using natural gas or biomass, including repair parts and replacement parts.

(ii) "Machinery and equipment" does not include: (A) Hand-powered tools; (B) property with a useful life of less than one year; (C) repair parts required to restore machinery and equipment to normal working order; (D) replacement parts that do not increase productivity, improve efficiency, or extend the useful life of machinery and equipment; (E) buildings; or (F) building fixtures that are not integral and necessary to the generation of electricity that are permanently affixed to and become a physical part of a building.

(c) "Operationally complete" means constructed or improved to the point of being functionally capable of generating electricity using natural gas or biomass.

(4) This section expires July 1, 2026.

NEW SECTION. Sec. 3. A new section is added to chapter 82.12 RCW to read as follows:

(1) Subject to the requirements in subsection (2) of this section, a taxpayer is eligible for an exemption from the tax imposed by RCW 82.12.020 on the use of:

(a) Materials that will be incorporated as an ingredient or component of new or existing structures during the course of the constructing of new structures, or expansion or renovation of existing structures, for the purpose of converting a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility; and

(b) Machinery and equipment that is required to convert a coal-fired electric generation facility into a natural gas-fired plant or biomass energy facility, including labor and services rendered in respect to installing such machinery and equipment.

(2)(a) A taxpayer is exempt from the tax imposed by RCW 82.12.020 on the use of materials, machinery and equipment, or installation labor, if the taxpayer received a remittance under section 2 of this act with respect to the purchase of the materials, machinery and equipment, or installation labor.

(b) With respect to materials, machinery and equipment, or installation labor qualifying for the exemption in this section and acquired by the taxpayer without the payment of the sales tax imposed by RCW 82.08.020, the exemption in this section is in the form of a remittance of the state and local use taxes paid under RCW 82.12.020 and chapter 82.14 RCW. All of the provisions applicable to remittances under section 2 of this act apply to remittances under this section.

(3) The exemption in this section does not apply to the use of materials, machinery and equipment, and installation labor for machinery and equipment, when first use within this state of such materials, machinery and equipment, and installation labor occurred after June 30, 2026.

(4) The definitions in section 2 of this act apply to this section.

(5) This section expires July 1, 2026.

Sec. 4. RCW 82.14.050 and 2014 c 216 s 403 are each amended to read as follows:

(1) The counties, cities, and transportation authorities under RCW 82.14.045, public facilities districts under chapters 36.100

and 35.57 RCW, public transportation benefit areas under RCW 82.14.440, regional transportation investment districts, and transportation benefit districts under chapter 36.73 RCW must contract, prior to the effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which must deduct a percentage amount, as provided by contract, not to exceed two percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter that is collected by the department of revenue must be deposited by the state department of revenue in the local sales and use tax account hereby created in the state treasury. Beginning January 1, 2013, the department of revenue must make deposits in the local sales and use tax account on a monthly basis on the last business day of the month in which distributions required in (a) of this subsection are due. Moneys in the local sales and use tax account may be withdrawn only for:

(a) Distribution to counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts imposing a sales and use tax; and

(b) Making refunds of taxes imposed under the authority of this chapter and RCW 81.104.170 and exempted under RCW 82.08.962, 82.12.962, 82.08.02565, ((and)), 82.12.02565, section 2 of this act, or section 3 of this act.

(2) All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, insofar as they are applicable to state sales and use taxes, are applicable to taxes imposed pursuant to this chapter.

(3) Counties, cities, transportation authorities, public facilities districts, and regional transportation investment districts may not conduct independent sales or use tax audits of sellers registered under the streamlined sales tax agreement.

(4) Except as provided in RCW 43.08.190 and subsection (5) of this section, all earnings of investments of balances in the local sales and use tax account must be credited to the local sales and use tax account and distributed to the counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts monthly.

(5) Beginning January 1, 2013, the state treasurer must determine the amount of earnings on investments that would have been credited to the local sales and use tax account if the collections had been deposited in the account over the prior month. When distributions are made under subsection (1)(a) of this section, the state treasurer must transfer this amount from the state general fund to the local sales and use tax account and must distribute such sums to the counties, cities, transportation authorities, public facilities districts, public transportation benefit areas, regional transportation investment districts, and transportation benefit districts.

Sec. 5. RCW 82.14.060 and 2014 c 216 s 404 are each amended to read as follows:

(1)(a) Monthly, the state treasurer must distribute from the local sales and use tax account to the counties, cities, transportation authorities, public facilities districts, and transportation benefit districts the amount of tax collected on behalf of each taxing authority, less:

(i) The deduction provided for in RCW 82.14.050; and

(ii) The amount of any refunds of local sales and use taxes exempted under RCW 82.08.962, 82.12.962, 82.08.02565, ((and)) 82.12.02565, section 2 of this act, or section 3 of this act, which must be made without appropriation.

(b) The state treasurer must make the distribution under this section without appropriation.

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

(2) In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution may not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein."

On page 1, line 4 of the title, after "facilities;" strike the remainder of the title and insert "amending RCW 82.14.050 and 82.14.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing expiration dates."

MOTION

Senator Carlyle moved that the following amendment no. 549 by Senators Carlyle and Braun to the striking amendment be adopted:

On page 6, after line 17 of the amendment, insert the following:

"NEW SECTION. Sec. 6. A new section is added to chapter 82.32 RCW to read as follows:

(1) Beginning one year after the natural gas-fired plant or biomass energy facility is operationally complete, a person must repay all sales and use taxes remitted to the person under sections 2 and 3 of this act if the number of employment positions, reported to the employment security department, at the natural gas-fired plant or biomass energy facility decreases by twenty-five percent from the previous year's employment level.

(2) If sales and use taxes must be repaid under subsection (1) of this section, the department must declare the amounts to be immediately due and payable. The department must assess interest, but not penalties, on the amounts due under this subsection. The department must assess interest at the rate provided for delinquent taxes under this chapter, retroactively to the date the tax preference was claimed, and such interest accrues until the tax preference amounts are repaid.

(3) If sales and use taxes must be repaid under subsection (1) of this section, the person may not continue to claim the sales and use tax exemptions under sections 2 and 3 of this act.

(4) This section does not apply to any changes in the number of employment positions at a natural gas-fired plant or biomass energy facility that occur on or after January 1, 2031."

On page 6, line 21 of the title amendment, after "RCW;" insert "adding a new section to chapter 82.32 RCW;"

Senators Carlyle and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 549 by Senators Carlyle and Braun on page 6, after line 17 to the striking amendment.

The motion by Senator Carlyle carried and amendment no. 549 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the striking amendment no. 532 by Senators Braun and Ranker, as amended, to Engrossed Substitute Senate Bill No. 5575.

The motion by Senator Braun carried and the striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Second Engrossed Substitute Senate Bill No. 5575 was advanced

to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Ranker, Honeyford, Hargrove, Sheldon and Ericksen spoke in favor of passage of the bill.

Senator Rolfes spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5575.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5575 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Frockt, Liias, McAuliffe, Nelson, Pedersen and Rolfes

Excused: Senator Habib

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5635, by Senators Pedersen and O'Ban

Enacting the uniform power of attorney act.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5635 was substituted for Senate Bill No. 5635 and the substitute bill was placed on the second reading and read the second time.

Senator Padden moved that the following amendment no. 550 by Senators Padden and Pedersen be adopted:

On page 60, after line 6, insert the following:

"NEW SECTION. Sec. 506. This act takes effect January 1, 2017."

On page 1, line 5 of the title strike "and" and on line 8 of the title after "11.94.901" insert "; and providing an effective date."

Senator Padden spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 550 by Senators Padden and Pedersen on page 60, after line 6 to Substitute Senate Bill No. 5635.

The motion by Senator Padden carried and amendment no. 550 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5635 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5635.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5635 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Habib

ENGROSSED SUBSTITUTE SENATE BILL NO. 5635, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6156, by Senators Rivers, Keiser, Frockt, Miloscia, Pedersen, Litzow, O'Ban, Sheldon, Rolfes, Conway, Mullet, Hasegawa, Benton and Darneille

Reauthorizing the medicaid fraud false claims act.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 6156 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Fraser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6156.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6156 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson,

Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Habib

SENATE BILL NO. 6156, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5277, by Senators Kohl-Welles, Darneille, Padden, Pedersen, Fain, Frockt, Keiser, Chase and Fraser

Making the crime of patronizing a prostitute a gross misdemeanor.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5277 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Frockt and Chase spoke in favor of passage of the bill.

MOTION

On motion of Senator Nelson, and without objection, Senator Liias was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5277.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5277 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Habib and Liias

SENATE BILL NO. 5277, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Cleveland, and without objection, Senator Frockt was excused.

SECOND READING

SENATE BILL NO. 6470, by Senators King, Hasegawa, Conway, Keiser, Hewitt, Rivers and Chase

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

SECOND READING

Concerning the regulation of alcoholic beverages. Revised for 1st Substitute: Addressing provisions concerning wineries in respect to the licensing of private collections of wine, allowing wineries to make sales for off-premises consumption at special occasion licensed events, modifying special occasion licenses, and making certain related technical corrections.

MOTION

On motion of Senator King, Substitute Senate Bill No. 6470 was substituted for Senate Bill No. 6470 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following amendment no. 560 by Senator King be adopted:

On page 5, line 4, after "(a)" insert "Before a domestic winery may take orders at an event held by a nonprofit holding a special occasion license issued under RCW 66.24.380, the domestic winery must first apply to the board for an endorsement, for which the annual fee is seventy-five dollars;

(b)"

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

Senator King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 560 by Senator King on page 5, line 4 to Substitute Senate Bill No. 6470.

The motion by Senator King carried and amendment no. 560 was adopted by voice vote.

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 6470 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Conway spoke in favor of passage of the bill.

Senator Hargrove spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6470.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6470 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dansel, Ericksen, Fain, Fraser, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dammeier, Darneille, Hargrove, Hasegawa, Lias, O'Ban, Padden and Pearson

Excused: Senators Frockt and Habib

ENGROSSED SUBSTITUTE SENATE BILL NO. 6470, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6210, by Senators Dammeier, O'Ban, Fain, Darneille, Rivers, Becker, Conway and Hargrove

Creating the Washington achieving a better life experience program.

MOTIONS

On motion of Senator Dammeier, Substitute Senate Bill No. 6210 was substituted for Senate Bill No. 6210 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dammeier, the rules were suspended, Substitute Senate Bill No. 6210 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6210.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6210 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Frockt and Habib

SUBSTITUTE SENATE BILL NO. 6210, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6463, by Senators Pearson, Darneille, O'Ban, Padden and Dammeier

Modifying the crime of luring. Revised for 1st Substitute: Concerning the crime of luring.

MOTIONS

On motion of Senator Pearson, Substitute Senate Bill No. 6463 was substituted for Senate Bill No. 6463 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pearson, the rules were suspended, Substitute Senate Bill No. 6463 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6463.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6463 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Frockt and Habib

SUBSTITUTE SENATE BILL NO. 6463, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5583, by Senate Committee on Ways & Means (originally sponsored by Senator Dandel)

Providing the fish and wildlife commission with the tools necessary to enact changes to the status of a species.

The bill was read on Third Reading.

Senators Dandel, Baumgartner, Becker, Angel, Pearson, King, Parlette, Schoesler and Warnick spoke in favor of passage of the bill.

Senators Ranker and McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5583.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5583 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dandel, Ericksen, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fraser, Jayapal, Keiser, Lias, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Pedersen, Ranker and Rolfes

Excused: Senators Frockt and Habib

SUBSTITUTE SENATE BILL NO. 5583, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

PERSONAL PRIVILEGE

Senator Hewitt: "Thank you, Mr. President. Well probably most people are not going to get this, and Senator Dandel's not listening, now he is, so I'm going to say this anyway. Sniveling pays off. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Dandel: "Thank you, Mr. President. You know it started off so nice with the President of the Senate wishing me a happy anniversary. And then Senator Hewitt did his shenanigans there. I'm going to be really refreshing here. I'm going to be a politician that's honest. Mr. Hewitt I was, I was whining the other day bad. I apologize that I had to whine but by God we got it, so go Seventh District. Thanks for the yes votes."

SECOND READING

SENATE BILL NO. 6148, by Senators Warnick, Keiser, Schoesler and Conway

Concerning the handling of certain personal property in a self-service storage facility.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6148 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6148.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6148 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Cleveland

Excused: Senators Frockt and Habib

SENATE BILL NO. 6148, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

On February 12, 2016, I stepped out of the Chamber for a brief discussion outside of the doors at the request of an advocate.

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

I was listening intently for the notice of roll call, because the consistent practice of Senate staff is to announce a roll call vote outside the chamber doors. However, that notice never came, and consequently, I missed voting on SB 6148. Had the notice been given, I would have returned to the chamber to cast my vote. My intention was to vote "aye."

Senator Cleveland, 49th Legislative District

The President Pro Tempore, Senator Roach, assumed the chair.

SECOND READING

SENATE BILL NO. 6261, by Senators Padden, Pedersen and Miloscia

Concerning human remains.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6261 was substituted for Senate Bill No. 6261 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 6261 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Pedersen and Angel spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6261.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6261 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Hasegawa

Excused: Senators Frockt and Habib

SUBSTITUTE SENATE BILL NO. 6261, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Rolfes moved that the Senate immediately consider Senate Bill No. 6554.

Senator Fain objected to the motion.

Senator Rolfes demanded a division.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Rolfes that the Senate immediately consider Senate Bill No. 6554.

The motion by Senator Rolfes did not carry.

SECOND READING

SENATE BILL NO. 6262, by Senators O'Ban, Pedersen and Padden

Concerning a coroner's warrant authority.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 6262 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, and without objection, Senator Keiser was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6262.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6262 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Frockt, Habib and Keiser

SENATE BILL NO. 6262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6267, by Senators Schoesler, Bailey, Warnick, Hobbs, Takko, Padden, Carlyle, Ericksen, Hargrove, Brown, Conway, Honeyford, Keiser, Danel, Parlette, Hewitt, Pearson, Sheldon and Chase

Concerning notice to the licensee before a concealed pistol license expires.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 6267 was substituted for Senate Bill No. 6267 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 6267 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Mullet, and without objection, Senator Billig was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6267.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6267 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Liias

Excused: Senators Billig, Frockt, Habib and Keiser

SUBSTITUTE SENATE BILL NO. 6267, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6295, by Senators Hasegawa and McCoy

Clarifying the venue in which coroner's inquests are to be convened and payment of related costs.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 6295 was substituted for Senate Bill No. 6295 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 6295 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6295.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6295 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Billig, Frockt, Habib and Keiser

SUBSTITUTE SENATE BILL NO. 6295, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President resumed the chair.

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you Mr. President. We oftentimes forget the important lessons we were taught, but today is the two hundred seventh birthday of Abraham Lincoln, the first Republican president. A day we used to celebrate as a national holiday in a previous era. In 1860, Lincoln won the presidency with only forty percent of the popular vote, yet was still elected to a second term. Unfortunately, the tragic assassination in 1865 cost us one of our greatest presidents. We consider that because not only did he do the Emancipation Proclamation, he led us through the Civil War keeping us as one nation. Because of that it is relevant, and I'd like to say more from Lincoln if I might, Mr. President? August 17, 1858 - The Fathers of the Republic said to the whole world of men, 'We hold these truths to be self-evident: that all men are created equal, that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness. This was their majestic interpretation of the economy of the Universe. This was their lofty, and wise, and noble understanding of the justice of the Creator to his creatures. Yes, gentleman, to all his creatures, to the whole great family of man. In their enlightened belief, nothing stamped with the Divine image and likenesses was sent into the world to be trodden on and degraded, and imbruted by its fellows. They grasped not only the whole race of man then living, but they reached forward and seized upon the farthest posterity. They erected a beacon to guide their children, and their children's children, and the countless myriads who should inhabit the earth in other ages. So that no one man would hereafter dare to limit and circumscribe the great principles on which the temple of liberty was being built.' We need to remember this as we continue our work this session. We need to continue to protect the rights of citizens. Remember these words of President Lincoln, and join me in honoring the birth of not only a great Republican, but a great man. Thank you."

MOTION

On motion of Senator Mullet, and without objection, Senator Carlyle was excused.

PERSONAL PRIVILEGE

Senator Fain: "Thank you, Mr. President. I was reading my emails a few moments ago and I received something from Representative Hargrove in the chamber that I'm not supposed to talk about, but whatever. It says, 'Colleagues, you might have seen the Super Bowl commercial with the Super Bowl babies, all of whom were born nine months after the parents' home teams won the Super Bowl. SR 167 traverses legislative districts 11, 47, 31, and 25. Legislators from these four districts: Steve Bergquist in the 11th; Joe Fain in the 47th; Drew Stokesbary in the 31st; and Hans Zeiger in the 25th are all expecting babies around the end of our current legislative session. About nine months after the end of the longest legislative session in history, at which the very end of session the transportation revenue package was passed. Each of these legislators voting for the package a

THIRTY THIRD DAY, FEBRUARY 12, 2016

2016 REGULAR SESSION

significant element of which was completing SR 167.
Coincidence? I think not.”

At 4:34 p.m., on motion of Senator Fain, the Senate adjourned
until 11:00 o'clock a.m., Monday, February 15, 2016.

PERSONAL PRIVILEGE

BRAD OWEN, President of the Senate

Senator Rolfes: “Thank you Mr. President. I refrained from
hitting reply all to that email but I will say it right now. Too
much information.”

HUNTER G. GOODMAN, Secretary of the Senate

MOTION

THIRTY SIXTH DAY

MORNING SESSION

February 12, 2016

Senate Chamber, Olympia
Monday, February 15, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Ranker.

The Sergeant at Arms Color Guard consisting of Pages Miss Ashley Marie Mills and Miss Clarissa May Mills, presented the Colors.

Page Roberto Duarte White led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Bob Lowe of First Baptist Church in Yelm.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 12, 2016

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1632,
- ENGROSSED HOUSE BILL NO. 2610,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2804,
- HOUSE BILL NO. 2970.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 12, 2016

MR. PRESIDENT:

The House has passed:

- FOURTH SUBSTITUTE HOUSE BILL NO. 1999,
- HOUSE BILL NO. 2394,
- SECOND SUBSTITUTE HOUSE BILL NO. 2449,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2591,
- SUBSTITUTE HOUSE BILL NO. 2615,
- SUBSTITUTE HOUSE BILL NO. 2716,
- ENGROSSED HOUSE BILL NO. 2749,
- HOUSE BILL NO. 2807,
- SUBSTITUTE HOUSE BILL NO. 2895.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

MR. PRESIDENT:

The House has passed:

- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1100,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1645,
- SUBSTITUTE HOUSE BILL NO. 1830,
- SUBSTITUTE HOUSE BILL NO. 1915,
- SUBSTITUTE HOUSE BILL NO. 2017,
- HOUSE BILL NO. 2262,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274,
- HOUSE BILL NO. 2309,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2430,
- SUBSTITUTE HOUSE BILL NO. 2575,
- HOUSE BILL NO. 2623,
- HOUSE BILL NO. 2844,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2852,
- SUBSTITUTE HOUSE BILL NO. 2973.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

February 12, 2016

MR. PRESIDENT:

The House has passed:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1067,
- SUBSTITUTE HOUSE BILL NO. 1874,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2340,
- HOUSE BILL NO. 2432,
- SUBSTITUTE HOUSE BILL NO. 2450,
- SUBSTITUTE HOUSE BILL NO. 2452,
- SECOND SUBSTITUTE HOUSE BILL NO. 2726,
- SUBSTITUTE HOUSE BILL NO. 2730.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

HB 1022 by Representatives Appleton and Goodman

AN ACT Relating to prohibiting general power of attorney provisions in bail bond agreements; and adding a new section to chapter 18.185 RCW.

Referred to Committee on Law & Justice.

HB 1294 by Representatives Bergquist, Stambaugh, S. Hunt, Appleton, Riccelli, Walkinshaw, Ortiz-Self, Blake, Wylie, Fitzgibbon, Carlyle, Moscoso, Goodman, Tarleton, Stanford, Senn, Pettigrew, Orwall, Jinkins, Sawyer, Tharinger, Cody, Lytton, Farrell, Gregerson, Moeller, Gregory, Robinson, Takko, Pollet, Sullivan,

THIRTY SIXTH DAY, FEBRUARY 15, 2016

2016 REGULAR SESSION

McBride, Reykdal, Dunshee, Sells, Kagi, Springer,
Van De Wege, Kilduff, Peterson, Hudgins and Fey

AN ACT Relating to enhancing youth voter registration; amending RCW 29A.08.210, 29A.08.330, 29A.08.710, 29A.08.810, 46.20.155, and 42.56.250; adding a new section to chapter 29A.08 RCW; creating new sections; and providing an effective date.

Referred to Committee on Government Operations & Security.

HB 1322 by Representative Reykdal

AN ACT Relating to membership in state retirement plans prior to attaining the normal retirement age in another plan; and amending RCW 41.04.270.

Referred to Committee on Ways & Means.

SHB 1428 by House Committee on State Government (originally sponsored by Representatives Fitzgibbon, S. Hunt, Jinkins, Tarleton, Bergquist, Gregerson, Goodman and Pollet)

AN ACT Relating to extending the time period for voter registration; and amending RCW 29A.08.140.

Referred to Committee on Government Operations & Security.

HB 1560 by Representatives Hudgins, Ortiz-Self, Ryu, Moscoso, Reykdal, Gregerson, Peterson, Bergquist, Santos, McBride and Ormsby

AN ACT Relating to recognizing the thirty-first of March as Cesar Chavez Day; and reenacting and amending RCW 1.16.050.

Referred to Committee on Government Operations & Security.

SHB 1718 by House Committee on Appropriations (originally sponsored by Representatives Ormsby, Kilduff, Sullivan, Hayes, Tharinger, MacEwen, Sawyer, Zeiger, Walsh, Rodne, Hudgins, Van De Wege, Appleton, Muri, Reykdal, Tarleton and Pollet)

AN ACT Relating to membership in the Washington public safety employees' retirement system for employees who provide nursing care to, or ensure the custody and safety of, offender, probationary, and patient populations in institutions and centers; amending RCW 41.37.010; adding a new section to chapter 41.37 RCW; and creating a new section.

Referred to Committee on Ways & Means.

EHB 1752 by Representatives Hawkins and Takko

AN ACT Relating to qualifications for chief examiners; and amending RCW 41.14.050.

Referred to Committee on Government Operations & Security.

HB 1858 by Representatives Shea, S. Hunt, Taylor, G. Hunt, Reykdal, Condotta, Tharinger and McCaslin

AN ACT Relating to prohibiting the names of county auditors and the secretary of state from being included on ballot envelopes and in voters' pamphlets when running for

reelection; and amending RCW 29A.32.070, 29A.32.241, and 29A.40.091.

Referred to Committee on Government Operations & Security.

2EHB 2086 by Representatives McBride, Walkinshaw, Moscoso, Farrell, Riccelli, Ormsby, Ryu, Robinson and Pollet

AN ACT Relating to the hosting of the homeless by religious organizations; and amending RCW 36.01.290, 35.21.915, and 35A.21.360.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2296 by House Committee on Finance (originally sponsored by Representatives Rossetti, Orcutt, Blake and Tharinger)

AN ACT Relating to the taxing authority of public facilities districts; and amending RCW 82.14.390 and 82.14.485.

Referred to Committee on Ways & Means.

HB 2298 by Representatives Moeller, Sawyer, McBride, Appleton, Kirby, Jinkins and Tharinger

AN ACT Relating to survivor benefits from the public employees' retirement system for survivors of members in registered domestic partnerships prior to December 2012; and amending RCW 41.40.188, 41.40.660, and 41.40.845.

Referred to Committee on Ways & Means.

HB 2326 by Representatives Moeller and Appleton

AN ACT Relating to streamlining the independent review organization process by transferring regulatory authority over independent review organizations from the department of health to the insurance commissioner and requiring independent review organizations to report decisions and associated information directly to the insurance commissioner; amending RCW 43.70.235, 41.05.017, and 70.47.130; adding a new section to chapter 48.43 RCW; creating a new section; and recodifying RCW 43.70.235.

Referred to Committee on Health Care.

SHB 2334 by House Committee on Finance (originally sponsored by Representatives Ryu, Sawyer, Walkinshaw, Peterson, Santos, Pollet, Wilson, Stokesbary and Van Werven)

AN ACT Relating to the excise taxation of martial arts; amending RCW 82.04.050; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

2SHB 2335 by House Committee on General Government & Information Technology (originally sponsored by Representatives Cody, Appleton and Jinkins)

AN ACT Relating to health care provider credentialing; adding a new section to chapter 48.43 RCW; adding a new section to chapter 43.70 RCW; and providing an effective date.

Referred to Committee on Health Care.

HB 2391 by Representatives McCabe, Appleton, Griffey, Tharinger, Springer, Peterson, McBride, Manweller, Johnson, Reykdal, Chandler, Fitzgibbon, Dent, Kochmar, Wilcox, Pike and Moscoso

AN ACT Relating to county payroll draw days; and amending RCW 36.17.040.

Referred to Committee on Government Operations & Security.

EHB 2400 by Representatives Fitzgibbon and Tarleton

AN ACT Relating to clarifying that the provisions of chapter 70.95 RCW do not apply to steel slag that is a product of production in the electric arc steel-making process and is managed as an item of commercial value and placed in commerce; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SHB 2405 by House Committee on Judiciary (originally sponsored by Representatives Muri, Kilduff and Jinkins)

AN ACT Relating to the role of parties in cases related to certain notices and records; amending RCW 9.41.047, 28A.405.330, 46.29.270, 46.29.310, 53.48.030, and 13.34.070; and reenacting and amending RCW 13.50.010.

Referred to Committee on Law & Justice.

ESHB 2433 by House Committee on Business & Financial Services (originally sponsored by Representatives Vick, Kirby and Goodman)

AN ACT Relating to certified public accountant firm mobility; and amending RCW 18.04.025, 18.04.055, 18.04.105, 18.04.195, 18.04.345, 18.04.205, and 18.04.350.

Referred to Committee on Commerce & Labor.

ESHB 2458 by House Committee on Health Care & Wellness (originally sponsored by Representatives Parker, Cody, Riccelli, Holy and Tharinger)

AN ACT Relating to participation in the prescription drug donation program; amending RCW 69.70.010, 69.70.020, 69.70.040, and 69.70.060; creating a new section; and providing an effective date.

Referred to Committee on Health Care.

SHB 2465 by House Committee on Health Care & Wellness (originally sponsored by Representatives Robinson, Stambaugh, Wylie, Walsh, S. Hunt, Frame, Sawyer, Rossetti, Riccelli, Magendanz, Harris, Reykdal, Senn, Kagi, Lytton, Tharinger, Caldier, Stanford, Farrell, Cody, Kilduff, Peterson, Kuderer, Bergquist, Ormsby and Santos)

AN ACT Relating to requiring private health insurers and the medicaid program to reimburse for a twelve-month supply of contraceptive drugs; amending RCW 74.09.520; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care.

SHB 2501 by House Committee on Public Safety (originally sponsored by Representatives Caldier, Jinkins, McBride, Moeller, Young, Rodne and Appleton)

AN ACT Relating to the communication of information to continue health services for confined persons; and creating a new section.

Referred to Committee on Law & Justice.

SHB 2541 by House Committee on Judiciary (originally sponsored by Representatives Frame, Rodne, Jinkins, Walkinshaw, Riccelli, Senn, Orwall, Muri, S. Hunt, Gregerson, Sawyer, Caldier, Goodman, Haler, Hansen, Kuderer, Appleton, Kilduff, Reykdal, Rossetti, Magendanz, Ormsby, Bergquist and Stanford)

AN ACT Relating to less restrictive involuntary treatment orders; and amending RCW 71.05.230, 71.05.240, 71.05.290, 71.05.320, and 71.05.585.

Referred to Committee on Human Services, Mental Health & Housing.

HB 2543 by Representatives Stokesbary, Hickel, Stambaugh, Moscoso, Kochmar, Fitzgibbon, Ryu, Santos, Peterson, Walkinshaw, Frame, Fey, Muri, Van De Wege, Zeiger, Rossetti, Pettigrew and Stanford

AN ACT Relating to civil service qualifications; amending RCW 41.08.070, 41.12.070, 41.14.100, 43.101.080, and 43.101.095; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Commerce & Labor.

HB 2557 by Representatives S. Hunt and Reykdal

AN ACT Relating to the return of unused shared leave; and amending RCW 41.04.665.

Referred to Committee on Government Operations & Security.

HB 2587 by Representatives Rodne, Goodman and Orwall

AN ACT Relating to the superior court judges' association; amending RCW 2.16.010 and 9.94A.860; and creating a new section.

Referred to Committee on Law & Justice.

HB 2648 by Representatives Fey, Muri, Kirby, Jinkins, Ryu, Cody, Kilduff, Pettigrew, Riccelli and Bergquist

AN ACT Relating to an exemption from disclosure of certain financial, commercial, and proprietary information submitted to or obtained by a city retirement board on behalf of its employees' retirement system; and amending RCW 42.56.270.

Referred to Committee on Government Operations & Security.

HB 2663 by Representatives Springer and Kilduff

AN ACT Relating to sunshine committee recommendations to repeal obsolete exemptions to public disclosure provisions; and repealing RCW 42.56.480 and 66.16.090.

Referred to Committee on Government Operations & Security.

THIRTY SIXTH DAY, FEBRUARY 15, 2016

2016 REGULAR SESSION

SHB 2678 by House Committee on Appropriations (originally sponsored by Representatives Schmick, Cody and Van De Wege)

AN ACT Relating to nursing home facilities; amending RCW 74.46.561, 74.42.360, 74.46.020, 74.46.501, 74.46.835, and 74.46.581; reenacting and amending RCW 74.42.010; repealing RCW 74.46.803, 74.46.807, 74.46.437, and 74.46.439; and prescribing penalties.

Referred to Committee on Health Care.

2SHB 2681 by House Committee on Appropriations (originally sponsored by Representatives Stambaugh, Manweller, Short, Kochmar, Wilson, Magendanz, Griffey, Riccelli, Cody and Robinson)

AN ACT Relating to authorizing pharmacists to prescribe and dispense contraceptives; amending RCW 18.64.011; reenacting and amending RCW 69.41.030; adding a new section to chapter 43.70 RCW; creating new sections; and providing an effective date.

Referred to Committee on Health Care.

SHB 2725 by House Committee on Health Care & Wellness (originally sponsored by Representatives Rossetti, Kirby, Appleton, Ortiz-Self and Jinkins)

AN ACT Relating to the authority of pharmacists to dispense prescription drugs; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health Care.

HB 2772 by Representatives Johnson and Bergquist

AN ACT Relating to job order contracts by public hospital districts; and reenacting and amending RCW 39.10.420.

Referred to Committee on Government Operations & Security.

HB 2773 by Representatives Klippert, Appleton, Haler, Hayes, Dent and Nealey

AN ACT Relating to repealing the warrant authority of coroners; amending RCW 36.24.100; and repealing RCW 36.24.110 and 36.24.120.

Referred to Committee on Law & Justice.

SHB 2805 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Reykdal, Griffey, Moeller, Van De Wege, Gregerson, Ormsby, Sawyer, Stokesbary, Tarleton, Fitzgibbon, Morris, Stanford, Pollet, Frame, Goodman and Bergquist)

AN ACT Relating to mandatory reporting of hazardous exposures for firefighters; adding a new section to chapter 49.17 RCW; adding a new section to chapter 42.56 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 2808 by Representatives Jinkins and Kilduff

AN ACT Relating to amending the process for a person's immediate family member, guardian, or conservator to petition the court for the person's initial detention under the involuntary treatment act; and amending RCW 71.05.201.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2849 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Goodman, Springer, Stambaugh, Sullivan and Kilduff)

AN ACT Relating to adding certain commissioned court marshals of city police departments to the definition of uniformed personnel for the purpose of public employees' collective bargaining; and amending RCW 41.56.030.

Referred to Committee on Commerce & Labor.

SHB 2851 by House Committee on Education (originally sponsored by Representatives Frame, Magendanz, Bergquist, Hargrove, Pollet, Harris, Moscoso, Muri, S. Hunt, Pettigrew, Springer, Kagi, Kuderer, Clibborn, Sawyer, Cody, Stanford, Ormsby, Senn, Farrell, Hudgins, Moeller, Kochmar and Santos)

AN ACT Relating to increasing compensation for school directors; and amending RCW 28A.343.400.

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

HB 2918 by Representatives Gregerson, Pike, Moscoso, Orwall, Robinson, Hudgins, Van De Wege, Appleton, Stanford and Goodman

AN ACT Relating to granting a city or town the authority to establish and operate a traffic school without county consent, control, or supervision; and amending RCW 46.83.010, 46.83.020, and 46.83.030.

Referred to Committee on Government Operations & Security.

HB 2929 by Representatives Parker, Ormsby and Pollet

AN ACT Relating to temporary homeless housing by religious organizations; amending RCW 35.21.915, 35A.21.360, and 36.01.290; adding a new section to chapter 19.27 RCW; and adding a new section to chapter 19.27A RCW.

Referred to Committee on Human Services, Mental Health & Housing.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of House Bill No. 1560 which was referred to the Committee on Government Operations & Security and House Bill No. 2808 which was referred to the Committee on Human Services, Mental Services and Housing.

MOTION

On motion of Senator Fain, and without objection, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator O'Ban moved adoption of the following resolution:

SENATE RESOLUTION 8719

By Senators O'Ban, Dammeier, Conway, Darneille, Miloscia, Becker, Pedersen, and Rolfes

WHEREAS, The Washington State Senate should recognize any and all citizens who commit themselves to the betterment of their fellow citizens through adversity and hardship; and

WHEREAS, The courageous efforts of Richard Allen, born a slave in 1760, led to the creation of the African Methodist Episcopal Church in 1794; and

WHEREAS, The late Richard Allen became an inspiration to those who fought for freedom, social justice, and equality; and

WHEREAS, The African Methodist Episcopal congregation in Tacoma continues Richard Allen's mission to seek out the lost and serve the needy; and

WHEREAS, The members of the congregation contributed to the movement to create a postal stamp recognizing the significant contributions of both Richard Allen and the African Methodist Episcopal Church;

NOW, THEREFORE, BE IT RESOLVED, That the Senate commend and congratulate the members of the Allen African Methodist Episcopal Church for ensuring that the Richard Allen postal stamp became a reality, and thank them for their work on furthering social justice and equality for all.

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

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8719.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced the Presiding Elder Spencer Francis Barrett; Reverend Doctor Kerry G. Anderson, Senior Minister of the First African Methodist Episcopal Church in Seattle; and Pastor Anthony Steele, Tacoma Allen African Methodist Episcopal Church, who were seated at the rostrum.

The President also welcomed and introduced Theresa Steele, First Lady of Tacoma Allen African Methodist Episcopal Church; A.J. Steele, son of Theresa and Anthony Steele; Terry Young, Communications and Marketing Director; May Maddox, Linda Bratty, Rosemary Turow, Doctor Gail Stewart, Patricia Turner, Deborah Littlejohn, Lelia Sweet, Margaret Maddox, Eddie McGregor, Mitchell Alert, and Joann Mitchell.

MOTION

Senator Rolfes moved adoption of the following resolution:

SENATE RESOLUTION 8716

By Senators Rolfes, Jayapal, Lias, Nelson, Billig, Cleveland, Darneille, Conway, Chase, Hasegawa, Carlyle, McCoy, Ranker, Hargrove, Keiser, Mullet, Hobbs, Pedersen, Takko, Frockt, McAuliffe, Fraser, Angel, Dammeier, and O'Ban

WHEREAS, February 2016 marks the 90th annual celebration of African American History Month in the United States of America, established by African American historian Carter G. Woodson; and

WHEREAS, Approximately 400 years ago, when the first enslaved Africans were brought to the shores of North America, black people of African descent have been fundamental to the formation of America and interwoven into the fabric of American history; and

WHEREAS, African Americans have and continue to contribute to every segment of the American experience as we know it; and

WHEREAS, On this Monday, February 15, 2016, we speak the names of some of the African Americans who paved the way for each of us today; and

WHEREAS, We speak the names of freedom fighters and civil rights leaders: Harriett Tubman, Frederick Douglass, W.E.B. Dubois, Dorothy Height, Thurgood Marshall, Rosa Parks, A. Phillip Randolph, Dr. Martin Luther King, Jr., Malcolm X, Ruby Bridges, and Rep. John Lewis, and those engaged in the struggle for human rights that continues; and

WHEREAS, We speak the names of African American inventors and educators: Alexander Lucius Twilight, Edward Alexander Bouchet, Mary Jane Patterson, Mary McLeod Bethune, Elijah McCoy, Madame C.J. Walker, Alain Leroy Locke, Bessie Blount, Angela Davis, Dr. Cornel West, and Dr. Maxine Mimmis; and

WHEREAS, We speak the names of African Americans contributing to the fields of medicine and science: Benjamin Banneker, Daniel Hale Williams, Mary Mahoney, Roger Arliner Young, George Washington Carver, Charles Drew, Marie Daly, Mae Jemison, and Dr. Regina Benjamin; and

WHEREAS, We speak the names of African Americans who shared their gifts in the arts, sports, and entertainment: Edmonia Lewis, Augusta Savage, James Weldon Johnson, Langston Hughes, Willie Mays, Muhammad Ali, Serena and Venus Williams, Marian Anderson, Leontyne Price, Michael Jackson, Natalie Cole, and Maya Angelou; and

WHEREAS, We honor the accomplishments of the first African American President of the United States, Barack Obama, and the legacy that he and his wife, Michelle Obama, will leave for us all; and

WHEREAS, We honor the innumerable African American men, women, and children who gave their lives in the struggle for freedom, and who have built the rich and remarkable history we celebrate today; let us all continue to speak the names, share the history and the history in the making; let us all commit to living lives that honor their legacy;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor the African American citizens of this great country and their innumerable contributions, and support the observance of the month of February as African American history month.

Senators Rolfes, Sheldon, Dammeier, Jayapal, Schoesler, Hargrove, Fraser, Habib and McAuliffe spoke in favor of adoption of the resolution.

THIRTY SIXTH DAY, FEBRUARY 15, 2016

2016 REGULAR SESSION

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8716.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced representatives and mentors of the New Life Youth Group, Pastor Larry Robertson, Dr. Lillian Robertson and members of the congregation of Emmanuel Apostolic Church of Bremerton; Pastor Richmond Johnson and a group of students and mentors from the Partnering for Youth program from Mt. Zion Missionary Baptist Church of Bremerton who were seated in the gallery. They were the guests of Senators Sheldon, Angel, and Rolfes.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

MOTION

Senator Braun moved that Stuart A. Halsan, Gubernatorial Appointment No. 9268, be confirmed as a member of the Centralia College Board of Trustees.

Senators Braun and Fraser spoke in favor of passage of the motion.

APPOINTMENT OF STUART A. HALSAN

The President declared the question before the Senate to be the confirmation of Stuart A. Halsan, Gubernatorial Appointment No. 9268, as a member of the Centralia College Board of Trustees.

MOTION

On motion of Senator Habib, and without objection, Senator Ranker was excused.

The Secretary called the roll on the confirmation of Stuart A. Halsan, Gubernatorial Appointment No. 9268, as a member of the Centralia College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Hasegawa

Excused: Senator Ranker

Stuart A. Halsan, Gubernatorial Appointment No. 9268, having received the constitutional majority was declared confirmed as a member of the Centralia College Board of Trustees.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6325, by Senators Baumgartner, Ranker and Bailey

Aligning the alcohol content definition of cider with the federal definition.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Senate Bill No. 6325 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6325.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6325 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Parlette, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dammeier, Darneille, Liias, O'Ban, Padden and Pearson

Excused: Senator Ranker

SENATE BILL NO. 6325, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6301, by Senators Benton and Mullet

Concerning employer agreements to reimburse certain employee costs for the use of personal vehicles for business purposes. Revised for 1st Substitute: Addressing employer agreements to reimburse certain employee costs for the use of personal vehicles for business purposes.

MOTIONS

On motion of Senator Benton, Substitute Senate Bill No. 6301 was substituted for Senate Bill No. 6301 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Benton, the rules were suspended, Substitute Senate Bill No. 6301 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6301.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6301 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SUBSTITUTE SENATE BILL NO. 6301, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5597, by Senator Roach

Concerning requirements for real estate appraisers. Revised for 1st Substitute: Concerning the licensing of real estate appraisers.

MOTIONS

On motion of Senator Roach, Substitute Senate Bill No. 5597 was substituted for Senate Bill No. 5597 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Roach, the rules were suspended, Substitute Senate Bill No. 5597 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5597.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5597 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SUBSTITUTE SENATE BILL NO. 5597, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6421, by Senators Ranker, Becker, McAuliffe and Mullet

Authorizing the use of epinephrine autoinjector devices through collaborative agreements. Revised for 1st Substitute: Allowing authorized health care providers to prescribe epinephrine autoinjectors.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6421 was substituted for Senate Bill No. 6421 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 6421 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, Becker and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6421.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6421 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SUBSTITUTE SENATE BILL NO. 6421, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Billig, and without objection, Senator Habib was excused.

SECOND READING

SENATE JOINT RESOLUTION NO. 8210, by Senators Schoesler, Nelson and Mullet

Amending the Constitution to advance the date for completion of the redistricting plan.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Joint Resolution No. 8210 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senators Schoesler and McCoy spoke in favor of passage of the resolution.

The President declared the question before the Senate to be the final passage of Senate Joint Resolution No. 8210.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Resolution No. 8210 and the resolution passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator McAuliffe

Excused: Senators Habib and Ranker

SENATE JOINT RESOLUTION NO. 8210, having received the constitutional majority, was declared passed. There being no objection, the title of the resolution was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6538, by Senators Padden and Pedersen

Concerning the superior court judges' association.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 6538 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6538.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6538 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Habib and Ranker

SENATE BILL NO. 6538, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6283, by Senators Benton, Mullet and Angel

Addressing the securities act of Washington.

MOTIONS

On motion of Senator Benton, Substitute Senate Bill No. 6283 was substituted for Senate Bill No. 6283 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Benton, the rules were suspended, Substitute Senate Bill No. 6283 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6283.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6283 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Habib and Ranker

SUBSTITUTE SENATE BILL NO. 6283, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 12:28 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 3:11 p.m. by the President of the Senate, Lt. Governor Owen presiding.

SECOND READING

SENATE BILL NO. 6411, by Senators Angel, Bailey, Rivers, Becker, Warnick and Padden

Expanding the eligibility of certain representatives and transferees to serve as directors, officers, and shareholders of professional service corporations.

MOTIONS

On motion of Senator Angel, Substitute Senate Bill No. 6411 was substituted for Senate Bill No. 6411 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Angel, the rules were suspended, Substitute Senate Bill No. 6411 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6411.

MOTION

On motion of Senator Habib, and without objection, Senator Hobbs was excused.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6411 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hobbs and Ranker

SUBSTITUTE SENATE BILL NO. 6411, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6205, by Senators Pedersen, O'Ban, Frockt and Fain

Clarifying when a person is an acquiring person of a target corporation with more than one class of voting stock.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Bill No. 6205 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6205.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6205 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Honeyford,

Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Hobbs and Ranker

SENATE BILL NO. 6205, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6338, by Senators Padden, Billig and Baumgartner

Addressing the rights of dissenting members of cooperative associations in certain mergers.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6338 was substituted for Senate Bill No. 6338 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 6338 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6338.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6338 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SUBSTITUTE SENATE BILL NO. 6338, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6413, by Senators Mullet, Benton, Pedersen and Frockt

Modifying residential landlord-tenant act provisions relating to tenant screening, evictions, and refunds.

The measure was read the second time.

MOTION

THIRTY SIXTH DAY, FEBRUARY 15, 2016

2016 REGULAR SESSION

Senator Mullet moved that the following amendment no. 545 by Senators Mullet and Angel be adopted:

On page 5, line 27, after "(b)" strike "a report containing"

On page 5, line 28, after "(c)" strike "a report containing"

On page 5, at the beginning of line 29, strike "and"

On page 5, line 29, after "verification" insert "; and (e) the prospective tenant's address and rental history"

Senator Mullet spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 545 by Senators Mullet and Angel on page 5, line 27 to Senate Bill No. 6413.

The motion by Senator Mullet carried and amendment no. 545 was adopted by voice vote.

MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Senate Bill No. 6413 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Benton spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6413.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6413 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Senators Baumgartner and Dinsel

Excused: Senator Ranker

ENGROSSED SENATE BILL NO. 6413, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6207, by Senators Rivers and Liias

Concerning public disclosure of information submitted to the liquor and cannabis board regarding marijuana product traceability and operations.

The measure was read the second time.

MOTION

Senator Rivers moved that the following striking amendment no. 543 by Senator Rivers be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1 RCW 42.56.270 and 2015 c 274 s 24 are each amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), marijuana producer, processor, or retailer license, liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of commerce:

(i) Financial and proprietary information collected from any person and provided to the department of commerce pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of commerce or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of commerce based on information as described in (a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of commerce from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information;

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business;

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under RCW 28B.20.150, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information;

(21) Market share data submitted by a manufacturer under RCW 70.95N.190(4);

(22) Financial information supplied to the department of financial institutions or to a portal under RCW 21.20.883, when filed by or on behalf of an issuer of securities for the purpose of

obtaining the exemption from state securities registration for small securities offerings provided under RCW 21.20.880 or when filed by or on behalf of an investor for the purpose of purchasing such securities; ((and))

(23) Unaggregated or individual notices of a transfer of crude oil that is financial, proprietary, or commercial information, submitted to the department of ecology pursuant to RCW 90.56.565(1)(a), and that is in the possession of the department of ecology or any entity with which the department of ecology has shared the notice pursuant to RCW 90.56.565;

(24) Financial institution and retirement account information, and building security plan information, supplied to the liquor and cannabis board pursuant to RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345, when filed by or on behalf of a licensee or prospective licensee for the purpose of obtaining, maintaining, or renewing a license to produce, process, transport, or sell marijuana as allowed under chapter 69.50 RCW; and

(25) Marijuana transport information, vehicle and driver identification data, and account numbers or unique access identifiers issued to private entities for traceability system access, submitted by an individual or business to the liquor and cannabis board under the requirements of RCW 69.50.325, 69.50.331, 69.50.342, and 69.50.345 for the purpose of marijuana product traceability. Disclosure to local, state, and federal officials is not considered public disclosure for purposes of this section."

On page 1, line 3 of the title, after "operations;" strike the remainder of the title and insert "and amending RCW 42.56.270."

Senator Rivers spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 543 by Senator Rivers to Senate Bill No. 6207.

The motion by Senator Rivers carried and striking amendment no. 543 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Senate Bill No. 6207 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Lias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6207.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6207 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Rivers, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Becker, Benton, Danel, Hasegawa, Padden and Roach

Excused: Senator Ranker

ENGROSSED SENATE BILL NO. 6207, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

ROLL CALL

SECOND READING

SENATE BILL NO. 6329, by Senators O'Ban, Conway, Becker, Fain, Cleveland, Dammeier, Keiser, Darneille, Rolfes, Hobbs, Litzow, Angel, McAuliffe, Habib and Jayapal

Creating the parent to parent program for individuals with developmental disabilities.

MOTIONS

On motion of Senator O'Ban, Substitute Senate Bill No. 6329 was substituted for Senate Bill No. 6329 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator O'Ban, the rules were suspended, Substitute Senate Bill No. 6329 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6329.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6329 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SUBSTITUTE SENATE BILL NO. 6329, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6350, by Senators O'Ban, Padden, Miloscia, Roach, Hewitt, Schoesler and Dammeier

Addressing motor vehicle property offenses.

The measure was read the second time.

MOTION

On motion of Senator O'Ban, the rules were suspended, Senate Bill No. 6350 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6350.

The Secretary called the roll on the final passage of Senate Bill No. 6350 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SENATE BILL NO. 6350, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6200, by Senators Hewitt, Rolfes and Benton

Providing funding for steelhead conservation through the issuance of Washington's fish license plate collection.

The measure was read the second time.

MOTION

On motion of Senator Hewitt, the rules were suspended, Senate Bill No. 6200 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hewitt and Jayapal spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6200.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6200 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Ericksen

Excused: Senator Ranker

SENATE BILL NO. 6200, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6408, by Senators Hill, McAuliffe, Litzow, Hobbs, Mullet, Benton, Rolfes, Frockt and Conway

Concerning paraeducators.

MOTIONS

On motion of Senator Hill, Second Substitute Senate Bill No. 6408 was substituted for Senate Bill No. 6408 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hill, the rules were suspended, Second Substitute Senate Bill No. 6408 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill, Mullet and McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6408.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6408 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

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

Voting nay: Senators Chase, Habib, Hasegawa, Jayapal and Nelson

Excused: Senator Ranker

SECOND SUBSTITUTE SENATE BILL NO. 6408, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6358, by Senators King and Hobbs

Concerning rail fixed guideway system safety and security oversight. Revised for 1st Substitute: Concerning rail fixed

guideway public transportation system safety and security oversight.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 6358 was substituted for Senate Bill No. 6358 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6358 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6358.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6358 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Ranker

SUBSTITUTE SENATE BILL NO. 6358, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 4:12 p.m., on motion of Senator Fain, the Senate adjourned until 9:00 o'clock a.m., Tuesday, February 16, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, February 16, 2016

The Senate was called to order at 9:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Jillian Rossi and Zachary Alim Natha, presented the Colors.

The prayer was offered by Pastor James Maultsby of Oakridge Ministries in Rainier.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

ESHB 1067 by House Committee on Judiciary (originally sponsored by Representatives Jinkins, Holy, Magendanz, Nealey, Goodman, Muri, Gregerson, Cody, Kilduff and Pollet)

AN ACT Relating to the medicaid fraud false claims act; and amending RCW 43.131.419 and 43.131.420.

Referred to Committee on Accountability & Reform.

2ESHB 1100 by House Committee on Technology & Economic Development (originally sponsored by Representatives Morris, S. Hunt, Hudgins, Ormsby and Fey)

AN ACT Relating to creating new appliance efficiency standards; amending RCW 19.260.030, 19.260.040, and 19.260.050; reenacting and amending RCW 19.260.020; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SHB 1632 by House Committee on Public Safety (originally sponsored by Representatives Goodman, Klippert, Orwall, Hayes, Jinkins and Wylie)

AN ACT Relating to domestic violence; amending RCW 9A.36.041, 9.94A.525, 43.43.754, and 43.43.830; reenacting and amending RCW 9.94A.411; adding a new section to chapter 7.36 RCW; creating a new section; prescribing penalties; and providing an expiration date.

Referred to Committee on Law & Justice.

E2SHB 1645 by House Committee on Appropriations (originally sponsored by Representatives Pollet, Harris, Carlyle, Cody, Johnson, Tharinger, Robinson, Lytton,

Kagi, Ryu, S. Hunt, Farrell, Moscoso, Riccelli, McBride and Jinkins)

AN ACT Relating to youth substance use prevention associated with tobacco and drug delivery e-cigarettes and vapor products; amending RCW 26.28.080, 28A.210.310, 70.155.010, 70.155.020, 70.155.030, 70.155.050, 70.155.070, 70.155.140, 70.155.080, 70.155.090, 70.155.100, 70.155.110, 70.155.120, 70.155.130, and 82.24.530; adding new sections to chapter 70.155 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care.

SHB 1830 by House Committee on Transportation (originally sponsored by Representative Muri)

AN ACT Relating to Washington state wrestling special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SHB 1874 by House Committee on Health Care & Wellness (originally sponsored by Representatives Tharinger, Cody and Riccelli)

AN ACT Relating to the requirements of allopathic physician licensure; amending RCW 18.71.050, 18.71.055, and 18.71.095; adding a new section to chapter 18.71 RCW; and repealing RCW 18.71.051.

Referred to Committee on Health Care.

SHB 1915 by House Committee on Appropriations (originally sponsored by Representatives S. Hunt, Harris, MacEwen, Walkinshaw, Sells, Goodman, Moscoso, Reykdal, Robinson, Kilduff, Fitzgibbon, Hayes, Hudgins, Tarleton, Appleton, Ormsby, Pollet and Bergquist)

AN ACT Relating to protecting taxpayers by providing for accountability and transparency in government contracting; amending RCW 39.26.180, 43.19.008, and 39.26.200; adding a new section to chapter 39.26 RCW; and creating new sections.

Referred to Committee on Commerce & Labor.

4SHB 1999 by House Committee on Appropriations (originally sponsored by Representatives Carlyle, Kagi, Lytton, Walsh, Sawyer, Pettigrew, Ortiz-Self, Dent, Parker, Caldier, Goodman and Jinkins)

AN ACT Relating to coordinating services and programs for foster youth in order to improve educational outcomes; amending RCW 28B.117.060; reenacting and amending RCW 13.50.010; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 74.13 RCW; adding a new section to chapter 28B.77 RCW; creating a new section; recodifying RCW 28B.117.060; and repealing RCW 74.13.105.

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

SHB 2017 by House Committee on Transportation (originally sponsored by Representatives Klippert, Cody, Blake, Dent, Hayes, Fagan and Kretz)
AN ACT Relating to Washington farmers and ranchers special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 2262 by Representatives Bergquist, Muri, Gregerson and Pettigrew
AN ACT Relating to Washington tennis special license plates; amending RCW 46.68.420; reenacting and amending RCW 46.18.200, 46.17.220, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

ESHB 2274 by House Committee on Transportation (originally sponsored by Representatives Harmsworth, Bergquist, Hayes, Morris, Moscoso, Pollet, Vick, Wilson, Van Werven and Haler)
AN ACT Relating to protecting individuals from reports of sale filed with an incorrect buyer of a subsequently abandoned vehicle; amending RCW 46.12.650, 46.55.105, 19.16.250, and 9.94A.753; and adding a new section to chapter 46.64 RCW.

Referred to Committee on Transportation.

HB 2309 by Representatives Smith, Stanford, Griffey, Haler, Wilcox, Tharinger and Moscoso
AN ACT Relating to increasing the available term of water pollution control revolving fund program loans to reflect the 2014 amendments to the federal clean water act allowing such an increase; and amending RCW 90.50A.010, 90.50A.020, 90.50A.030, 90.50A.040, and 90.50A.050.

Referred to Committee on Energy, Environment & Telecommunications.

ESHB 2340 by House Committee on Health Care & Wellness (originally sponsored by Representatives Schmick, Cody and Jinkins)
AN ACT Relating to the Washington state health insurance pool; amending RCW 48.41.100, 48.41.160, and 48.41.090; and creating a new section.

Referred to Committee on Health Care.

HB 2394 by Representatives Walsh, Senn, Kagi, Moscoso, Kilduff, Kochmar, Dent, Holy, Sawyer, Jinkins, Tharinger, Magendanz, Fey, Tarleton, Zeiger, Sells, McBride, Bergquist, Pollet, Santos, S. Hunt and Goodman
AN ACT Relating to creating the parent to parent program for individuals with developmental disabilities; adding new sections to chapter 71A.14 RCW; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

ESHB 2430 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Stanford, Lytton, Tarleton and Fitzgibbon)
AN ACT Relating to preserving water resources for an array of water supply needs, including irrigated agriculture, fish and wildlife habitat, and municipal use, by updating water conservation standards for appliances; amending RCW 90.54.180 and 19.27.170; and creating a new section.

Referred to Committee on Agriculture, Water & Rural Economic Development.

HB 2432 by Representatives Riccelli, Harris, Cody, Caldier and Tarleton
AN ACT Relating to substance abuse monitoring for licensed veterinarians, osteopathic physicians and surgeons, and osteopathic physician assistants; amending RCW 18.57A.020 and 18.92.047; and adding a new section to chapter 18.57 RCW.

Referred to Committee on Health Care.

2SHB 2449 by House Committee on Appropriations (originally sponsored by Representatives Orwall, Magendanz, Kagi, Santos, Senn, Peterson, Appleton, Moscoso, Goodman, Jinkins, Walkinshaw, Stanford, Clibborn, Sells, Fitzgibbon, Kilduff, Ryu, Bergquist, Pollet and S. Hunt)
AN ACT Relating to court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy; amending RCW 28A.225.005, 28A.225.025, 28A.225.035, 28A.225.090, 43.185C.315, and 43.185C.320; adding new sections to chapter 28A.225 RCW; adding a new section to chapter 43.185C RCW; adding a new section to chapter 2.56 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2450 by House Committee on Health Care & Wellness (originally sponsored by Representatives Tharinger, Short, Cody, Schmick, Jinkins and Blake)
AN ACT Relating to allowing critical access hospitals participating in the Washington rural health access preservation pilot to resume critical access hospital payment and licensure; and amending RCW 74.09.5225, 70.41.090, and 70.38.111.

Referred to Committee on Health Care.

SHB 2452 by House Committee on Health Care & Wellness (originally sponsored by Representatives Riccelli, Harris, Cody, Johnson, Robinson, Senn, Clibborn, Jinkins and Ormsby)
AN ACT Relating to the interstate medical licensure compact; amending RCW 43.70.250; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Health Care.

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

SHB 2575 by House Committee on Environment (originally sponsored by Representatives Farrell, Fitzgibbon, Peterson, Walkinshaw, Frame, McBride, Stanford, Jinkins, Ormsby, Gregerson, Senn, Pollet and Tharinger)

AN ACT Relating to continuing state efforts to increase oil transportation safety; creating a new section; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

ESHB 2591 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Hargrove, Kagi, Walsh, Dent, Caldier, Senn, Frame, Muri, Zeiger, McBride, Ormsby and Gregerson)

AN ACT Relating to notifying foster parents of dependency hearings and their opportunity to be heard in those hearings; and amending RCW 13.34.096 and 13.34.820.

Referred to Committee on Human Services, Mental Health & Housing.

EHB 2610 by Representatives Riccelli, Ormsby, S. Hunt and Gregerson

AN ACT Relating to county commissioner elections; amending RCW 36.32.030, 36.32.050, 36.32.020, 36.32.010, 36.32.055, 36.32.0552, and 36.32.0556; and adding new sections to chapter 36.32 RCW.

Referred to Committee on Government Operations & Security.

SHB 2615 by House Committee on Higher Education (originally sponsored by Representatives Pollet, Haler, Moscoso, Appleton, Fitzgibbon, Gregerson, Ormsby, Ortiz-Self, Lytton, Riccelli, Ryu, Reykdal, Cody, Tarleton, Frame, Van De Wege, Stanford and Goodman)

AN ACT Relating to improving student success at community and technical colleges by considering benefits of full-time faculty and staff; amending RCW 28B.50.850; and adding new sections to chapter 28B.50 RCW.

Referred to Committee on Higher Education.

HB 2623 by Representatives Van Werven, Bergquist, Holy and Muri

AN ACT Relating to recounts of statewide advisory measures; and amending RCW 29A.64.090.

Referred to Committee on Government Operations & Security.

SHB 2716 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Senn, Walsh, Kagi, Walkinshaw, McCabe, Ortiz-Self, Bergquist, Stanford, Gregerson, Ormsby and Goodman)

AN ACT Relating to working connections child care eligibility for vulnerable children; creating new sections; and providing an effective date.

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

2SHB 2726 by House Committee on Appropriations (originally sponsored by Representatives Walkinshaw, Tharinger, Senn, Cody, Ortiz-Self, Magendanz and Goodman)

AN ACT Relating to the regulation of continuing care retirement communities; adding a new chapter to Title 18 RCW; and providing an effective date.

Referred to Committee on Health Care.

SHB 2730 by House Committee on Health Care & Wellness (originally sponsored by Representatives Peterson, Walkinshaw, Ortiz-Self, Bergquist, Kagi, Gregerson, Kilduff, Frame and Pollet)

AN ACT Relating to the prescription monitoring program; and reenacting and amending RCW 70.225.040.

Referred to Committee on Health Care.

EHB 2749 by Representatives Kagi and Ormsby

AN ACT Relating to the extension of dates concerning measuring performance and performance-based contracting of the child welfare system; and amending RCW 74.13.360.

Referred to Committee on Human Services, Mental Health & Housing.

ESHB 2804 by House Committee on Higher Education (originally sponsored by Representatives Haler, Clibborn, Moscoso, Stambaugh, Sawyer, Kochmar, Hickel, Zeiger, Ortiz-Self, Sells, Fitzgibbon, Farrell, Reykdal, Springer, Orwall, Muri, Santos, Pettigrew, Ormsby, Goodman, Stokesbary, Kilduff, Orcutt, Fey, Tarleton, Hayes, McBride, Morris, Stanford, Pollet, Frame and Bergquist)

AN ACT Relating to including highway workers employed on a transportation project by a contractor in the tuition and fee exemption for children and surviving spouses of highway workers; and amending RCW 28B.15.380.

Referred to Committee on Higher Education.

HB 2807 by Representatives Dye, Moscoso, Schmick, Fey and Tarleton

AN ACT Relating to heavy haul industrial corridors; amending RCW 46.44.0915; and providing an effective date.

Referred to Committee on Transportation.

HB 2844 by Representatives Ormsby, Sells, Frame, Gregerson, Moscoso, Bergquist, Jinkins, Cody, Peterson, Robinson, Farrell, Riccelli, Sawyer, Pollet, Reykdal, Kilduff, Stanford, Walkinshaw, McBride and Santos

AN ACT Relating to adding training on public works and prevailing wage requirements to responsible bidder criteria; and amending RCW 39.04.350.

Referred to Committee on Commerce & Labor.

ESHB 2852 by House Committee on State Government (originally sponsored by Representatives Hudgins, S. Hunt and Stanford)

AN ACT Relating to establishing standards for election data and reporting; amending RCW 29A.60.160; and adding a new section to chapter 29A.60 RCW.

Referred to Committee on Government Operations & Security.

SHB 2895 by House Committee on Public Safety (originally sponsored by Representative MacEwen)

AN ACT Relating to alien victims of certain qualifying criminal activity; and adding a new chapter to Title 7 RCW.

Referred to Committee on Law & Justice.

HB 2970 by Representatives McCabe and Appleton

AN ACT Relating to voyeurism; amending RCW 9A.44.115, 9.94A.515, and 13.40.070; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 2973 by House Committee on Transportation (originally sponsored by Representative Orcutt)

AN ACT Relating to measuring the performance of the state transportation system; amending RCW 47.01.071 and 47.64.360; reenacting and amending RCW 47.04.280; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pearson moved that Lucinda S. Whaley, gubernatorial appointment No. 9189, be confirmed as a member of the Parks and Recreation Commission.

Senators Pearson and Padden spoke in favor of passage of the motion.

APPOINTMENT OF LUCINDA S. WHALEY

The President declared the question before the Senate to be the confirmation of Lucinda S. Whaley, gubernatorial appointment No. 9189, as a member of the Parks and Recreation Commission.

The Secretary called the roll on the confirmation of Lucinda S. Whaley, gubernatorial appointment No. 9189, as a member of the Parks and Recreation Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Lucinda S. Whaley, gubernatorial appointment No. 9189, having received the constitutional majority, was declared confirmed as a member of the Parks and Recreation Commission.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

February 15, 2016

MR. PRESIDENT:

The House has passed:

THIRD SUBSTITUTE HOUSE BILL NO. 1713,
SECOND SUBSTITUTE HOUSE BILL NO. 1725,
SECOND SUBSTITUTE HOUSE BILL NO. 1900,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1949,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1983,
HOUSE BILL NO. 2280,
SUBSTITUTE HOUSE BILL NO. 2287,
HOUSE BILL NO. 2320,
HOUSE BILL NO. 2360,
SUBSTITUTE HOUSE BILL NO. 2381,
HOUSE BILL NO. 2384,
SUBSTITUTE HOUSE BILL NO. 2396,
SUBSTITUTE HOUSE BILL NO. 2410,
SUBSTITUTE HOUSE BILL NO. 2429,
SUBSTITUTE HOUSE BILL NO. 2483,
HOUSE BILL NO. 2494,
SUBSTITUTE HOUSE BILL NO. 2584,
SUBSTITUTE HOUSE BILL NO. 2644,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2647,
SUBSTITUTE HOUSE BILL NO. 2682,
SUBSTITUTE HOUSE BILL NO. 2765,
SECOND SUBSTITUTE HOUSE BILL NO. 2769,
SECOND SUBSTITUTE HOUSE BILL NO. 2791,
HOUSE BILL NO. 2806,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2825,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2834,
SUBSTITUTE HOUSE BILL NO. 2875,
SECOND SUBSTITUTE HOUSE BILL NO. 2933,
SUBSTITUTE HOUSE BILL NO. 2938,
HOUSE JOINT MEMORIAL NO. 4010.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

THIRTY SEVENTH DAY, FEBRUARY 16, 2016
SECOND READING

2016 REGULAR SESSION

SENATE BILL NO. 6519, by Senators Becker, Cleveland, Dammeier, Frockt, Brown, Angel, Rivers, Bailey, Keiser, Conway, Fain, Carlyle, Rolfes, Chase and Parlette)

Expanding patient access to health services through telemedicine and establishing a collaborative for the advancement of telemedicine.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 6519 was substituted for Senate Bill No. 6519 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 6519 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6519.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6519 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6519, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6327, by Senators Bailey, Keiser, Nelson, Conway, Mullet and Dammeier

Providing for hospital discharge planning with lay caregivers.

MOTIONS

On motion of Senator Bailey, Substitute Senate Bill No. 6327 was substituted for Senate Bill No. 6327 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 6327 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6327.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6327 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6327, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Hargrove: "Thank you, Mr. President. I just wanted to make sure that everybody in the Senate was hungry, because today is Hargrove Hamburger Day. What they say is a hamburger a day keeps the flu away. So I want to make sure that you all get down there and load up with all those carbs. Thank you, Mr. President."

SECOND READING

SENATE BILL NO. 6498, by Senators Fain, Frockt, Pedersen, Angel and Rolfes)

Creating a testamentary privilege for alcohol or drug addiction recovery sponsors. Revised for 1st Substitute: Concerning testimonial privileges for alcohol and drug addiction recovery sponsors.

MOTIONS

On motion of Senator Fain, Substitute Senate Bill No. 6498 was substituted for Senate Bill No. 6498 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fain, the rules were suspended, Substitute Senate Bill No. 6498 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain and Frockt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6498.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6498 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette,

Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE SENATE BILL NO. 6498, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6607, by Senators Baumgartner and Schoesler

Removing state route number 276 from the state highway system.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Senate Bill No. 6607 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6607.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6607 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6607, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6376, by Senators Fraser, Roach, McCoy, Conway, Hasegawa, Padden, Carlyle, Lias, Nelson, O'Ban, Darneille, Chase and Jayapal

Recognizing human trafficking awareness day.

The measure was read the second time.

MOTION

On motion of Senator Fraser, the rules were suspended, Senate Bill No. 6376 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fraser, Chase and Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6376.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6376 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Dansel: "Thank you, Mr. President. Standing today I know that we usually do thank you's to committee staff, but I was also wanting to thank all the people that work here, the security guards, the pages. It seems to me that everybody is so high class. It seems like we work in a field here where there are a lot of pauses throughout the day, where they have to do a lot of sitting around and waiting. I'll also say that the pages this week seem to be Seahawks fans. The front desk here will know that there was a young man here that was a Pittsburgh Steelers fan last week which to me was unbelievable. I was trying to get him thrown out. I want to say one of the things about coming here for me anyway, from Republic, Washington, driving seven and a half hours to come here and getting to work with all of these delightful people. So many of these people are unbelievable and amazing. They are class personified so I want to thank everyone that works up here, the security guards, the pages, and everyone that works for your staff as well the Lieutenant Governor. Thank you."

REMARKS BY THE PRESIDENT

President Owen: "Thank you."

SECOND READING

SENATE BILL NO. 5937, by Senator Parlette

Addressing the farm internship pilot project.

The measure was read the second time.

MOTION

On motion of Senator Parlette, the rules were suspended, Senate Bill No. 5937 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette and Ranker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5937.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5937 and the bill passed the Senate by the following vote Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5937, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Darneille moved adoption of the following resolution:

SENATE RESOLUTION
8721

By Senators Darneille, Honeyford, Becker, Conway, O'Ban, Fraser, and Roach

WHEREAS, The Washington State Historical Society was founded in Tacoma, Washington, on October 8, 1891; and

WHEREAS, 2016 marks the Washington State Historical Society's quasiquicentennial — its 125th year of preserving state historical resources for the people of Washington and future generations; and

WHEREAS, The Washington State Historical Society provides access to a diverse and rich heritage that expands our understanding of the past and helps to inform the future; and

WHEREAS, The Washington State Historical Society contributes to the quality of life in our state by bringing people together through shared cultural experiences; and

WHEREAS, The variety of educational programs taught by the Washington State Historical Society have benefited our state's children in immeasurable ways; and

WHEREAS, As facilitators of the Washington State History Day program, the Washington State Historical Society continues to nurture and cultivate a love of history in generation after generation of Washington students; and

WHEREAS, The Washington State Historical Society's Research Center in Tacoma houses countless artifacts, ephemera, photographs, and documents that are essential to preserving the history of our great state; and

WHEREAS, The State Capital Museum in Olympia provides dozens of educational and cultural programs to the public throughout the year; and

WHEREAS, The State History Museum in Tacoma is one of the most vital cultural assets the State of Washington has in its possession today;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the Washington State

Historical Society for its 125 years of service as stewards of our common history, its role in developing the minds of our state's youth, and its fervent effort to continue preserving and sharing the stories of Washington's people; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Washington State Historical Society.

Senators Darneille, Becker, Conway, Fraser and Honeyford spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8721.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced representatives of the Washington State Historical Society: Jennifer Kilmer, Director; Erich Ebel, Director of Communications; and Susan Rohrer, Heritage Outreach Manager who were seated in the gallery and recognized by the Senate.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5640, by Senate Committee on Transportation (originally sponsored by Senator Ericksen)

Concerning deficiency claims after auction of a private property vehicle impound. Revised for 1st Substitute: Concerning the limitation on towing and storage deficiency claims after auction of a private property vehicle impound.

The bill was read on Third Reading.

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

Senator Pedersen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5640.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5640 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Danel, Ericksen, Fain, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Lias, Litzow, McCoy, Miloscia, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hasegawa, Jayapal, Keiser, McAuliffe, Mullet, Nelson, Pedersen, Roach and Rolfes

SUBSTITUTE SENATE BILL NO. 5640, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6242, by Senators O'Ban, Pedersen, Padden, Roach, Hargrove, Pearson, Darneille, Frockt and Sheldon

Requiring the indeterminate sentence review board to provide certain notices upon receiving a petition for early release.

MOTION

On motion of Senator O'Ban, Second Substitute Senate Bill No. 6242 was substituted for Senate Bill No. 6242 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hargrove moved that the following amendment no. 591 by Senator Hargrove be adopted:

On page 2, line 39, after "The" strike "videos and"

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

The President declared the question before the Senate to be the adoption of amendment no. 591 by Senator Hargrove on page 2, line 39 to Second Substitute Senate Bill No. 6242.

The motion by Senator Hargrove carried and amendment no. 591 was adopted by voice vote.

On motion of Senator O'Ban, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6242 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6242.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6242 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Hasegawa

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5549, by Senators Jayapal, Angel, Keiser and Cleveland

Concerning the registration and disciplining of pharmacy assistants.

The measure was read the second time.

MOTION

On motion of Senator Jayapal, the rules were suspended, Senate Bill No. 5549 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Jayapal and Becker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5549.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5549 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators O'Ban and Padden

SENATE BILL NO. 5549, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6606, by Senator King

Concerning wholesale vehicle dealers.

MOTION

On motion of Senator King, Substitute Senate Bill No. 6606 was substituted for Senate Bill No. 6606 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following amendment no. 600 by Senators King and Hobbs be adopted:

On page 8, after line 5, insert the following:

"**NEW SECTION. Sec. 3.** This act is necessary for the immediate preservation of the public peace, health, or safety, or

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "46.70.023;" strike the remainder of the title and insert "reenacting and amending RCW 46.70.011; and declaring an emergency."

Senator King spoke in favor of adoption of the amendment.
Senator Benton spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 600 by Senators King and Hobbs on page 8, after line 5 to Substitute Senate Bill No. 6606.

The motion by Senator King carried and amendment no. 600 was adopted by voice vote.

On motion of Senator King, the rules were suspended, Engrossed Substitute Senate Bill No. 6606 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6606.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6606 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Senators Benton and Padden

ENGROSSED SUBSTITUTE SENATE BILL NO. 6606, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6171, by Senators Roach, Lias and Benton

Concerning civil penalties for knowing attendance by a member of a governing body at a meeting held in violation of the open public meetings act.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 6171 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and Lias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6171.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6171 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6445, by Senators Braun and Angel

Clarifying the role of physician assistants in the delivery of mental health services.

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 6445 was substituted for Senate Bill No. 6445 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Braun and without objection, amendment no. 589 by Senator Braun on page 14, line 4 to Substitute Senate Bill No. 6445 was withdrawn.

On page 14, beginning on line 4, after "assistant" strike all material through "filed" on line 5

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 6445 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6445.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6445 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6445, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6497, by Senators Hargrove, O'Ban, Darneille, Miloscia, Litzow, McAuliffe and Conway

Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy.

MOTIONS

On motion of Senator Hargrove, Second Substitute Senate Bill No. 6497 was substituted for Senate Bill No. 6497 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Second Substitute Senate Bill No. 6497 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hargrove, Dammeier and Darneille spoke in favor of passage of the bill.

Senators Chase and McAuliffe spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6497.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6497 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Hewitt and McAuliffe

SECOND SUBSTITUTE SENATE BILL NO. 6497, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6326, by Senators King, Hobbs and Fain

Concerning the retention and maintenance of auto dealer and repair facility records.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 6326 was substituted for Senate Bill No. 6326 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6326 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6326.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6326 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6326, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6239, by Senators Fain, Frockt, Cleveland, Rolfes, Keiser, Darneille, McAuliffe and Chase

Authorizing local governments to adopt a property tax exemption program for the preservation of certain affordable housing. Revised for 2nd Substitute: Providing local governments with options to preserve affordable housing in their communities.

MOTIONS

On motion of Senator Fain, Second Substitute Senate Bill No. 6239 was substituted for Senate Bill No. 6239 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fain, the rules were suspended, Second Substitute Senate Bill No. 6239 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain and Keiser spoke in favor of passage of the bill. Senator Parlette spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6239.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6239 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hill, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Pedersen, Ranker, Roach, Rolfes, Schoesler, Sheldon and Takko

Voting nay: Senators Angel, Baumgartner, Becker, Benton, Dansel, Ericksen, Hewitt, Honeyford, Padden, Parlette, Pearson, Rivers and Warnick

SECOND SUBSTITUTE SENATE BILL NO. 6239, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6617, by Senator Frockt

Concerning the University of Washington's alternative process for awarding contracts.

The measure was read the second time.

MOTION

Senator Hasegawa moved that the following amendment no. 582 by Senators Hasegawa and Frockt be adopted:

On page 4, after line 15, strike all of section 2, and insert the following:

"**Sec.2.** RCW 43.131.413 and 2015 3rd sp.s. c 3 s 7041 are each amended to read as follows:

The alternative process for awarding contracts established in RCW 28B.20.744 terminates June 30, ((2017)) 2022, as provided in RCW 43.131.414.

Sec. 3. RCW 43.131.414 and 2015 3rd sp.s. c 3 s 7042 are each amended to read as follows:

RCW 28B.20.744, as now existing or hereafter amended, is repealed, effective June 30, ((2018)) 2023."

Senators Hasegawa and Frockt spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 582 by Senators Hasegawa and Frockt on page 4, after line 15 to Senate Bill No. 6617.

The motion by Senator Hasegawa carried and amendment no. 582 was adopted by voice vote.

MOTION

On motion of Senator Frockt, the rules were suspended, Engrossed Senate Bill No. 6617 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt, Bailey and Hasegawa spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6617.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6617 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SENATE BILL NO. 6617, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced representatives of the Pathfinders Club of Wenatchee, a co-ed scouting organization for juniors and teens, who were seated at the rostrum.

SECOND READING

SENATE BILL NO. 6292, by Senators Braun, Becker, Rivers and Sheldon

Eliminating the reduction in state basic education funding that occurs in counties with federal forest lands.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 6292 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6292.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6292 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Cleveland, Conway, Darneille, Hasegawa, Jayapal, Keiser, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen and Rolfes

SENATE BILL NO. 6292, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6286, by Senators Pearson, Roach, Padden, Takko, Hargrove, Billig, Hewitt and Conway

Concerning reimbursement of correctional employees for offender assaults.

MOTIONS

On motion of Senator Pearson, Substitute Senate Bill No. 6286 was substituted for Senate Bill No. 6286 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pearson, the rules were suspended, Substitute Senate Bill No. 6286 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson and Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6286.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6286 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6286, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced fourth grade students from Truman Elementary, Vancouver, and their advisor Ms. Katie Siira, guests of Senator Annette Cleveland, who were seated in the gallery.

SECOND READING

SENATE BILL NO. 6488, by Senators Becker, Parlette, Dammeier, Schoesler, Brown, Bailey, Honeyford and King

Directing the health care authority to apply for a federal innovation waiver to expand an employer-based coverage option with a portable health care account.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Senate Bill No. 6488 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senator Jayapal was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6488.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6488 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser,

Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick
Voting nay: Senator Hasegawa
Excused: Senator Jayapal

SENATE BILL NO. 6488, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6238, by Senators Rivers, Keiser, Cleveland, Miloscia and Chase

Allowing the prescription of schedule II controlled substances to treat certain disease states and conditions. Revised for 1st Substitute: Allowing the prescription of a schedule II controlled substance to treat a binge eating disorder.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 6238 was substituted for Senate Bill No. 6238 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 6238 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6238.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6238 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6238, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fain announced a meeting of the Ways & Means Committee in the Majority Leader's Office immediately upon going at ease.

Senator Fain announced a meeting of the Majority Coalition Caucus immediately upon adjournment of the Ways & Means Committee.

POINT OF ORDER

Senator Rolfes: "The announcement of the Ways & Means Committee that came via email said Senate Hearing Room 4 so I

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

just want to be clear it's in Senator Schoesler's office, and I don't know what public notice changes we have to make."

MOTION

At 11:58 a.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 2:09 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the first order of business.

REPORTS OF STANDING COMMITTEES

February 16, 2016

SB 6100 Prime Sponsor, Senator Chase: Establishing an economic gardening pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, the measure listed on the Standing Committee report was referred to the committee as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 15, 2016

MR. PRESIDENT:

The House has passed:

- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1094,
- ENGROSSED HOUSE BILL NO. 2033,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2604,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2785,
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2906.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

On motion of Senator Fain, and without objection, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

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

MOTION

Senator Padden moved adoption of the following resolution:

SENATE RESOLUTION
8725

By Senators Padden, Takko, Baumgartner, Brown, Rolfes, Schoesler, Angel, Benton, Roach, Litzow, Bailey, King, Ericksen, Warnick, O'Ban, Sheldon, Hargrove, Miloscia, Braun, Fain, Becker, Parlette, Hobbs, Dammeier, and Hill

WHEREAS, Justice Antonin Gregory Scalia will go down in history as one of the most transformational Supreme Court justices our country has ever witnessed; and

WHEREAS, Justice Scalia, son of an Italian immigrant, was valedictorian of his 1957 class at Georgetown University and graduated from Harvard Law School in 1960; and

WHEREAS, Justice Scalia launched his legal career at an international firm, but in 1967 decided to follow his passion to teach law at the University of Virginia; and

WHEREAS, Justice Scalia received his first political appointment in 1971 from President Richard Nixon; and

WHEREAS, Just before President Ford's inauguration in 1974, Justice Scalia became head of the Office of Legal Counsel at the United States Department of Justice, returning to teaching law during President Carter's term, this time at the University of Chicago; and

WHEREAS, In 1982, President Ronald Reagan nominated Justice Scalia to the United States Court of Appeals for the District of Columbia; and

WHEREAS, In 1986, President Reagan appointed Justice Scalia an Associate Justice of the Supreme Court of the United States, an appointment confirmed unanimously by the United States Senate; and

WHEREAS, Justice Scalia, an avid hunter and rugged individualist until the end, died on February 13, 2016, at the untimely age of 79 while on a hunting trip in Texas; and

WHEREAS, Justice Scalia was the longest-serving member of the current Supreme Court at the time of his death, and with nearly 30 years on the Court was among the longest-serving associate justices in history; and

WHEREAS, Justice Scalia was regarded as a staunch advocate of free speech and a leading conservative voice on the Supreme Court; and

WHEREAS, Justice Scalia also stood out for his textualist interpretation that put emphasis on the actual words in the Constitution itself and for vehemently guarding against other modes of interpretation by which judges imposed their own policy preferences onto cases; and

WHEREAS, Justice Scalia, a devout Roman Catholic and father of nine children, dedicated his life to protecting every American's right to the constitutional protections granted to us by our Founding Fathers; and

WHEREAS, Justice Scalia held a close and unbreakable friendship with his ideological opposite, Justice Ruth Bader Ginsburg, and relished their intellectual debates; and

WHEREAS, Their friendship provided an example of how criticism of ideas does not have to be criticism of people and showed how hard-fought debate could still result in civil relations;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor the memory of Justice Antonin Scalia for his dedication to service, his intellectual rigor, his example of friendship and civility across the ideological divide, and his passion for individual liberty, rule of law, and the text of the Constitution of the United States; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the United States Supreme Court and to the friends and family of Justice Antonin Scalia.

Senators Padden, Sheldon, Hobbs, Dansel, Baumgartner and O'Ban spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8725.

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

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6195, by Senate Committee on Ways & Means (originally sponsored by Senators Rivers, Rolfes, Litzow and Billig)

Concerning basic education obligations.

MOTION

On motion of Senator Rivers, Second Substitute Senate Bill No. 6195 was substituted for Senate Bill No. 6195 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following striking amendment no. 625 by Senator Rivers be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. INTENT. During the past two biennia, the legislature has demonstrated its commitment to funding education through strong bipartisan support for funding its statutory formulas for: Pupil transportation; materials, supplies, and operating costs; full-day kindergarten; and class size reductions. In the 2015-2017 biennial budget, the legislature specifically increased funding to reduce class sizes in grades K-3. The legislature further included the previously scheduled 2017-2019 biennium completion of K-3 class size reduction funding in

its adopted four-year budget outlook. The legislature has planned for and is fully committed to completing the scheduled phase in of K-3 class size reduction in the 2017-2019 biennium.

The state is fully committed to funding its program of basic education as defined in statute and to eliminating school district dependency on local levies for implementation of the state's program of basic education. It is the intent of the legislature to provide state funding for competitive salaries and benefits that are sufficient to hire and retain competent certificated instructional staff, administrators, and classified staff. Additionally, the legislature intends to minimize any disruptive impact to school districts and taxpayers.

The legislature finds that the lack of transparency in school district data regarding how districts use local levy funds limits its ability to make informed decisions concerning teacher compensation. Previous studies have analyzed market data for educator compensation and have provided recommendations on revisions to state allocation formulas, but these studies did not provide data and analysis of compensation paid by districts above basic education salary allocations above the statutory prototypical school model, the source of funding for this compensation, and the duties, uses, or categories for which that compensation is paid. This foundational data is necessary to inform the legislature's decisions.

NEW SECTION. Sec. 2. EDUCATION FUNDING TASK FORCE ESTABLISHED. (1) The education funding task force is established to continue the work of the governor's informal work group to review the data and analysis provided by the consultant retained under section 3 of this act and must make recommendations to the legislature on implementing the program of basic education as defined in statute.

(2) Using the data and analysis provided by the consultant and the previous body of work provided to the legislature, the task force must, at a minimum, make recommendations for compensation that is sufficient to hire and retain the staff funded under the statutory prototypical school funding model and an associated salary allocation model. The recommendations must also include provisions indicating whether:

(a) A system for future salary adjustments should be incorporated into the salary allocation model and if so, the method for providing the adjustment; and

(b) A local labor market adjustment formula should be incorporated into the salary allocation model and if so, the method for providing the adjustment. This must include considerations for rural and remote districts and districts with economic and distressing factors that affect recruitment and retention.

(3) The task force must review available information to determine whether additional state legislation is needed to help school districts to support state-funded all-day kindergarten and class size reduction in kindergarten through third grade.

(4) The task force must review the report on addressing the problem of teacher shortages prepared by the professional educator standards board. The task force must make recommendations for improving or expanding existing educator recruitment and retention programs.

(5) The task force must also make recommendations regarding:

(a) Local maintenance and operation levies and local effort assistance;

(b) Local school district collective bargaining;

(c) Clarifying the distinction between services provided as part of the state's statutory program of basic education and services that may be provided as local enrichment;

(d) Required district reporting, accounting, and transparency of data and expenditures;

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

(e) The provision and funding method for school employee health benefits; and

(f) Sources of state revenue to support the state's statutory program of basic education.

(6) The task force consists of the following members:

(a) Eight legislators, with two members from each of the two largest caucuses of the senate appointed by the leaders of each of the two largest caucuses of the senate, and two members from each of the two largest caucuses of the house of representatives appointed by the speaker of the house of representatives; and

(b) The governor or the governor's designee as a nonvoting member to serve as facilitator.

(7) Recommendations of the task force require the affirmative vote of five of its members.

(8) Staff support for the task force must be provided by the house of representatives office of program research and senate committee services, with additional staff support provided by the office of financial management.

(9) Meetings of the task force shall comply with Joint Rule 10, Senate Rule 45, and House of Representatives Rule 24.

(10) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(11) The task force recommendations and any supporting legislation must be submitted to the legislature by January 9, 2017.

NEW SECTION. Sec. 3. ANALYSIS OF K-12 PUBLIC SCHOOL STAFF COMPENSATION. (1) In consultation with the education funding task force established in section 2 of this act, the Washington state institute for public policy shall contract for independent professional consulting services to:

(a) Collect K-12 public school staff total compensation data, and within that data, provide an analysis of compensation paid in addition to basic education salary allocations under the statutory prototypical school model, source of funding, and the duties, uses, or categories for which that compensation is paid;

(b) Identify market rate salaries that are comparable to each of the staff types in the prototypical school funding model; and

(c) Provide analysis regarding whether a local labor market adjustment formula should be implemented and if so which market adjustment factors and methods should be used.

(2) The superintendent of public instruction must collect, and school districts and other applicable local education agencies must provide, compensation data necessary to implement this section with sufficient time for the consultant to accomplish the work required by this section. Data must be in the format necessary to meet the needs of the consultant. The superintendent of public instruction must provide this information to the Washington state institute for public policy, the office of financial management, and the education funding task force, for use by the consultant and the task force.

(3) The consultant must provide an interim report to the education funding task force and the governor by September 1, 2016.

(4) The consultant's final data and analysis must be provided to the education funding task force and the governor by November 15, 2016.

NEW SECTION. Sec. 4. LOCAL LEVIES—LEGISLATIVE ACTION. Legislative action shall be taken by the end of the 2017 session to eliminate school district dependency on local levies for implementation of the state's program of basic education.

NEW SECTION. Sec. 5. APPROPRIATIONS. (1) The sum of two hundred fifty thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2016, from the general fund to The Evergreen State College to fund the Washington state institute for public policy contract with independent professional consulting services as required in section 3 of this act.

(2) The sum of two hundred fifty thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the general fund to The Evergreen State College to fund the Washington state institute for public policy contract with independent professional consulting services as required in section 3 of this act.

NEW SECTION. Sec. 6. EXPIRATION DATE. This act expires June 30, 2017.

NEW SECTION. Sec. 7. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "obligations;" strike the remainder of the title and insert "creating new sections; making appropriations; providing an expiration date; and declaring an emergency."

Senator Rivers spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 625 by Senator Rivers to Second Substitute Senate Bill No. 6195.

The motion by Senator Rivers carried and striking amendment no. 625 was adopted by voice vote.

MOTION

On motion of Senator Rivers, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6195 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Dammeier, Ericksen, Hargrove, Litzow, Nelson and Ranker spoke in favor of passage of the bill.

Senators Baumgartner, Dansel, Frockt, Hasegawa, Habib, McAuliffe and Pedersen spoke against passage of the bill.

MOTION

Senator Fain demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Fain carried and the previous question was put by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6195.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6195 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Becker, Billig, Brown, Cleveland, Conway, Dammeier, Fain, Fraser, Hargrove, Hewitt,

Hill, Hobbs, Honeyford, King, Litzow, Miloscia, Mullet, Nelson, O'Ban, Ranker, Rivers, Rolfes, Schoesler and Takko

Voting nay: Senators Baumgartner, Benton, Braun, Carlyle, Chase, Dassel, Darneille, Ericksen, Frockt, Habib, Hasegawa, Jayapal, Keiser, Lias, McAuliffe, McCoy, Padden, Parlette, Pearson, Pedersen, Roach, Sheldon and Warnick

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6195, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6155, by Senators Roach, McCoy, Takko and Warnick

Concerning county payroll draw days.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 6155 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6155.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6155 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6155, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6149, by Senators Keiser, Conway, Jayapal, Cleveland, Rolfes, Fraser, Litzow, Fain, Nelson, Habib, Chase, Mullet, Lias, Pedersen, Takko, Hasegawa, Ranker, Frockt, Hill, Benton and Billig

Providing reasonable accommodations in the workplace for pregnant women.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6149 was substituted for Senate Bill No. 6149 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following striking amendment no. 629 by Senators Baumgartner and Keiser be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.10 RCW to read as follows:

(1) An employer must provide reasonable accommodations to an employee for a pregnancy-related or childbirth-related health condition if so requested, with written certification from a licensed health care provider, unless the employer demonstrates that the accommodation would impose an undue hardship on the operation of the employer's business. The employee must provide written notice to the employer stating that a health condition related to pregnancy or childbirth requires accommodation.

(2) Notwithstanding subsection (1) of this section, an employee who is pregnant or has a health condition related to pregnancy or childbirth shall not be required to obtain the advice of a licensed health care provider, nor may an employer claim undue hardship, for the following accommodations: (a) More frequent, longer, or flexible restroom, food, and water breaks; (b) seating; and (c) limits on lifting over twenty pounds.

(3) The employee and employer shall engage in an interactive process with respect to an employee's request for a reasonable accommodation. To assist in this process, the department shall post information in a printable format, such as a brochure, explaining the respective rights and responsibilities of the employer and the employee who has a health condition related to pregnancy or childbirth. Additionally, the department shall include information in the "Your Rights as a Worker" poster, or similar required workplace poster, regarding these respective rights and responsibilities.

(4) Notwithstanding any other provision of this section, an employer shall not be required to create a new or additional position in order to accommodate an employee pursuant to this section, and shall not be required to discharge any employee, transfer any other employee with greater seniority, or promote any employee.

(5) An employer shall not require an employee who has a pregnancy-related or childbirth-related health condition to accept an accommodation, if such accommodation is unnecessary to enable the employee to perform the job.

(6) An employer shall not:

(a) Take adverse action against an employee who requests or uses an accommodation under this section that affects the terms, conditions, or privileges of employment;

(b) Deny employment opportunities to an otherwise qualified employee if such denial is based on the employer's need to make reasonable accommodation required by this section; or

(c) Require an employee to take leave if another reasonable accommodation can be provided for the employee's pregnancy-related or childbirth-related health condition.

(7) This section does not preempt, limit, diminish, or otherwise affect any other provision of law relating to sex discrimination or pregnancy, or in any way diminish or limit the coverage for pregnancy, childbirth, or a pregnancy-related health condition.

(8) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Department" means the department of labor and industries.

(b) "Director" means the director of labor and industries.

(c) "Employee" means an individual employed by an employer.

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

(d) "Employer" means a person engaged in an industry who has fifteen or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year, except that this section does not apply to an entity that is exempt from federal taxation under 26 U.S.C., Sec. 501(c).

(e) "Reasonable accommodation" means:

(i) Making existing facilities used by employees readily accessible to and usable by employees who have a pregnancy-related or childbirth-related disability;

(ii) Job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, or appropriate adjustment or modifications of examinations;

(iii) Temporary transfer to a less strenuous or hazardous position;

(iv) Limits on heavy lifting; and

(v) Scheduling flexibility for prenatal visits.

(f) "Undue hardship" means an action requiring significant difficulty or expense.

(9) The attorney general shall investigate complaints and enforce this section. In addition to the complaint process with the attorney general, any aggrieved person injured by any act in violation of this section has a civil cause of action in court to enjoin further violations, or to recover the actual damages sustained by the person, or both, together with the cost of suit including reasonable attorneys' fees or any other appropriate remedy authorized by state or federal law."

On page 1, line 2 of the title, after "women;" strike the remainder of the title and insert "and adding a new section to chapter 43.10 RCW."

Senator Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 629 by Senators Baumgartner and Keiser to Substitute Senate Bill No. 6149.

The motion by Senator Keiser carried and striking amendment no. 629 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6149 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6149.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6149 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6149, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5265, by Senators Benton, Mullet, Angel and Keiser

Allowing a public depository to arrange for reciprocal deposits of public funds.

The measure was read the second time.

MOTION

On motion of Senator Benton, the rules were suspended, Senate Bill No. 5265 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5265.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5265 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5265, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6513, by Senators Warnick, Hobbs, Parlette, Takko, Hargrove and Honeyford

Concerning reservations of water. Revised for 1st Substitute: Concerning reservations of water in water resource inventory area 45. (REVISED FOR ENGROSSED: Concerning reservations of water in water resource inventory areas 18 and 45.)

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 6513 was substituted for Senate Bill No. 6513 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following striking amendment no. 595 by Senators Warnick and Hargrove be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 90.54 RCW to read as follows:

(1) The department shall act on all water rights applications that rely on the reservations of water established in WAC 173-518-080 or 173-545-090, as those provisions existed on the effective date of this section. The legislature declares that the reservations of water established in WAC 173-518-080 and 173-545-090, as those provisions existed on the effective date of this section, are consistent with legislative intent and are specifically authorized to be maintained and implemented by the department.

(2) This section does not affect the department's authority to lawfully adopt, amend, or repeal any rule, including WAC 173-518-080 or 173-545-090.

(3) This section may not be construed to prejudice any reservation of water not referenced in this section.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, beginning on line 1 of the title, after "Relating to" strike the remainder of the title and insert "reservations of water in water resource inventory areas 18 and 45; adding a new section to chapter 90.54 RCW; and declaring an emergency."

Senators Warnick, Hargrove and McCoy spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 595 by Senators Warnick and Hargrove to Substitute Senate Bill No. 6513.

The motion by Senator Warnick carried and striking amendment no. 595 was adopted by voice vote.

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 6513 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Habib, and without objection, Senator Jayapal was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6513.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6513 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Jayapal

ENGROSSED SUBSTITUTE SENATE BILL NO. 6513, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6564, by Senators O'Ban, Fain, Keiser, McAuliffe, Hobbs, Conway, Angel, Frockt and Warnick

Providing protections for persons with developmental disabilities.

MOTION

On motion of Senator O'Ban, Second Substitute Senate Bill No. 6564 was substituted for Senate Bill No. 6564 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following striking amendment no. 598 by Senators O'Ban and Darneille be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares that the prevalence of the abuse and neglect of individuals with developmental disabilities has become an issue that negatively affects the health and well-being of such individuals. In order to address this issue, the state seeks to increase visitation of clients who are classified at the highest risk of abuse and neglect based on the presentation of risk factors by developmental disabilities administration case managers, and to create an independent office of the developmental disabilities ombuds to monitor and report on services to persons with developmental disabilities.

NEW SECTION. Sec. 2. A new section is added to chapter 71A.12 RCW to read as follows:

At every developmental disabilities administration annual assessment, the case manager is required to meet with the client in an in-person setting. If the client is receiving personal care services or supported living services, the case manager must ask permission to view the client's living quarters and note his or her observations in the service episode record. If the case manager is unable to view the client's living quarters for any reason, the case manager must note this in his or her report along with the reason given for why this is not practicable at the current time.

NEW SECTION. Sec. 3. A new section is added to chapter 71A.12 RCW to read as follows:

(1) Within funds dedicated for this purpose, the developmental disabilities administration shall increase home visits for clients identified as having the highest risk of abuse and neglect.

(2)(a) The developmental disabilities administration must develop a process to determine which of its clients who receive an annual developmental disabilities assessment are at highest risk of abuse or neglect. The administration may consider factors such as:

(i) Whether the client lives with the client's caregiver and receives no other developmental disabilities administration services, or whether the client is largely or entirely dependent on a sole caregiver for assistance, and the caregiver is largely or entirely dependent on the client for his or her income;

(ii) Whether the client has limited ability to supervise the caregiver, to express himself or herself verbally, has few

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

community contacts, or no independent person outside the home is identified to assist the client;

(iii) Whether the client has experienced a destabilizing event such as hospitalization, arrest, or victimization;

(iv) Whether the client has been the subject of an adult protective services or child protective services referral in the past year; or

(v) Whether the client lives in an environment that jeopardizes personal safety.

(b) The developmental disabilities administration must visit those clients identified as having the highest risk of abuse or neglect at least once every four months, including unannounced visits as needed. This unannounced visit may replace a scheduled visit; however if the case manager is unable to meet with the client, a follow-up visit must be scheduled. A client may refuse to allow an unannounced visit to take place, but this fact must be noted.

(3) The developmental disabilities administration may develop rules to implement this section.

Sec. 4. RCW 74.34.300 and 2008 c 146 s 10 are each amended to read as follows:

(1) The department ((may)) shall conduct a vulnerable adult fatality review in the event of a death of a vulnerable adult when the department has reason to believe that the death of the vulnerable adult may be related to the abuse, abandonment, exploitation, or neglect of the vulnerable adult, or may be related to the vulnerable adult's self-neglect, and the vulnerable adult was:

(a) Receiving home and community-based services in his or her own home or licensed or certified settings, described under chapters 74.39 ((and)), 74.39A, 18.20, 70.128, and 71A.12 RCW, within sixty days preceding his or her death; or

(b) Living in his or her own home or licensed or certified settings described under chapters 74.39, 74.39A, 18.20, 70.128, and 71A.12 RCW and was the subject of a report under this chapter received by the department within twelve months preceding his or her death.

(2) When conducting a vulnerable adult fatality review of a person who had been receiving hospice care services before the person's death, the review shall provide particular consideration to the similarities between the signs and symptoms of abuse and those of many patients receiving hospice care services.

(3) All files, reports, records, communications, and working papers used or developed for purposes of a fatality review are confidential and not subject to disclosure pursuant to RCW 74.34.095.

(4) The department may adopt rules to implement this section.

NEW SECTION. Sec. 5. (1) There is created an office of the developmental disabilities ombuds. The department of commerce shall contract with a private, independent nonprofit organization to provide developmental disability ombuds services. The department of commerce shall designate, by a competitive bidding process, the nonprofit organization that will contract to operate the ombuds. The selection process must include consultation of stakeholders in the development of the request for proposals and evaluation of bids. The selected organization must have experience and the capacity to effectively communicate regarding developmental disabilities issues with policymakers, stakeholders, and the general public and must be prepared and able to provide all program and staff support necessary, directly or through subcontracts, to carry out all duties of the office.

(2) The contracting organization and its subcontractors, if any, are not state agencies or departments, but instead are private, independent entities operating under contract with the state.

(3) The governor or state may not revoke the designation of the organization contracted to provide the services of the ombuds except upon a showing of neglect of duty, misconduct, or inability to perform duties.

(4) The department of commerce shall ensure that the ombuds staff has access to sufficient training or experience with issues relating to persons with developmental disabilities and the program and staff support necessary to enable the ombuds to effectively protect the interests of persons with developmental disabilities. The office of the developmental disabilities ombuds shall have the powers and duties to do the following:

(a) Provide information as appropriate on the rights and responsibilities of persons receiving developmental disability administration services or other state services, and on the procedures for providing these services;

(b) Investigate, upon its own initiative or upon receipt of a complaint, an administrative act related to a person with developmental disabilities alleged to be contrary to law, rule, or policy, imposed without an adequate statement of reason, or based on irrelevant, immaterial, or erroneous grounds; however, the ombuds may decline to investigate any complaint;

(c) Monitor the procedures as established, implemented, and practiced by the department to carry out its responsibilities in the delivery of services to a person with developmental disabilities, with a view toward appropriate preservation of families and ensuring health and safety;

(d) Review periodically the facilities and procedures of state institutions which serve persons with developmental disabilities and state-licensed facilities or residences;

(e) Recommend changes in the procedures for addressing the needs of persons with developmental disabilities;

(f) Submit annually, by November 1st, to the governor and appropriate committees of the legislature a report analyzing the work of the office, including recommendations;

(g) Establish procedures to protect the confidentiality of records and sensitive information to ensure that the identity of any complainant or person with developmental disabilities will not be disclosed without the written consent of the complainant or person, or upon court order;

(h) Maintain independence and authority within the bounds of the duties prescribed by this chapter, insofar as this independence and authority is exercised in good faith and within the scope of contract; and

(i) Carry out such other activities as determined by the department of commerce within the scope of this chapter.

(5) The developmental disabilities ombuds must consult with stakeholders to develop a plan for future expansion of the ombuds into a model of individual ombuds services akin to the operations of the long-term care ombuds. The developmental disabilities ombuds shall report its progress and recommendations related to this subsection to the governor and appropriate committees of the legislature by November 1, 2019.

NEW SECTION. Sec. 6. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administration" means the developmental disabilities administration of the department of social and health services.

(2) "Department" means the department of social and health services.

(3) "Ombuds" means the office of the developmental disabilities ombuds.

NEW SECTION. Sec. 7. The ombuds shall collaborate and have a memoranda of agreement with the office of the state long-term care ombuds, the office of the family and children's ombuds, Washington protection and advocacy system, the mental

health ombuds, and the office of the education ombuds to clarify authority in those situations where their mandates overlap.

NEW SECTION. Sec. 8. (1) A developmental disabilities ombuds shall not have participated in the paid provision of services to any person with developmental disabilities within the past year.

(2) A developmental disabilities ombuds shall not have been employed in a governmental position with direct involvement in the licensing, certification, or regulation of a paid developmental disabilities service provider within the past year.

(3) No developmental disabilities ombuds or any member of his or her immediate family may have, or have had within the past year, any significant ownership or investment interest in a paid provider of services to persons with developmental disabilities.

(4) A developmental disabilities ombuds shall not be assigned to investigate a facility or provider of services which provides care or services to a member of that ombuds' immediate family.

NEW SECTION. Sec. 9. The ombuds shall treat all matters under investigation, including the identities of service recipients, complainants, and individuals from whom information is acquired, as confidential, except as far as disclosures may be necessary to enable the ombuds to perform the duties of the office and to support any recommendations resulting from an investigation. Upon receipt of information that by law is confidential or privileged, the ombuds shall maintain the confidentiality of such information and shall not further disclose or disseminate the information except as provided by applicable state or federal law. Investigative records of the office of the ombuds are confidential and are exempt from public disclosure under chapter 42.56 RCW.

NEW SECTION. Sec. 10. (1) Identifying information about complainants or witnesses is not subject to any method of legal compulsion and may not be revealed to the legislature or the governor except under the following circumstances: (a) The complainant or witness waives confidentiality; (b) under a legislative subpoena when there is a legislative investigation for neglect of duty or misconduct by the ombuds or ombuds' office when the identifying information is necessary to the investigation of the ombuds' acts; or (c) under an investigation or inquiry by the governor as to neglect of duty or misconduct by the ombuds or ombuds' office when the identifying information is necessary to the investigation of the ombuds' acts. Consistently with this section, the ombuds must act to protect sensitive client information.

(2) For the purposes of this section, "identifying information" includes the complainant's or witness's name, location, telephone number, likeness, social security number or other identification number, or identification of immediate family members.

NEW SECTION. Sec. 11. The privilege described in section 10 of this act does not apply when:

(1) The ombuds or ombuds' staff member has direct knowledge of an alleged crime, and the testimony, evidence, or discovery sought is relevant to that allegation;

(2) The ombuds or a member of the ombuds' staff has received a threat of, or becomes aware of a risk of, imminent serious harm to any person, and the testimony, evidence, or discovery sought is relevant to that threat or risk; or

(3) The ombuds has been asked to provide general information regarding the general operation of, or the general processes employed at, the ombuds' office.

NEW SECTION. Sec. 12. (1) An employee of the office of the developmental disabilities ombuds is not liable for good faith performance of responsibilities under this chapter.

(2) No discriminatory, disciplinary, or retaliatory action may be taken against an employee of the department, an employee of the department of commerce, an employee of a contracting

agency of the department, a provider of developmental disabilities services, or a recipient of department services for any communication made, or information given or disclosed, to aid the office of the developmental disabilities ombuds in carrying out its responsibilities, unless the communication or information is made, given, or disclosed maliciously or without good faith. This subsection is not intended to infringe on the rights of the employer to supervise, discipline, or terminate an employee for other reasons.

(3) All communications by an ombuds, if reasonably related to the requirements of that individual's responsibilities under this chapter and done in good faith, are privileged and that privilege serves as a defense in any action in libel or slander.

NEW SECTION. Sec. 13. When the ombuds or ombuds' staff member has reasonable cause to believe that any public official, employee, or other person has acted in a manner warranting criminal or disciplinary proceedings, the ombuds or ombuds' staff member shall report the matter, or cause a report to be made, to the appropriate authorities.

NEW SECTION. Sec. 14. The department and the department of health shall:

(1) Allow the ombuds or the ombuds' designee to communicate privately with any person receiving services from the department, or any person who is part of a fatality or near fatality investigation involving a person with developmental disabilities, for the purposes of carrying out its duties under this chapter;

(2) Permit the ombuds or the ombuds' designee physical access to state institutions serving persons with developmental disabilities and information in the possession of the department concerning state-licensed facilities or residences for the purpose of carrying out its duties under this chapter;

(3) Upon the ombuds' request, grant the ombuds or the ombuds' designee the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department or the department of health that the ombuds considers necessary in an investigation; and

(4) Grant the office of the developmental disabilities ombuds unrestricted online access to department information and data systems for the purpose of carrying out its duties under this chapter.

NEW SECTION. Sec. 15. Sections 5 through 14 of this act constitute a new chapter in Title 43 RCW."

On page 1, line 1 of the title, after "disabilities;" strike the remainder of the title and insert "amending RCW 74.34.300; adding new sections to chapter 71A.12 RCW; adding a new chapter to Title 43 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of striking amendment no. 598 by Senators O'Ban and Darneille to Second Substitute Senate Bill No. 6564.

The motion by Senator O'Ban carried and striking amendment no. 598 was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6564 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6564.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6564 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Jayapal

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6564, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6529, by Senators Hargrove, Miloscia, Hewitt, Pedersen and McAuliffe

Strengthening opportunities for the rehabilitation and reintegration of juvenile offenders.

MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 6529 was substituted for Senate Bill No. 6529 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 6529 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6529.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6529 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Danel

Excused: Senator Jayapal

SUBSTITUTE SENATE BILL NO. 6529, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6589, by Senators Bailey, Pearson and Warnick

Concerning a feasibility study to examine whether water storage would provide noninterruptible water resources to users of permit exempt wells.

The measure was read the second time.

MOTION

Senator McCoy moved that the following amendment no. 563 by Senator McCoy be adopted: On page 1, line 7, after "county," insert "tribes,"

On page 1, line 9, after "using" insert "small scale"

Senator McCoy spoke in favor of adoption of the amendment.

MOTION

Senator Bailey moved that the following amendment no. 569 by Senator Bailey to the amendment be adopted: On page 1, line 2 of the amendment, after "insert" strike "small scale" and insert "effectively sized"

Senators Bailey and McCoy spoke in favor of adoption of the amendment to the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 569 by Senator Bailey on page 1, line 2 to the amendment to Senate Bill No. 6589.

The motion by Senator Bailey carried and amendment no. 569 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of amendment no. 563 by Senator McCoy, as amended, on page 1, line 7 to Senate Bill No. 6589.

The motion by Senator McCoy carried and amendment no. 563, as amended, was adopted by voice vote.

MOTION

On motion of Senator Bailey, the rules were suspended, Engrossed Senate Bill No. 6589 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey, McCoy, Takko and Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6589.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6589 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette,

Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SENATE BILL NO. 6589, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6293, by Senators Braun, Bailey, Rivers, Conway and Sheldon

Addressing student volunteers. Revised for 1st Substitute: Addressing student volunteers and unpaid students.

MOTION

On motion of Senator Braun, Substitute Senate Bill No. 6293 was substituted for Senate Bill No. 6293 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Schoesler moved that the following amendment no. 583 by Senators Schoesler and Braun be adopted:

On page 2, after line 27, insert the following:

"**NEW SECTION. Sec. 3.** A new section is added to chapter 51.12 RCW to read as follows:

An employer who has registered and accepted the services of volunteers, who are eligible for medical aid benefits under this chapter, may annually elect to pay the premiums and assessments due under this title at the rate due for one hundred hours of volunteer service for each volunteer instead of tracking the actual number of hours for each volunteer. An employer selecting this option must use the method to cover all their volunteers for the calendar year."

Senators Schoesler and Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 583 by Senators Schoesler and Braun on page 2, after line 27 to Substitute Senate Bill No. 6293.

The motion by Senator Schoesler carried and amendment no. 583 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute Senate Bill No. 6293 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6293.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6293 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Absent: Senator Takko

ENGROSSED SUBSTITUTE SENATE BILL NO. 6293, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senator Takko was excused.

SECOND READING

SENATE BILL NO. 6337, by Senators Darneille, Miloscia, McCoy, Hasegawa, Conway and Chase

Disposing tax foreclosed property to cities for affordable housing purposes.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 6337 was substituted for Senate Bill No. 6337 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 6337 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6337.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6337 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hill, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Roach, Rolfes and Takko

Voting nay: Senators Angel, Bailey, Baumgartner, Benton, Brown, Dansel, Ericksen, Hewitt, Honeyford, Padden, Rivers, Schoesler, Sheldon and Warnick

SUBSTITUTE SENATE BILL NO. 6337, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6545, by Senator Ericksen

Creating a task force on Washington's clean energy economy.

The measure was read the second time.

MOTION

On motion of Senator Ericksen, the rules were suspended, Senate Bill No. 6545 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, Chase and Warnick spoke in favor of passage of the bill.

Senator McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6545.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6545 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Cleveland, Darneille, Habib, Jayapal, Keiser, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen and Rolfes

SENATE BILL NO. 6545, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6409, by Senators Bailey, Frockt, Braun, Becker, Carlyle and Chase

Creating administrative efficiencies for institutions of higher education.

MOTIONS

On motion of Senator Bailey, Substitute Senate Bill No. 6409 was substituted for Senate Bill No. 6409 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 6409 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Frockt spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6409.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6409 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Senators Chase, Hasegawa and McCoy

SUBSTITUTE SENATE BILL NO. 6409, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 5271, by Senators Roach, Hasegawa, Lias and Benton

Concerning standards adopted by the national fire protection association and the state building code council.

The bill was read on Third Reading.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5271.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5271 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Jayapal, Keiser, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Takko and Warnick

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Brown, Dammeier, Dansel, Ericksen, Hargrove, Honeyford, King, O'Ban, Padden, Pearson, Schoesler and Sheldon

SENATE BILL NO. 5271, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6475, by Senators Dansel, King, Takko and Frockt

Addressing political subdivisions purchasing health coverage through the public employees' benefits board program.

The measure was read the second time.

MOTION

On motion of Senator Dansel, the rules were suspended, Senate Bill No. 6475 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dansel spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6475.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6475 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Hewitt

SENATE BILL NO. 6475, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senator Keiser was excused.

SECOND READING

SENATE BILL NO. 6466, by Senators Habib, Dammeier, Darneille, Liias, Roach, Keiser, Frockt, Becker, Hasegawa, Conway and McAuliffe

Concerning student services for students with disabilities. Revised for 1st Substitute: Creating a work group to develop a plan for removing obstacles for higher education students with disabilities.

MOTIONS

On motion of Senator Habib, Substitute Senate Bill No. 6466 was substituted for Senate Bill No. 6466 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Habib, the rules were suspended, Substitute Senate Bill No. 6466 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Habib and Bailey spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6466.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6466 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Keiser

SUBSTITUTE SENATE BILL NO. 6466, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 5094, by Senators Brown, Hewitt, Sheldon and Hatfield

Allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act.

The bill was read on Third Reading.

Senators Brown, Baumgartner, Chase, Takko, Hobbs and Dansel spoke in favor of passage of the bill.

Senators McCoy and Ranker spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5094.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5094 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Conway, Dammeier, Dansel, Ericksen, Fain, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, King, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Cleveland, Darneille, Fraser, Frockt, Habib, Hill, Jayapal, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

Excused: Senator Keiser

SENATE BILL NO. 5094, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6117, by Senator Sheldon

Concerning notice against trespass.

MOTIONS

On motion of Senator Sheldon, Substitute Senate Bill No. 6117 was substituted for Senate Bill No. 6117 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Sheldon, the rules were suspended, Substitute Senate Bill No. 6117 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton, Ericksen, Dansel, Sheldon and Becker spoke in favor of passage of the bill.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6117.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6117 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hasegawa, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

SUBSTITUTE SENATE BILL NO. 6117, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6525, by Senators Angel, Liias, Rolfes, Dammeier and Schoesler

Concerning the state building code council.

MOTION

On motion of Senator Angel, Substitute Senate Bill No. 6525 was substituted for Senate Bill No. 6525 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Angel moved that the following amendment no. 540 by Senator Angel be adopted:

On page 6, line 15, after "services" strike all material through "health." on line 16 and insert "and department of commerce energy program."

Senator Angel spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 540 by Senator Angel on page 6, line 15 to Substitute Senate Bill No. 6525.

The motion by Senator Angel carried and amendment no. 540 was adopted by voice vote.

MOTION

On motion of Senator Angel, the rules were suspended, Engrossed Substitute Senate Bill No. 6525 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.

Senator McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6525.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6525 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Hobbs, Honeyford, King, Liias, Litzow, Mullet, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Jayapal, Keiser, McAuliffe, McCoy, Miloscia, Nelson, Pedersen and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 6525, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

In regards to a vote taken on Senate Bill 6525 on 16 February 2016, I inadvertently voted no on this bill but I intended to vote yes.

SENATOR MILOSCIA
30th Legislative District

SECOND READING

SENATE BILL NO. 6196, by Senators McCoy and Ericksen

Modifying administrative processes for the utilities and transportation commission in managing deposits and cost reimbursements of the energy facility site evaluation council.

The measure was read the second time.

MOTION

On motion of Senator McCoy, the rules were suspended, Senate Bill No. 6196 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6196.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6196 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Baumgartner

SENATE BILL NO. 6196, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6349, by Senators Benton and Mullet

Concerning public funds and deposits.

The measure was read the second time.

MOTION

Senator Benton moved that the following amendment no. 578 by Senators Benton and Mullet be adopted:

On page 3, beginning on line 31, after "institution" strike all material through "liability" on line 36 and insert "((which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state, which)) that has been approved by the commission to hold public deposits, ((and which)) has segregated, for the benefit of the commission, eligible collateral having a value of not less than its maximum liability, and, unless otherwise provided for in this chapter, does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of this state;"

Senator Benton spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 578 by Senators Benton and Mullet on page 3, line 31 to Senate Bill No. 6349.

The motion by Senator Benton carried and amendment no. 578 was adopted by voice vote.

MOTION

On motion of Senator Benton, the rules were suspended, Engrossed Senate Bill No. 6349 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6349.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6349 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SENATE BILL NO. 6349, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 5363, by Senators Padden, Dansel, Pearson, Roach, Rivers, Angel, Schoesler, Braun, Dammeier, Honeyford and Hewitt

Prohibiting the use of eminent domain for economic development.

The bill was read on Third Reading.

Senator Padden spoke in favor of passage of the bill.
Senator Pedersen spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5363.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5363 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Dammeier, Dansel, Ericksen, Fain, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hasegawa, Jayapal, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen and Ranker

SENATE BILL NO. 5363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6427, by Senators Fain, Hargrove, Keiser, Honeyford, Rolfes and Roach

Specifying the documentation that must be provided to determine when sales tax applies to the sale of a motor vehicle to an enrolled tribal member. Revised for 1st Substitute: Specifying the documentation that must be provided to determine when sales tax applies to the sale of a motor vehicle to a tribal member.

MOTION

On motion of Senator Fain, Substitute Senate Bill No. 6427 was substituted for Senate Bill No. 6427 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fain moved that the following striking amendment no. 581 by Senators Fain and Hargrove be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 82.08 RCW to read as follows:

(1)(a) State sales tax is not imposed on the sale of a motor vehicle: (i) If delivered to a tribe or tribal member in their Indian country, or (ii) if the sale is made to a tribe or tribal member in their Indian country. A tribal member is not required to reside in Indian country for the exemption under this section to apply. However, the tribal member must have tax exempt status as a member of the tribe upon whose Indian country delivery is made.

(b) In order to substantiate the tax exempt status of a tribal member, the seller must require presentation of one of the following:

- (i) The buyer's tribal membership or citizenship card;
- (ii) The buyer's certificate of tribal enrollment; or
- (iii) A letter signed by a tribal official confirming the buyer's tribal membership status.

(c)(i) To establish delivery for purposes of this section, the motor vehicle must be delivered to the tribe or tribal member in their Indian country. The seller must document the delivery by completing a declaration, in a form prescribed by the department, signed by the seller attesting that delivery was made to that location.

(ii) No other proof of delivery may be accepted in place of or required in addition to the requirements in (c)(i) of this subsection.

(2) If the sale is made to the tribe or tribal member in their Indian country, the requirements in subsection (1)(c) of this section do not apply.

(3) The seller must retain copies of the documentation required under subsection (1) of this section for the period required in RCW 82.32.070.

(4) Nothing in this section may be construed to affect, amend, or modify federal law or Washington state tax law as applied to a tribal member or tribe.

(5) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Indian country" has the same meaning as provided in 18 U.S.C. Sec. 1151.

(b) "Tribe" means a federally recognized tribe.

(c) "Tribal member" means an enrolled member of a federally recognized tribe."

On page 1, line 3 of the title, after "member;" strike the remainder of the title and insert "and adding a new section to chapter 82.08 RCW."

Senator Fain spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 581 by Senators Fain and Hargrove to Substitute Senate Bill No. 6427.

The motion by Senator Fain carried and the striking amendment no. 581 was adopted by voice vote.

On motion of Senator Fain, the rules were suspended, Engrossed Substitute Senate Bill No. 6427 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6427.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6427 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6427, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6354, by Senators Lias, Baumgartner, Carlyle, Frocht and Bailey

Adopting a higher education reverse transfer agreement plan. Revised for 1st Substitute: Concerning the development of higher education reverse transfer agreement plans.

MOTIONS

On motion of Senator Lias, Substitute Senate Bill No. 6354 was substituted for Senate Bill No. 6354 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Lias, the rules were suspended, Substitute Senate Bill No. 6354 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Lias and Bailey spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6354.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6354 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6354, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6169, by Senators Angel and Habib

Concerning easements in property tax foreclosures.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator McCoy and without objection, amendment no. 592 by Senator McCoy on page 1, line 15 to Senate Bill No. 6169 was withdrawn.

On page 1, line 15, after "~~foreclosed~~)." insert "Any tract, lot, or parcel of real property that is subject to an easement used in a manner that recognizes and respects tribal treaty rights and is subject to a foreclosure of delinquent taxes continues to be subject to the easement, and any tax deed issued pursuant to the foreclosure shall be subject to the easement."

MOTION

On motion of Senator Angel, the rules were suspended, Senate Bill No. 6169 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6169.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6169 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6169, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5894, by Senators Sheldon, Warnick, King and Padden

Addressing unlawful activities on certain properties.

The measure was read the second time.

MOTION

On motion of Senator Sheldon, the rules were suspended, Senate Bill No. 5894 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Sheldon, Padden, Benton, Roach, Angel and Dansel spoke in favor of passage of the bill.

Senators Pedersen, Lias, Rolfes and Billig spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5894.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5894 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

SENATE BILL NO. 5894, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you, Mr. President. I've had a tough day today. I've had a couple trespass bills that have really been tough, and yesterday I had a credit card stolen. The damn thing, I didn't even report it. The guy who stole it was charging so much less than my wife, I just let it go."

SECOND READING

SENATE BILL NO. 6459, by Senators Rivers, Takko, Litzow, Ranker, Ericksen, Benton and Pearson

Authorizing peace officers to assist the department of corrections with the supervision of offenders.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 6459 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Pedersen and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6459.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6459 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dandel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Darneille, Hasegawa, Nelson and Ranker

SENATE BILL NO. 6459, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6583, by Senators Miloscia, Padden, O'Ban, Pearson and Sheldon

Requiring the establishment of performance management systems at the state department of corrections.

MOTION

On motion of Senator Miloscia, Substitute Senate Bill No. 6583 was substituted for Senate Bill No. 6583 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fraser moved that the following amendment no. 620 by Senators Fraser and McAuliffe be adopted:

On page 2, beginning on line 12, after "(4)" strike all material through "(6)" on line 30

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

On page 2, beginning on line 37, after "assessments," strike all material through "section," on line 38

On page 3, beginning on line 6, strike all of section 2 and insert the following:

"NEW SECTION. Sec. 2. The Washington state institute for public policy shall conduct a study to estimate the comparative costs to the department of corrections of adopting the Baldrige excellence framework. The institute must examine the costs and resources associated with undergoing Baldrige assessments, and applying for a national quality award. The study must also include an examination of any estimated performance improvements and cost savings associated with implementation of the Baldrige framework compared to other recognized quality management systems. The study also shall identify the assessment questions most relevant to the department of corrections and the questions that are not relevant, in order to promote the most efficient use of state and federal resources. A report is due to the appropriate committees of the legislature by December 1, 2017."

On page 1, line 2 of the title, after "adding" strike the remainder of the title and insert "a new section to chapter 72.09 RCW; creating new sections; and declaring an emergency."

Senators Fraser, McAuliffe, Miloscia and Nelson spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 620 by Senators Fraser and McAuliffe on page 2, line 12 to Substitute Senate Bill No. 6583.

The motion by Senator Fraser did not carry and amendment no. 620 was not adopted by voice vote.

MOTION

On motion of Senator Miloscia, the rules were suspended, Substitute Senate Bill No. 6583 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Miloscia spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6583.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6583 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

SUBSTITUTE SENATE BILL NO. 6583, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 7:08 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President for the purpose of a dinner break and caucus.

EVENING SESSION

The Senate was called to order at 9:32 p.m. by the President of the Senate, Lt. Governor Owen presiding.

SECOND READING

SENATE BILL NO. 6265, by Senators King, Warnick, Bailey, Schoesler, Hasegawa, Conway, Takko, Nelson, Padden, Benton, Ericksen, Honeyford, Parlette and Hewitt

Concerning vehicle weight limits for the movement of agricultural commodities.

MOTION

On motion of Senator King, Substitute Senate Bill No. 6265 was substituted for Senate Bill No. 6265 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hargrove demanded a division.

The President declared the question before the Senate to be the motion by Senator King that the measure be substituted.

The motion by Senator King carried and Substitute Senate Bill No. 6265 was substituted for Senate Bill No. 6265 and the substitute bill was placed on the second reading and read a second time on a rising vote.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6265 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6265.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6265 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Cleveland, Frockt, Habib, Hasegawa, Jayapal, Lias, McAuliffe, McCoy, Nelson, Pedersen, Ranker and Rolfes

SUBSTITUTE SENATE BILL NO. 6265, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5243, by Senate Committee on Ways & Means (originally sponsored by Senators Honeyford, King, Keiser, Conway and Chase)

Concerning services provided by residential habilitation centers.

The bill was read on Third Reading.

Senators Cleveland and Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5243.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5243 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fraser, Frockt, Habib, Hasegawa, Hewitt, Honeyford, Jayapal, Keiser, King, Lias, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Angel, Brown, Fain, Hargrove, Hill, Hobbs and Litzow

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6321, by Senators Baumgartner and Pedersen

Addressing certain exclusions from the definition of worker under industrial insurance statutes.

The measure was read the second time.

MOTION

Senator Baumgartner moved that the following striking amendment no. 588 by Senators Baumgartner and Pedersen be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 51.08.181 and 2008 c 102 s 5 are each amended to read as follows:

For the purposes of this title, any individual performing services that require registration under chapter 18.27 RCW or licensing under chapter 19.28 RCW for remuneration under an independent contract is not a worker when:

(1) The individual has been, and will continue to be, free from control or direction over the performance of the service, both under the contract of service and in fact. For the purposes of this chapter, requirements regarding sequencing, deadlines, or date and time of entry to a worksite do not constitute control or direction, nor do reasonable expectations of professional dress, conduct, demeanor, safety, or any other conditions specified in the agreement with the owner of the property or a higher tier contractor. This section does not affect the right of any party to enforce the agreement;

(2) The service is either outside the usual course of business for which the service is performed, or the service is performed outside all of the places of business of the enterprise for which the service is performed, or the individual is responsible, both under the contract and in fact, for the costs of the principal place of business from which the service is performed;

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

(3) The individual is customarily engaged in ((an independently established)) a trade, occupation, profession, or business, of the same nature as that involved in the contract of service((, or the individual has a principal place of business for the business the individual is conducting that is eligible for a business deduction for federal income tax purposes other than that furnished by the employer for which the business has contracted to furnish services;

(4) On the effective date of the contract of service, the individual is responsible for filing at the next applicable filing period, both under the contract of service and in fact, a schedule of expenses with the internal revenue service for the type of business the individual is conducting));

((5)) (4) On the effective date of the contract of service, or within a reasonable period after the effective date of the contract, the individual has an active and valid certificate of registration with the department of revenue, and an active and valid account with ((any other state agencies)) the department as required by the particular case, for the business the individual is conducting for the payment of all state taxes normally paid by employers and businesses and has registered for and received a unified business identifier number from the state of Washington. If checked quarterly or within a reasonable period before, during, and/or after the agreement, reliance on department of revenue and department published information constitutes compliance with this subsection;

((6) On the effective date of the contract of service, the individual is maintaining a separate set of books or records that reflect all items of income and expenses of the business which the individual is conducting;)) and

((7)) (5) On the effective date of the contract of service, the individual has a valid contractor registration pursuant to chapter 18.27 RCW or an electrical contractor license pursuant to chapter 19.28 RCW. If checked quarterly or within a reasonable period before, during, and/or after the agreement, reliance on department published information constitutes compliance with this subsection."

On page 1, line 2 of the title, after "statutes;" strike the remainder of the title and insert "and amending RCW 51.08.181."

Senator Baumgartner spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 588 by Senators Baumgartner and Pedersen to Senate Bill No. 6321.

The motion by Senator Baumgartner carried and striking amendment no. 588 was adopted by voice vote.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Engrossed Senate Bill No. 6321 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6321.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6321 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Nelson, Ranker, Rolfes and Takko

ENGROSSED SENATE BILL NO. 6321, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6289, by Senators Baumgartner and Hobbs

Addressing the use of a digital platform to employ certain independent contractors.

MOTIONS

On motion of Senator Baumgartner, Substitute Senate Bill No. 6289 was substituted for Senate Bill No. 6289 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Baumgartner, the rules were suspended, Substitute Senate Bill No. 6289 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Baumgartner and Hobbs spoke in favor of passage of the bill.

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

MOTION

Senator Fain demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Fain carried and the previous question was put by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6289.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6289 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Jayapal, Keiser, Liias, McAuliffe, McCoy, Nelson, Ranker and Rolfes

SUBSTITUTE SENATE BILL NO. 6289, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

SECOND READING

SENATE BILL NO. 6534, by Senators O'Ban and Becker

Establishing a maternal mortality review panel.

MOTION

On motion of Senator O'Ban, Second Substitute Senate Bill No. 6534 was substituted for Senate Bill No. 6534 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator O'Ban moved that the following striking amendment no. 617 by Senators O'Ban and Darneille be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.54 RCW to read as follows:

(1) For the purposes of this section, "maternal mortality" or "maternal death" means a death of a woman while pregnant or within one year of delivering or following the end of a pregnancy, whether or not the woman's death is related to or aggravated by the pregnancy.

(2) A maternal mortality review panel is established to conduct comprehensive, multidisciplinary reviews of maternal deaths in Washington to identify factors associated with the deaths and make recommendations for system changes to improve health care services for women in this state. The members of the panel must be appointed by the secretary of the department of health, must serve without compensation, and may include:

- (a) An obstetrician;
- (b) A physician specializing in maternal fetal medicine;
- (c) A neonatologist;
- (d) A midwife with licensure in the state of Washington;
- (e) A representative from the department of health who works in the field of maternal and child health;
- (f) A department of health epidemiologist with experience analyzing perinatal data;
- (g) A pathologist; and
- (h) A representative of the community mental health centers.

(3) The maternal mortality review panel must conduct comprehensive, multidisciplinary reviews of maternal mortality in Washington. The panel may not call witnesses or take

testimony from any individual involved in the investigation of a maternal death or enforce any public health standard or criminal law or otherwise participate in any legal proceeding relating to a maternal death.

(4)(a) The maternal mortality review panel's proceedings, records, and opinions are confidential and are not subject to disclosure under chapter 42.56 RCW. Panel members may not be questioned in any civil or criminal proceeding regarding the information presented in or opinions formed as a result of a meeting of the panel. This subsection does not prevent a member of the panel from testifying to information obtained independently of the panel or which is public information.

(b) The maternal mortality review panel and the secretary of the department of health may retain identifiable information regarding facilities where maternal deaths, or from which the patient was transferred, occur and geographic information on each case solely for the purposes of trending and analysis over time. All individually identifiable information must be removed before any case review by the panel.

(5) The department of health shall review department available data to identify maternal deaths. To aid in determining whether a maternal death was related to or aggravated by the pregnancy, and whether it was preventable, the department of health has the authority to:

(a) Access all data relating to maternal deaths provided under RCW 70.56.020;

(b) Request and receive data for specific maternal deaths including, but not limited to, full medical records, root cause analyses, autopsy reports, medical examiner reports, coroner reports, and social service records; and

(c) Request and receive data as described in (b) of this subsection from health care providers, health care facilities, clinics, laboratories, medical examiners, coroners, professions and facilities licensed by the department of health, local health jurisdictions, the health care authority and its licensees and providers, and the department of social and health services and its licensees and providers.

(6) By July 1, 2017, and biennially thereafter, the maternal mortality review panel must submit a report to the secretary of the department of health and the health care committees of the senate and house of representatives. The report must protect the confidentiality of all decedents and other participants involved in any incident. The report must be distributed to relevant stakeholder groups for performance improvement. Interim results may be shared at the Washington state hospital association coordinated quality improvement program. The report must include the following:

(a) A description of the maternal deaths reviewed by the panel during the preceding twenty-four months, including statistics and causes of maternal deaths presented in the aggregate, but the report must not disclose any identifying information of patients, decedents, providers, and organizations involved; and

(b) Evidence-based system changes and possible legislation to improve maternal outcomes and reduce preventable maternal deaths in Washington.

(7) This section expires June 30, 2020."

On page 1, line 2 of the title, after "panel;" strike the remainder of the title and insert "adding a new section to chapter 70.54 RCW; and providing an expiration date."

Senator O'Ban spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 617 by Senators O'Ban and Darneille to Second Substitute Senate Bill No. 6534.

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

The motion by Senator O'Ban carried and striking amendment no. 617 was adopted by voice vote.

On motion of Senator O'Ban, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6534 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6534.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6534 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6534, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6601, by Senators Frockt, Bailey, Braun, Mullet, Carlyle and McAuliffe

Creating the Washington college savings program.

MOTION

On motion of Senator Frockt, Second Substitute Senate Bill No. 6601 was substituted for Senate Bill No. 6601 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Frockt moved that the following striking amendment no. 626 by Senators Frockt, Braun, Bailey and Mullet be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28B.95.010 and 1997 c 289 s 1 are each amended to read as follows:

(1) The Washington advanced college tuition payment program is established to help make higher education affordable and accessible to all citizens of the state of Washington by offering a savings incentive that will protect purchasers and beneficiaries against rising tuition costs. ((The program is))

(2) Subject to the availability of amounts appropriated for this specific purpose, the Washington college savings program is established to provide an additional financial option for individuals, organizations, and families to save for college.

(3) These programs are designed to encourage savings and enhance the ability of Washington citizens to obtain financial access to institutions of higher education. In addition, the programs encourage((s)) elementary and secondary school students to do well in school as a means of preparing for and aspiring to higher education attendance. ((This program is)) These programs are intended to promote a well-educated and financially secure population to the ultimate benefit of all citizens of the state of Washington.

Sec. 2. RCW 28B.95.020 and 2015 3rd sp.s. c 36 s 6 are each amended to read as follows:

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

(1) "Academic year" means the regular nine-month, three-quarter, or two-semester period annually occurring between August 1st and July 31st.

(2) "Account" means the Washington advanced college tuition payment program account established for the deposit of all money received by the office from eligible purchasers and interest earnings on investments of funds in the account, as well as for all expenditures on behalf of eligible beneficiaries for the redemption of tuition units and for the development of any authorized college savings program pursuant to RCW 28B.95.150.

(3) "College savings program account" means the Washington college savings program account established pursuant to RCW 28B.95.010.

(4) "Committee on advanced tuition payment and college savings" or "committee" means a committee of the following members: The state treasurer, the director of the office of financial management, the director of the office, or their designees, and two members to be appointed by the governor, one representing program participants and one private business representative with marketing, public relations, or financial expertise.

((4)) (5) "Contractual obligation" means a legally binding contract of the state with the purchaser and the beneficiary establishing that purchases of tuition units in the advanced college tuition payment program will be worth the same number of tuition units at the time of redemption as they were worth at the time of the purchase, except as provided in RCW 28B.95.030(7).

((5)) (6) "Dual credit fees" means any fees charged to a student for participation in college in the high school under RCW 28A.600.290 or running start under RCW 28A.600.310.

((6)) (7) "Eligible beneficiary" means the person ((for whom the tuition unit will be redeemed for attendance at an institution of higher education, participation in college in the high school under RCW 28A.600.290, or participation in running start under RCW 28A.600.310. The beneficiary is that person named by the purchaser at the time that a tuition unit contract is accepted by the governing body)) designated as the individual whose education expenses are to be paid from the advanced college tuition payment program or the college savings program. Qualified organizations, as allowed under section 529 of the federal internal revenue code, purchasing tuition unit contracts as future scholarships need not designate a beneficiary at the time of purchase.

((7)) (8) "Eligible contributor" means an individual or organization that contributes money for the purchase of tuition units, and for an individual college savings program account established pursuant to this chapter for an eligible beneficiary.

(9) "Eligible purchaser" means an individual or organization that has entered into a tuition unit contract with the governing body for the purchase of tuition units in the advanced college tuition payment program for an eligible beneficiary, or that has entered into a participant college savings program account

contract for an eligible beneficiary. The state of Washington may be an eligible purchaser for purposes of purchasing tuition units to be held for granting Washington college bound scholarships.

((8)) (10) "Full-time tuition charges" means resident tuition charges at a state institution of higher education for enrollments between ten credits and eighteen credit hours per academic term.

((9)) (11) "Governing body" means the committee empowered by the legislature to administer the Washington advanced college tuition payment program and the Washington college savings program.

((10)) (12) "Individual college savings program account" means the formal record of transactions relating to a Washington college savings program beneficiary.

(13) "Institution of higher education" means an institution that offers education beyond the secondary level and is recognized by the internal revenue service under chapter 529 of the internal revenue code.

((11)) (14) "Investment board" means the state investment board as defined in chapter 43.33A RCW.

((12)) (15) "Investment manager" means the state investment board, another state, or any other entity as selected by the governing body, including another college savings plan established pursuant to section 529 of the internal revenue code.

(16) "Office" means the office of student financial assistance as defined in chapter 28B.76 RCW.

((13)) (17) "Owner" means the eligible purchaser or the purchaser's successor in interest who shall have the exclusive authority to make decisions with respect to the tuition unit contract or the individual college savings program contract. The owner has exclusive authority and responsibility to establish and change the asset investment options for a beneficiaries' individual college savings program account.

(18) "Participant college savings program account contract" means a contract to participate in the Washington college savings program between an eligible purchaser and the office.

(19) "State institution of higher education" means institutions of higher education as defined in RCW 28B.10.016.

((14)) (20) "Tuition and fees" means undergraduate tuition and services and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded to the nearest whole dollar. For purposes of this chapter, services and activities fees do not include fees charged for the payment of bonds heretofore or hereafter issued for, or other indebtedness incurred to pay, all or part of the cost of acquiring, constructing, or installing any lands, buildings, or facilities.

((15)) (21) "Tuition unit contract" means a contract between an eligible purchaser and the governing body, or a successor agency appointed for administration of this chapter, for the purchase of tuition units in the advanced college tuition payment program for a specified beneficiary that may be redeemed at a later date for an equal number of tuition units, except as provided in RCW 28B.95.030(7).

((16)) (22) "Unit purchase price" means the minimum cost to purchase one tuition unit in the advanced college tuition payment program for an eligible beneficiary. Generally, the minimum purchase price is one percent of the undergraduate tuition and fees for the current year, rounded to the nearest whole dollar, adjusted for the costs of administration and adjusted to ensure the actuarial soundness of the account. The analysis for price setting shall also include, but not be limited to consideration of past and projected patterns of tuition increases, program liability, past and projected investment returns, and the need for a prudent stabilization reserve.

Sec. 3. RCW 28B.95.025 and 2011 1st sp.s. c 11 s 169 are each amended to read as follows:

The office shall maintain appropriate offices and employ and fix compensation of such personnel as may be necessary to perform the advanced college tuition payment program and the Washington college savings program duties. The office shall consult with the governing body on the selection, compensation, and other issues relating to the employment of the program director. The positions are exempt from classified service under chapter 41.06 RCW. The employees shall be employees of the office.

NEW SECTION. Sec. 4. A new section is added to chapter 28B.95 RCW to read as follows:

(1) The Washington college savings program shall be administered by the committee, which shall be chaired by the director of the office. The committee shall be supported by staff of the office.

(2) The Washington college savings program shall consist of the college savings program account and the individual college savings program accounts, and shall allow an eligible purchaser to establish an individual college savings program account for an eligible beneficiary whereby the money in the account may be invested and used for enrollment at any institution of higher education that is recognized by the internal revenue service under chapter 529 of the internal revenue code. Money in the account may also be used to pay for dual credit fees.

(3) The Washington college savings program is open to eligible purchasers and eligible beneficiaries who are residents or nonresidents of Washington state.

(4) The Washington college savings program shall not require eligible purchasers to make an initial minimum contribution in any amount that exceeds twenty-five dollars when establishing a new account.

(5) The committee may contract with other state or nonstate entities that are authorized to do business in the state for the investment of moneys in the college savings program, including other college savings plans established pursuant to section 529 of the internal revenue code. The investment of eligible contributors' deposits may be in credit unions, savings and loan associations, banks, mutual savings banks, purchase life insurance, shares of an investment company, individual securities, fixed annuity contracts, variable annuity contracts, any insurance company, other 529 plans, or any investment company licensed to contract business in this state.

(6) The governing body shall determine the conditions under which control or the beneficiary of an individual college savings program account may be transferred to another family member. In permitting such transfers, the governing body may not allow the individual college savings program account to be bought, sold, bartered, or otherwise exchanged for goods and services by either the beneficiary or the purchaser.

(7) The governing body shall promote, advertise, and publicize the Washington college savings program.

(8) The governing body shall develop materials to educate potential account owners and beneficiaries on (a) the differences between the advanced college tuition payment program and the Washington college savings program, and (b) how the two programs can complement each other to save towards the full cost of attending college.

(9) In addition to any other powers conferred by this chapter, the governing body may:

(a) Impose limits on the amount of contributions that may be made on behalf of any eligible beneficiary;

(b) Determine and set age limits and any time limits for the use of benefits under this chapter;

(c) Establish incentives to encourage participation in the Washington college savings program to include but not be limited to entering into agreements with any public or private employer

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

under which an employee may agree to have a designated amount deducted in each payroll period from the wages due the employee for the purpose of making contributions to a participant college savings program account;

(d) Impose and collect administrative fees and charges in connection with any transaction under this chapter;

(e) Appoint and use advisory committees and the state actuary as needed to provide program direction and guidance;

(f) Formulate and adopt all other policies and rules necessary for the efficient administration of the program;

(g) Purchase insurance from insurers licensed to do business in the state, to provide for coverage against any loss in connection with the account's property, assets, or activities;

(h) Make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise and discharge of its powers and duties under this chapter;

(i) Contract for the provision for all or part of the services necessary for the management and operation of the Washington college savings program with other state or nonstate entities authorized to do business in the state for the investment of moneys;

(j) Contract for other services or for goods needed by the governing body in the conduct of its business under this chapter;

(k) Contract with financial consultants, actuaries, auditors, and other consultants as necessary to carry out its responsibilities under this chapter;

(l) Solicit and accept gifts, bequests, cash donations, and grants from any person, governmental agency, private business, or organization; and

(m) Perform all acts necessary and proper to carry out the duties and responsibilities of the Washington college savings program under this chapter.

(10) It is the intent of the legislature to establish policy goals for the Washington college savings program. The policy goals established under this section are deemed consistent with creating a nationally competitive 529 savings plan. The Washington college savings program should support achievement of these policy goals:

(a) Process: To have an investment manager design a thoughtful, well-diversified glide path for age-based portfolios and offer a robust suite of investment options;

(b) People: To have a well-resourced, talented, and long-tenured investment manager;

(c) Parent: To demonstrate that the committee is a good caretaker of college savers' capital and can manage the plan professionally;

(d) Performance: To demonstrate that the program's options have earned their keep with solid risk-adjusted returns over relevant time periods; and

(e) Price: To demonstrate that the investment options are a good value.

(11) The powers, duties, and functions of the Washington college savings program must be performed in a manner consistent with the policy goals in subsection (10) of this section.

(12) The policy goals in this section are intended to be the basis for establishing detailed and measurable objectives and related performance measures.

(13) It is the intent of the legislature that the committee establish objectives and performance measures for the investment manager to progress toward the attainment of the policy goals in subsection (10) of this section. The committee shall submit objectives and performance measures to the legislature for its review and shall provide an updated report on the objectives and measures before the regular session of the legislature during even-numbered years thereafter.

NEW SECTION. Sec. 5. A new section is added to chapter 28B.95 RCW to read as follows:

(1) The committee shall create an expedited process by which owners can complete a direct rollover of a 529 account from (a) a state-sponsored prepaid tuition plan to a state-sponsored college savings plan, (b) a state-sponsored college savings plan to a state-sponsored prepaid tuition plan, or (c) a state-sponsored prepaid tuition plan or a state-sponsored college savings plan to an out-of-state eligible 529 plan.

(2) The committee shall report annually to the governor and the appropriate committees of the legislature on (a) the number of accounts that have been rolled into the Washington college savings program from out of state and (b) the number of accounts rolled out of the Washington college savings program to 529 plans into other states.

Sec. 6. RCW 28B.95.035 and 1998 c 69 s 3 are each amended to read as follows:

No member of the committee is liable for the negligence, default, or failure of any other person or members of the committee to perform the duties of office and no member may be considered or held to be an insurer of the funds or assets of any of the advanced college tuition payment program or any of the Washington college savings program.

Sec. 7. RCW 28B.95.040 and 2011 1st sp.s. c 11 s 171 are each amended to read as follows:

The governing body may, at its discretion, allow an organization to purchase tuition units or establish savings plans for future use as scholarships. Such organizations electing to purchase tuition units or establish Washington college savings program accounts for this purpose must enter into a contract with the governing body which, at a minimum, ensures that the scholarship shall be freely given by the purchaser to a scholarship recipient. For such purchases, the purchaser need not name a beneficiary until four months before the date when the tuition units are first expected to be used.

The governing body shall formulate and adopt such rules as are necessary to determine which organizations may qualify to purchase tuition units or establish Washington college savings program accounts for scholarships under this section. The governing body also may consider additional rules for the use of tuition units or Washington college savings program accounts if purchased as scholarships.

The governing body may establish a scholarship fund with moneys from the Washington advanced college tuition payment program account. A scholarship fund established under this authority shall be administered by the office and shall be provided to students who demonstrate financial need. Financial need is not a criterion that any other organization need consider when using tuition units as scholarships. The office also may establish its own corporate-sponsored scholarship fund under this chapter.

NEW SECTION. Sec. 8. A new section is added to chapter 28B.95 RCW to read as follows:

(1) The Washington college savings program account is created in the custody of the state treasurer. The account shall be a discrete nontreasury account retaining its interest earnings in accordance with RCW 43.79A.040.

(2) The governing body shall deposit in the account all moneys received for the program. The account shall be self-sustaining and consist of payments received for the purposes of college savings for the beneficiary. With the exception of investment and operating costs associated with the investment of money by a nonstate entity or paid under RCW 43.08.190, 43.33A.160, and 43.84.160, the account shall be credited with all investment income earned by the account. Disbursements from the account are exempt from appropriations and the allotment

provisions of chapter 43.88 RCW. Money used for program administration is subject to the allotment of all expenditures. However, an appropriation is not required for such expenditures. Program administration includes, but is not limited to: The salaries and expenses of the Washington college savings program personnel including lease payments, travel, and goods and services necessary for program operation; contracts for Washington college savings program promotion and advertisement, audits, and account management; and other general costs of conducting the business of the Washington college savings program.

(3) The account is authorized to maintain a cash deficit in the account for a period no more than five fiscal years to defray its initial program administration costs. By December 31, 2017, the governing body shall establish a program administration spending plan and a fee schedule to discharge any projected cash deficit to the account. The legislature may make appropriations into the account for the purpose of reducing program administration costs.

(4) The assets of the account may be spent without appropriation for the purpose of making payments to institutions of higher education on behalf of the qualified beneficiaries, making refunds, transfers, or direct payments upon the termination of the Washington college savings program. Disbursements from the account shall be made only on the authorization of the governing body.

(5) With regard to the assets of the account, the state acts in a fiduciary, not ownership, capacity. Therefore the assets of the program are not considered state money, common cash, or revenue to the state.

Sec. 9. RCW 28B.95.080 and 2011 1st sp.s. c 12 s 3 are each amended to read as follows:

The governing body shall annually evaluate, and cause to be evaluated by the state actuary, the soundness of the advanced college tuition payment program account and determine the additional assets needed, if any, to defray the obligations of the account. The governing body may, at its discretion, consult with a nationally recognized actuary for periodic assessments of the account.

If funds are determined by the governing body, based on actuarial analysis to be insufficient to ensure the actuarial soundness of the account, the governing body shall adjust the price of subsequent tuition credit purchases to ensure its soundness.

If there are insufficient numbers of new purchases to ensure the actuarial soundness of the account, the governing body shall request such funds from the legislature as are required to ensure the integrity of the program. Funds may be appropriated directly to the account or appropriated under the condition that they be repaid at a later date. The repayment shall be made at such time that the account is again determined to be actuarially sound.

Sec. 10. RCW 28B.95.090 and 2005 c 272 s 3 are each amended to read as follows:

(1) In the event that the ((state)) governing body determines that the advanced college tuition payment program is not financially feasible, or for any other reason, the ((state)) governing body may declare the discontinuance of the program. At the time of such declaration, the governing body will cease to accept any further tuition unit contracts or purchases.

(2) The remaining tuition units for all beneficiaries who have either enrolled in higher education or who are within four years of graduation from a secondary school shall be honored until such tuition units have been exhausted, or for ten fiscal years from the date that the program has been discontinued, whichever comes first. All other contract holders shall receive a refund equal to the value of the current tuition units in effect at the time that the program was declared discontinued.

(3) At the end of the ten-year period, any tuition units remaining unused by currently active beneficiaries enrolled in higher education shall be refunded at the value of the current tuition unit in effect at the end of that ten-year period.

(4) At the end of the ten-year period, all other funds remaining in the account not needed to make refunds or to pay for administrative costs shall be deposited to the state general fund.

(5) The governing body may make refunds under other exceptional circumstances as it deems fit, however, no tuition units may be honored after the end of the tenth fiscal year following the declaration of discontinuance of the program.

NEW SECTION. Sec. 11. A new section is added to chapter 28B.95 RCW to read as follows:

(1) The investment manager has the full power to invest, reinvest, manage, contract, sell, or exchange investment money in the Washington college savings program without limitation as to the amount pursuant to RCW 43.84.150 and 43.33A.140. All investment and operating costs associated with the investment of money must be paid to the investment manager as allowed by RCW 43.33A.160 and 43.84.160. With the exception of these expenses and the administrative costs authorized in sections 4 and 8 of this act, one hundred percent of all earnings from investments accrue directly to the owner of the individual college savings program account.

(2) The governing body may allow owners to self-direct the investment of moneys in individual college savings program accounts through the selection of investment options. The governing body may provide plans that it deems are in the interests of the owners and beneficiaries.

(a) The investment manager, after consultation with the governing body, shall provide a set of options for owners to choose from for investment of individual college savings program account contributions.

(b) The investment manager has the full authority to invest moneys pursuant to the investment directions of the owner of a self-directed individual college savings program account.

(3) Annually on each December 1st, the committee shall report to the governor and the appropriate committees of the legislature regarding the total fees charged to each investment option offered in the Washington college savings program. It is the intent of the legislature that fees charged to the owner not exceed one-half of one percent for any investment option on an annual basis.

(4) In the next succeeding legislative session following receipt of a report required under subsection (3) of this section, the appropriate committees of the legislature shall review the report and consider whether any legislative action is necessary with respect to the investment option with fees that exceed one-half of one percent, including but not limited to consideration of whether any legislative action is necessary with respect to reducing the fees and expenses associated with the underlying investment option. With the exception of fees associated with the administration of the program authorized in sections 4 and 8 of this act, all moneys in the college savings program account, all property and rights purchased with the account, and all income attributable to the account, shall be held in trust for the exclusive benefit of the owners and their eligible beneficiaries.

(5) All investments made by the investment manager shall be made with the exercise of that degree of judgment and care expressed in chapter 43.33A RCW.

(6) As deemed appropriate by the investment manager, money in the Washington college savings program account may be commingled for investment with other funds subject to investment by the investment manager.

(7) The authority to establish all policies relating to the Washington college savings program and the Washington college

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

savings program account, other than investment policies resides with the governing body. With the exception of expenses of the investment manager as provided in subsection (1) of this section, disbursements from the Washington college savings program account shall be made only on the authorization of the governing body or its designee, and moneys in the account may be spent only for the purposes of the Washington college savings program as specified in this chapter.

(8) The investment manager shall routinely consult and communicate with the governing body on the investment policy, earnings of the trust, and related needs of the Washington college savings program.

Sec. 12. RCW 28B.95.100 and 2000 c 14 s 7 are each amended to read as follows:

(1) The governing body, in planning and devising the advanced college tuition payment program and the Washington college savings program, shall consult with the investment board, the state treasurer, the office of financial management, and the institutions of higher education.

(2) The governing body may seek the assistance of the state agencies named in subsection (1) of this section, private financial institutions, and any other qualified party with experience in the areas of accounting, actuary, risk management, or investment management to assist with preparing an accounting of the programs and ensuring the fiscal soundness of the advanced college tuition payment program account and the Washington college savings program account.

(3) State agencies and public institutions of higher education shall fully cooperate with the governing body in matters relating to the programs in order to ensure the solvency of the advanced college tuition payment account and the Washington college savings program account and ability of the governing body to meet outstanding commitments.

NEW SECTION. Sec. 13. A new section is added to chapter 28B.95 RCW to read as follows:

The intent of the Washington college savings program is to make distributions from individual college savings program accounts for beneficiaries' attendance at public or private institutions of higher education. Refunds shall be issued under specific conditions that may include the following:

(1) Certification that the beneficiary, who is eighteen years of age or older, will not attend a public or private institution of higher education, will result in a refund not to exceed the current value at the time of such certification. The refund shall be made no sooner than ninety days after such certification, less any administrative processing fees assessed by the governing body. Federal penalties and taxes associated with 529 savings plan refunds may still apply;

(2) If there is certification of the death or disability of the beneficiary, the refund shall be equal to one hundred percent of the current value at the time that such certification is submitted to the governing body, less any administrative processing fees assessed by the governing body;

(3) If there is certification by the student of graduation or program completion, the refund shall be as great as one hundred percent of the current value at the time that such certification is submitted to the governing body, less any administrative processing fees assessed by the governing body. The governing body may, at its discretion, impose a penalty if needed to comply with federal tax rules;

(4) If there is certification of other tuition and fee scholarships that will cover the cost of tuition for the eligible beneficiary, the refund shall be equal to one hundred percent of the current value in effect at the time of the refund request, less any administrative

processing fees assessed by the governing body. The refund under this subsection may not exceed the value of the scholarship;

(5) Incorrect or misleading information provided by the purchaser or beneficiaries may result in a refund of the purchaser's and contributors' contributions, less any administrative processing fees assessed by the governing body. The value of the refund must not exceed the actual dollar value of the purchaser's or contributors' contributions; and

(6) The governing body may determine other circumstances qualifying for refunds of remaining unused participant Washington college savings program account balances and may determine the value of that refund.

NEW SECTION. Sec. 14. A new section is added to chapter 28B.95 RCW to read as follows:

With regard to bankruptcy filings and enforcement of judgments under Title 6 RCW, participant Washington college savings program account deposits made more than two years before the date of filing or judgment are considered excluded personal assets.

Sec. 15. RCW 28B.95.150 and 2012 c 198 s 16 are each amended to read as follows:

(1) The committee may establish a college savings program. If such a program is established, the college savings program shall be established, in such form as may be determined by the committee, to be a qualified state tuition program as defined by the internal revenue service under section 529 of the internal revenue code, and shall be administered in a manner consistent with the Washington advanced college tuition payment program. The committee, in planning and devising the program, shall consult with the state investment board, the state treasurer, the state actuary, the legislative fiscal and higher education committees, and the institutions of higher education. The governing body may, at its discretion, consult with a qualified actuarial consulting firm with appropriate expertise to evaluate such plans for periodic assessments of the program.

(2) Up to two hundred thousand dollars of administrative fees collected from guaranteed education tuition program participants may be applied as a loan to fund the development and start-up of a college savings program. This loan must be repaid with interest before the conclusion of the biennium following the biennium in which the committee draws funds for this purpose from the advanced college tuition payment program account.

(3) The committee, after consultation with the state investment board or other contracted investment manager, shall determine the investment policies for the college savings program. Program contributions may be invested by the state investment board, in which case it and not the committee shall determine the investment policies for the college savings program, or the committee may contract with an investment company licensed to conduct business in this state to do the investing. The committee shall keep or cause to be kept full and adequate accounts and records of the assets of each individual participant in the college savings program.

(4)(a) The governing body may elect to have the state investment board serve as investment manager for the funds in the college savings program. Members of the state investment board and its officers and employees are not considered an insurer of the funds or assets and are not liable for any action or inaction.

(b) Members of the state investment board and its officers and employees are not liable to the state, to the fund, or to any other person as a result of their activities as members, whether ministerial or discretionary, except for willful dishonesty or intentional violations of law. The state investment board in its discretion may purchase liability insurance for members.

(c) The state investment board retains all authority to establish all investment policies relating to the investment of college savings program moneys.

(d) The state investment board shall routinely consult and communicate with the committee on the investment policy, earnings of the accounts, and related needs of the college savings program.

(5) The owner has exclusive authority and responsibility to establish and change the asset allocation for an individual participant college savings program account.

(6) Neither the state nor any eligible educational institution may be considered or held to be an insurer of the funds or assets of the individual participant accounts in the college savings program created under this section nor may any such entity be held liable for any shortage of funds in the event that balances in the individual participant accounts are insufficient to meet the educational expenses of the institution chosen by the student for which the individual participant account was intended.

((5)) (7) The committee shall adopt rules to implement this section. Such rules shall include but not be limited to administration, investment management, recordkeeping, promotion, and marketing; compliance with internal revenue service standards and applicable securities regulations; application procedures and fees; start-up costs; phasing in the savings program and withdrawals therefrom; deterrents to early withdrawals and provisions for hardship withdrawals; and reenrollment in the savings program after withdrawal.

((6)) (8) The committee may, at its discretion, determine to cease operation of the college savings program if it determines the continuation is not in the best interest of the state. The committee shall adopt rules to implement this section addressing the orderly distribution of assets.

Sec. 16. RCW 28B.95.900 and 1997 c 289 s 11 are each amended to read as follows:

This chapter shall not be construed as a promise that any beneficiary shall be granted admission to any institution of higher education, will earn any specific or minimum number of academic credits, or will graduate from any such institution. In addition, this chapter shall not be construed as a promise of either course or program availability.

Participation in ((this)) the advanced college tuition payment program or the Washington college savings program does not guarantee an eligible beneficiary the right to resident tuition and fees. To qualify for resident and respective tuition subsidies, the eligible beneficiary must meet the applicable provisions of RCW 28B.15.011 through 28B.15.015.

This chapter shall not be construed to imply that the redemption of tuition units in the advanced college tuition payment program shall be equal to any value greater than the undergraduate tuition and services and activities fees at a state institution of higher education as computed under this chapter. Eligible beneficiaries will be responsible for payment of any other fee that does not qualify as a services and activities fee including, but not limited to, any expenses for tuition surcharges, tuition overload fees, laboratory fees, equipment fees, book fees, rental fees, room and board charges, or fines.

Sec. 17. RCW 43.33A.135 and 2010 1st sp.s. c 7 s 36 are each amended to read as follows:

The state investment board has the full power to establish investment policy, develop participant investment options, and manage investment funds for the college savings program pursuant to RCW 28B.95.010 and for the state deferred compensation plan, consistent with the provisions of RCW 41.50.770 and 41.50.780. The board may continue to offer the investment options provided as of June 11, 1998, until the board establishes a deferred compensation plan investment policy and

adopts new investment options after considering the recommendations of the department of retirement systems.

Sec. 18. RCW 43.33A.190 and 2000 c 247 s 701 are each amended to read as follows:

((Pursuant to RCW 41.34.130,)) The state investment board shall invest all self-directed investment moneys under teachers' retirement system plan 3, the school employees' retirement system plan 3, and the public employees' retirement system plan 3 pursuant to RCW 41.34.130 and under the college savings program pursuant to RCW 28B.95.010 with full power to establish investment policy, develop investment options, and manage self-directed investment funds.

Sec. 19. RCW 43.79A.040 and 2013 c 251 s 5 and 2013 c 88 s 1 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The Washington promise scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the

THIRTY SEVENTH DAY, FEBRUARY 16, 2016

2016 REGULAR SESSION

individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: the advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 20. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 28B.95.010, 28B.95.020, 28B.95.025, 28B.95.035, 28B.95.040, 28B.95.080, 28B.95.090, 28B.95.100, 28B.95.150, 28B.95.900, 43.33A.135, and 43.33A.190; reenacting and amending RCW 43.79A.040; adding new sections to chapter 28B.95 RCW; and creating a new section."

Senators Frockt and Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 626 by Senators Frockt, Braun, Bailey and Mullet to Second Substitute Senate Bill No. 6601.

The motion by Senator Frockt carried and striking amendment no. 626 was adopted by voice vote.

On motion of Senator Frockt, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6601 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt, Braun, Bailey and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6601.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6601 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6601, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senator Hargrove was excused.

SECOND READING

SENATE BILL NO. 6356, by Senators Roach, Ranker, Takko, McCoy, Hobbs, Litzow, Fain, Hasegawa and Chase

Concerning disclosure of financial, commercial, and proprietary information of employees of private employers. Revised for 1st Substitute: Concerning disclosure of financial, commercial, and proprietary information of employees of private cloud service providers. (REVISED FOR ENGROSSED: Concerning disclosure of identifiable information and security information of certain employees of private cloud service providers.)

MOTION

On motion of Senator Roach, Substitute Senate Bill No. 6356 was substituted for Senate Bill No. 6356 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Roach moved that the following striking amendment no. 604 by Senator Roach be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 42.56.420 and 2013 2nd sp.s. c 33 s 9 are each amended to read as follows:

The following information relating to security is exempt from disclosure under this chapter:

(1) Those portions of records assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist acts, which are acts that significantly disrupt the conduct of government or of the general civilian population of the state or the United States and that manifest an extreme indifference to human life, the public disclosure of which would have a substantial likelihood of threatening public safety, consisting of:

(a) Specific and unique vulnerability assessments or specific and unique response or deployment plans, including compiled underlying data collected in preparation of or essential to the assessments, or to the response or deployment plans; and

(b) Records not subject to public disclosure under federal law that are shared by federal or international agencies, and information prepared from national security briefings provided to state or local government officials related to domestic preparedness for acts of terrorism;

(2) Those portions of records containing specific and unique vulnerability assessments or specific and unique emergency and escape response plans at a city, county, or state adult or juvenile correctional facility, or secure facility for persons civilly confined under chapter 71.09 RCW, the public disclosure of which would have a substantial likelihood of threatening the security of a city, county, or state adult or juvenile correctional facility, secure facility for persons civilly confined under chapter 71.09 RCW, or any individual's safety;

(3) Information compiled by school districts or schools in the development of their comprehensive safe school plans under RCW 28A.320.125, to the extent that they identify specific vulnerabilities of school districts and each individual school;

(4) Information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities, and other such information the release of which may increase risk to the confidentiality, integrity, or availability of agency security, information technology infrastructure, or assets; ((and))

(5) The system security and emergency preparedness plan required under RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, and 81.112.180; and

(6) Personally identifiable information of employees, and other security information, of a private cloud service provider that has entered into a criminal justice information services agreement as contemplated by the United States department of justice criminal justice information services security policy, as authorized by 28 C.F.R. Part 20."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "disclosure of personally identifying information and security information of private cloud service providers; and amending RCW 42.56.420."

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

The President declared the question before the Senate to be the adoption of striking amendment no. 604 by Senator Roach to Substitute Senate Bill No. 6356.

The motion by Senator Roach carried and striking amendment no. 604 was adopted by voice vote.

On motion of Senator Roach, the rules were suspended, Engrossed Substitute Senate Bill No. 6356 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6356.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6356 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Hasegawa

Excused: Senator Hargrove

ENGROSSED SUBSTITUTE SENATE BILL NO. 6356, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6426, by Senators Conway, Dammeier, Takko, Becker, Mullet, Sheldon and Chase

Allowing schools to be sited as essential public facilities outside an urban growth area. Revised for 1st Substitute: Allowing schools to be sited as essential public facilities outside the urban growth area.

MOTION

On motion of Senator Conway, Substitute Senate Bill No. 6426 was substituted for Senate Bill No. 6426 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Conway moved that the following amendment no. 621 by Senators Conway, Dammeier, Warnick, Brown and Becker be adopted:

On page 3, beginning on line 1, after "(4)" strike all material through "residents." on line 2 and insert "(a) This section applies to any county that is required or chooses to plan under RCW 36.70A.040 with a population of at least one hundred fifty thousand and no more than two hundred thousand that abuts at least five other counties.

(b) This section applies to any county that is required or chooses to plan under RCW 36.70A.040 with a population of at least seven hundred thousand and no more than one million one hundred thousand that abuts at least five other counties.

(c) This section applies to any county that is required or chooses to plan under RCW 36.70A.040 with a population of at least eighty thousand and no more than one hundred thousand that abuts at least five other counties.

(d) This section applies to any county that is required or chooses to plan under RCW 36.70A.040 with a population of at least eighty-five thousand and that abuts at least six other counties."

Senators Conway and Roach spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 621 by Senators Conway, Dammeier, Warnick, Brown and Becker on page 3, line 1 to Substitute Senate Bill No. 6426.

The motion by Senator Conway carried and amendment no. 621 was adopted by voice vote.

On motion of Senator Conway, the rules were suspended, Engrossed Substitute Senate Bill No. 6426 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway, Takko, Billig, McCoy, Dansel, Mullet and Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6426.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6426 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Conway, Dammeier, Dandel, Ericksen, Fain, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Lias, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Cleveland, Darneille, Fraser, Frockt, Habib, Hasegawa, Jayapal, McAuliffe, McCoy, Nelson and Pedersen

Excused: Senator Hargrove

ENGROSSED SUBSTITUTE SENATE BILL NO. 6426, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:52 p.m., on motion of Senator Fain, the Senate adjourned until 9:00 o'clock a.m., Wednesday, February 17, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 17, 2016

The Senate was called to order at 9:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Kathleen Rhode Farr and Rakshith Mullukatte, presented the Colors.

The prayer was offered by Senator Jan Angel.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 16, 2016

MR. PRESIDENT:

The House has passed:

- SECOND SUBSTITUTE HOUSE BILL NO. 1037,
- THIRD SUBSTITUTE HOUSE BILL NO. 1499,
- SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1605,
- SECOND SUBSTITUTE HOUSE BILL NO. 1651,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2148,
- HOUSE BILL NO. 2321,
- HOUSE BILL NO. 2332,
- HOUSE BILL NO. 2350,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439,
- SUBSTITUTE HOUSE BILL NO. 2498,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2518,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540,
- HOUSE BILL NO. 2565,
- HOUSE BILL NO. 2619,
- ENGROSSED HOUSE BILL NO. 2659,
- HOUSE BILL NO. 2800,
- SUBSTITUTE HOUSE BILL NO. 2831,
- SUBSTITUTE HOUSE BILL NO. 2841,
- SUBSTITUTE HOUSE BILL NO. 2876,
- ENGROSSED HOUSE BILL NO. 2959.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

February 16, 2016

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1130,
- HOUSE BILL NO. 1231,
- SUBSTITUTE HOUSE BILL NO. 1290,
- SECOND SUBSTITUTE HOUSE BILL NO. 1448,
- HOUSE BILL NO. 1565,
- ENGROSSED HOUSE BILL NO. 1590,
- SUBSTITUTE HOUSE BILL NO. 1631,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2355,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375,
- HOUSE BILL NO. 2398,
- SUBSTITUTE HOUSE BILL NO. 2503,
- SUBSTITUTE HOUSE BILL NO. 2519,
- SECOND SUBSTITUTE HOUSE BILL NO. 2530,
- SUBSTITUTE HOUSE BILL NO. 2539,
- HOUSE BILL NO. 2651,
- HOUSE BILL NO. 2764,
- SUBSTITUTE HOUSE BILL NO. 2767,
- HOUSE BILL NO. 2768,
- ENGROSSED HOUSE BILL NO. 2775,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2783,
- HOUSE BILL NO. 2815,
- HOUSE BILL NO. 2838,
- HOUSE BILL NO. 2845,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847,
- HOUSE BILL NO. 2886,
- SUBSTITUTE HOUSE BILL NO. 2900,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908,
- SUBSTITUTE HOUSE BILL NO. 2964,
- ENGROSSED HOUSE BILL NO. 2971.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

**INTRODUCTION AND FIRST READING
OF HOUSE BILLS**

2ESHB 1094 by House Committee on Technology & Economic Development (originally sponsored by Representative Morris)

AN ACT Relating to biometric identifiers; amending RCW 19.86.080; and adding a new section to chapter 19.215 RCW.

Referred to Committee on Law & Justice.

E3SHB 1713 by House Committee on Appropriations (originally sponsored by Representatives Cody, Harris, Jinkins, Moeller, Tharinger, Appleton, Ortiz-Self and Pollet)

AN ACT Relating to integrating the treatment systems for mental health and chemical dependency; amending RCW 70.96A.140, 70.96A.145, 71.05.010, 71.05.025, 71.05.026, 71.05.050, 71.05.120, 71.05.132, 71.05.150, 71.05.150, 71.05.153, 71.05.153, 71.05.154, 71.05.156, 71.05.157,

71.05.160, 71.05.170, 71.05.180, 71.05.190, 71.05.195, 71.05.201, 71.05.203, 71.05.210, 71.05.212, 71.05.214, 71.05.215, 71.05.220, 71.05.230, 71.05.235, 71.05.240, 71.05.240, 71.05.280, 71.05.290, 71.05.300, 71.05.320, 71.05.320, 71.05.325, 71.05.340, 71.05.585, 71.05.590, 71.05.590, 71.05.360, 71.05.380, 71.05.435, 71.05.530, 71.05.560, 71.05.620, 71.05.700, 71.05.705, 71.05.745, 71.05.750, 71.34.020, 71.34.305, 71.34.375, 71.34.385, 71.34.400, 71.34.410, 71.34.420, 71.34.500, 71.34.520, 71.34.600, 71.34.630, 71.34.650, 71.34.660, 71.34.700, 71.34.700, 71.34.710, 71.34.710, 71.34.720, 71.34.720, 71.34.740, 71.34.740, 71.34.750, 71.34.750, 71.34.760, 71.34.780, 71.34.780, 9.41.098, 4.24.558, 5.60.060, 9.41.280, 9.95.143, 10.77.010, 10.77.025, 10.77.027, 10.77.060, 10.77.065, 10.77.084, 10.77.088, 11.92.190, 43.185C.255, 18.83.110, 43.20A.025, 70.48.475, 70.97.010, 71.05.660, 71.24.045, 71.24.330, 71.32.080, 71.32.140, 71.32.150, 72.09.315, 72.09.370, 43.185C.305, 74.50.070, 71.24.025, 71.24.035, 70.96A.050, 71.24.037, 70.96A.090, 71.24.385, 70.96A.035, 70.96C.010, 70.96A.037, 70.96A.047, 70.96A.055, 70.96A.087, 70.96A.170, 70.96A.400, 70.96A.800, 70.96A.905, 71.24.300, 71.24.350, 9.94A.660, 10.05.020, 10.05.030, 10.05.150, 70.96C.020, 46.61.5055, 46.61.5056, and 82.04.4277; reenacting and amending RCW 70.96A.020, 71.05.020, 71.05.210, 71.34.730, 70.02.010, 70.02.230, 71.24.025, and 70.96A.350; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.24 RCW; adding a new section to chapter 72.09 RCW; creating new sections; recodifying RCW 70.96A.035, 70.96A.037, 70.96A.040, 70.96A.043, 70.96A.047, 70.96A.050, 70.96A.055, 70.96A.080, 70.96A.085, 70.96A.087, 70.96A.090, 70.96A.100, 70.96A.170, 70.96A.190, 70.96A.350, 70.96A.400, 70.96A.410, 70.96A.420, 70.96A.430, 70.96A.500, 70.96A.510, 70.96A.520, 70.96A.800, 70.96A.905, 70.96C.010, and 70.96C.020; decodifying RCW 43.135.03901; repealing RCW 70.96A.011, 70.96A.020, 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.110, 70.96A.120, 70.96A.140, 70.96A.141, 70.96A.142, 70.96A.145, 70.96A.148, 70.96A.155, 70.96A.157, 70.96A.160, 70.96A.180, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.255, 70.96A.260, 70.96A.265, 70.96A.910, 70.96A.915, 70.96A.920, 70.96A.930, 70.96B.010, 70.96B.020, 70.96B.030, 70.96B.040, 70.96B.045, 70.96B.050, 70.96B.060, 70.96B.070, 70.96B.080, 70.96B.090, 70.96B.100, 70.96B.110, 70.96B.120, 70.96B.130, 70.96B.140, 70.96B.150, 70.96B.800, 71.05.032, 70.96A.010, 70.96A.030, 70.96A.045, 70.96A.060, 70.96A.150, 70.96A.300, 70.96A.310, 70.96A.320, and 70.96A.325; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Human Services, Mental Health & Housing.

E2SHB 1725 by House Committee on Appropriations (originally sponsored by Representatives Cody and Tharinger)

AN ACT Relating to the consumer's right to assign hours to individual providers and the department of social and health services' authority to adopt rules related to payment of individual providers; amending RCW 74.39A.270; creating a new section; and declaring an emergency.

Referred to Committee on Health Care.

2SHB 1900 by House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Johnson, Orwall, Muri, Lytton, Tarleton, Pollet and Bergquist)

AN ACT Relating to defining the role of the school counselor, social worker, and psychologist; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.410 RCW; creating new sections; and providing an expiration date.

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

ESHB 1949 by House Committee on Higher Education (originally sponsored by Representatives Pollet, S. Hunt, Gregerson, Ortiz-Self, Moscoso, Ormsby and McBride)

AN ACT Relating to regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business practices; amending RCW 28B.85.020, 28B.85.090, 28B.85.100, 28C.10.050, 28C.10.110, and 28C.10.130; adding new sections to chapter 28B.85 RCW; adding a new section to chapter 28C.10 RCW; creating a new section; prescribing penalties; and providing an expiration date.

Referred to Committee on Higher Education.

E2SHB 1983 by House Committee on Appropriations (originally sponsored by Representatives Pollet, Zeiger, S. Hunt, Haler and Bergquist)

AN ACT Relating to a pilot project on financial assistance for teachers taking basic skills and content tests for teacher certification programs; adding a new section to chapter 28A.630 RCW; creating a new section; and providing an expiration date.

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

EHB 2033 by Representatives Goodman, Rodne, Orwall, Jinkins, Griffey, Fey, Pollet and Ormsby

AN ACT Relating to sexual assault protection orders; and amending RCW 7.90.120 and 7.90.121.

Referred to Committee on Law & Justice.

HB 2280 by Representatives Klippert and Hayes

AN ACT Relating to making felony driving under the influence of intoxicating liquor, marijuana, or any drug a class B felony; amending RCW 46.61.502; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 2287 by House Committee on Judiciary (originally sponsored by Representatives McCabe, Appleton, Johnson, Wylie, Dye, Walsh, Dent, Wilson, Kagi, Caldier, Haler, Kochmar and Senn)

AN ACT Relating to providing notice to first responders that a person with a disability may be present at the scene of an emergency; adding a new section to chapter 43.70 RCW;

adding a new section to chapter 38.52 RCW; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

HB 2320 by Representatives Stokesbary, Hurst, Peterson, Caldier, Schmick, Stambaugh and Wilcox

AN ACT Relating to providing that the horse racing commission operating account is a nonappropriated account; and amending RCW 67.16.280.

Referred to Committee on Commerce & Labor.

HB 2360 by Representatives Lytton, Magendanz, Sullivan, Reykdal, Rossetti, Santos and Chandler

AN ACT Relating to eliminating the quality education council; amending RCW 28A.175.075, 28A.230.090, 28A.300.136, and 28A.400.201; and repealing RCW 28A.290.010 and 28A.290.020.

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

SHB 2381 by House Committee on Education (originally sponsored by Representatives Ortiz-Self, Kilduff, Walsh, Peterson, Gregerson, Cody, Caldier, Jinkins, Reykdal, Frame, Stanford, Sells, McBride, Bergquist and Pollet)

AN ACT Relating to creating a task force on school counselors, psychologists, and social workers; creating a new section; and providing an expiration date.

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

HB 2384 by Representatives Buys, Wylie, Orwall and Rodne

AN ACT Relating to clarifying the meaning of mobile telecommunications service provider; amending RCW 9A.86.010; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 2396 by House Committee on Judiciary (originally sponsored by Representatives McBride, Caldier, Senn, Goodman, Kagi, Sawyer, Tharinger, Tarleton, Stanford, Farrell, Moscoso and Ormsby)

AN ACT Relating to access to nonemergency, outpatient, primary health care services for unaccompanied homeless youth under the federal McKinney-Vento homeless assistance act; and amending RCW 7.70.065.

Referred to Committee on Health Care.

SHB 2410 by House Committee on Judiciary (originally sponsored by Representatives Hayes, Orwall, Klippert, Goodman, Griffey, Fitzgibbon, Magendanz, Muri and Ormsby)

AN ACT Relating to requiring information about certain criminal defendants be included in the felony firearm offense conviction database; and amending RCW 9.41.330.

Referred to Committee on Law & Justice.

SHB 2429 by House Committee on Appropriations (originally sponsored by Representatives Caldier,

Reykdal, Magendanz, Ortiz-Self, Young, McBride, McCaslin, Muri, Kilduff, Pollet and Santos)

AN ACT Relating to providing assessment results to students and their parents or guardians; and adding a new section to chapter 28A.655 RCW.

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

SHB 2483 by House Committee on Judiciary (originally sponsored by Representatives Sawyer, Orwall, Jinkins, Tarleton, Kilduff, Sells, McBride, Bergquist, Ormsby, Santos and Goodman)

AN ACT Relating to protecting minors from sexual exploitation; adding a new chapter to Title 10 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 2494 by Representatives Tarleton, Santos and Gregerson

AN ACT Relating to penalties for marijuana offenses; amending RCW 69.50.4013, 69.50.401, and 69.50.4014; reenacting and amending RCW 69.50.101; and prescribing penalties.

Referred to Committee on Law & Justice.

ESHB 2545 by House Committee on Health Care & Wellness (originally sponsored by Representatives Van De Wege, Taylor, DeBolt, Cody, Rodne, Kochmar, Stambaugh, Riccelli, Johnson, Jinkins, Kagi, Harris, Smith, Stokesbary, Caldier, Zeiger, Tharinger, Hickel, Fitzgibbon, Muri, Reykdal, Frame, Rossetti, S. Hunt, Hudgins, McBride, Ormsby, Appleton, Walkinshaw, Senn, Ryu, Gregerson, Sells, Harmsworth, Tarleton, Pollet, Bergquist, Stanford and Scott)

AN ACT Relating to reducing public health threats that particularly impact highly exposed populations, including children and firefighters, by establishing a process for the department of health to restrict the use of toxic flame retardant chemicals in certain types of consumer products; amending RCW 70.240.050; adding a new chapter to Title 70 RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Health Care.

SHB 2584 by House Committee on Commerce & Gaming (originally sponsored by Representatives Vick, Van De Wege, Blake, Harris and Tarleton)

AN ACT Relating to public disclosure of information submitted to the liquor and cannabis board regarding marijuana product traceability and operations; and amending RCW 42.56.270.

Referred to Committee on Commerce & Labor.

ESHB 2604 by House Committee on State Government (originally sponsored by Representatives Kuderer, Goodman, Johnson, Wilcox, Morris, Hudgins, MacEwen and Wilson)

AN ACT Relating to disclosure of financial, commercial, and proprietary criminal background check information of employees of private employers; and amending RCW 42.56.270.

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

Referred to Committee on Government Operations & Security.

SHB 2644 by House Committee on Judiciary (originally sponsored by Representatives Blake, Muri, Van De Wege, Jinkins, Kretz, Short, Fitzgibbon, Rossetti and McBride)

AN ACT Relating to animal forfeiture in animal cruelty cases; and amending RCW 16.52.085 and 16.52.200.

Referred to Committee on Law & Justice.

ESHB 2647 by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Jinkins, Ryu, Fey, Santos and Frame)

AN ACT Relating to disposing tax foreclosed property to cities for affordable housing purposes; and amending RCW 36.35.150.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2682 by House Committee on Appropriations (originally sponsored by Representatives S. Hunt, Kilduff, Appleton, Orwall, Bergquist, Reykdal, Stanford, Pettigrew, Gregerson, Ormsby, Hickel, Frame and Pollet)

AN ACT Relating to providing automatic voter registration at qualified voter registration agencies; amending RCW 29A.08.410, 29A.08.420, and 29A.08.720; adding a new section to chapter 29A.04 RCW; adding new sections to chapter 29A.08 RCW; adding a new section to chapter 29A.84 RCW; creating new sections; and providing an effective date.

Referred to Committee on Government Operations & Security.

SHB 2765 by House Committee on Public Safety (originally sponsored by Representatives Kretz, Moscoso, Griffey, Hayes and Holy)

AN ACT Relating to clarifying the limited authority of park rangers; amending RCW 79A.05.160; and adding a new section to chapter 79A.05 RCW.

Referred to Committee on Law & Justice.

2SHB 2769 by House Committee on Appropriations (originally sponsored by Representatives Senn, Zeiger, Bergquist, Haler, Reykdal, Frame, Rossetti, Kilduff and Goodman)

AN ACT Relating to creating a pilot program for community and technical colleges to offer bachelor degrees; amending RCW 28B.50.140; reenacting and amending RCW 28B.15.069; adding a new section to chapter 28B.50 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

ESHB 2785 by House Committee on Environment (originally sponsored by Representatives Shea, Short, Schmick, Taylor, Scott and McCaslin)

AN ACT Relating to ensuring that restrictions on the use of solid fuel burning devices do not prohibit the installation or

replacement of solid fuel burning devices or the use of these devices during temporary outages of other sources of heat; and amending RCW 70.94.473 and 70.94.477.

Referred to Committee on Energy, Environment & Telecommunications.

2SHB 2791 by House Committee on Appropriations (originally sponsored by Representatives Pettigrew, Goodman, Moscoso, Senn, Frame, Stanford, Santos and Walkinshaw)

AN ACT Relating to the Washington statewide reentry council; reenacting and amending RCW 41.06.070; adding a new chapter to Title 43 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services, Mental Health & Housing.

HB 2806 by Representatives Kuderer, Gregerson, Stambaugh, Griffey, Hayes, Ormsby, Van De Wege, Sawyer, Moeller, Zeiger, Riccelli, Stokesbary, Tarleton, Fitzgibbon, Reykdal, Morris, Pollet, Goodman and Bergquist

AN ACT Relating to the presumption of occupational diseases for purposes of industrial insurance; amending RCW 51.32.185; and creating a new section.

Referred to Committee on Commerce & Labor.

ESHB 2825 by House Committee on Higher Education (originally sponsored by Representatives Frame, Zeiger, Walkinshaw, Stambaugh, Fitzgibbon, Haler, Tarleton, Pollet, Reykdal, McBride, Kagi, Kilduff, Morris, Ryu and Stanford)

AN ACT Relating to student services for students with disabilities; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

ESHB 2834 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Senn, Walsh, Kagi, Fey, Kilduff, Stanford and McBride)

AN ACT Relating to implementing the homeless youth prevention and protection act of 2015; amending RCW 43.185C.010, 43.185C.180, 43.185C.250, 43.185C.260, 43.185C.280, 43.185C.285, 43.185C.295, 43.185C.320, 43.185C.325, and 43.185C.330; and reenacting and amending RCW 13.50.010.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2875 by House Committee on Technology & Economic Development (originally sponsored by Representatives Smith, Morris and Magendanz)

AN ACT Relating to establishing the office of data privacy, protection, and access equity; adding a new section to chapter 43.105 RCW; adding a new section to chapter 44.28 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Government Operations & Security.

2SHB 2933 by House Committee on Capital Budget (originally sponsored by Representatives Gregerson, Santos and Ryu)
AN ACT Relating to small works rosters; and amending RCW 39.04.155.

Referred to Committee on Commerce & Labor.

SHB 2938 by House Committee on Finance (originally sponsored by Representatives Orcutt and Walkinshaw)
AN ACT Relating to encouraging participation in Washington trade conventions by modifying tax provisions related to establishing substantial nexus; amending RCW 82.04.067; adding a new section to chapter 82.32 RCW; creating a new section; and providing an effective date.

Referred to Committee on Trade & Economic Development.

HJM 4010 by Representatives Dunshee, Santos, Stanford, Wylie, S. Hunt, Tharinger, Ortiz-Self, Fitzgibbon, Sells, Ryu, Walkinshaw, Kagi, Peterson, Hudgins, Robinson and Bergquist
Requesting that state route number 99 be named the "William P. Stewart Memorial Highway."

Referred to Committee on Transportation.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Second Engrossed House Bill No. 1094 which was referred to the Committee on Law & Justice.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Ericksen moved adoption of the following resolution:

SENATE RESOLUTION 8707

By Senators Ericksen, Baumgartner, Benton, Rolfes, Billig, Mullet, Padden, Ranker, McAuliffe, and Fraser

WHEREAS, It is the policy of the Washington State Legislature to recognize and honor the contribution of individuals who demonstrate excellence among their peers and inspire others in their community; and

WHEREAS, Don Murdzia, of Bellingham, has been an influential umpire and referee to over 30 schools throughout Washington and beyond; and

WHEREAS, Don's long-standing passion as an athlete, umpire, and referee of three sports allows us to celebrate the outstanding effort of such a passionate individual; and

WHEREAS, A graduate of Ferndale High School, Don lettered in baseball, basketball, football, and track and field in his senior year; and

WHEREAS, Don's passion for sports caught the eye of Milt Clothier, affording him the opportunity to become an umpire in 1959; and

WHEREAS, Don expanded his officiating career in 1963, refereeing for both football and basketball after being recruited by Frank "Moose" Zurlene; and

WHEREAS, Don received The Dave Duvall Meritorious Service Award in 1977 for outstanding service to the Northwest Interscholastic Activities Association for his extensive time and effort in promoting extracurricular activities from within the association; and

WHEREAS, Don's exceptional skills as an umpire earned him the CJ Mitchell Umpire Service Award in the Washington State Baseball Coaches Hall of Fame in 2001; and

WHEREAS, Don's career as an umpire reaches further than Washington State to such places as Australia and Cooperstown, New York, home of the National Baseball Hall of Fame and Museum; and

WHEREAS, At 76 years old, Don continues to umpire baseball and plans a return to football despite a hip revision surgery in September of 2015; and

WHEREAS, Don has distinguished himself from his peers with over 8,200 games, and counting, as an umpire and referee; and

WHEREAS, After a 53 year basketball career, Don has retired in order to, in his words, "smell the roses" and play golf with his sons and grandchildren;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and honor Don Murdzia for his tremendous passion, dedication, and devotion towards the sports which continue to shape and inspire our youth in Washington State; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Don Murdzia, Ferndale High School, the Washington State Baseball Coaches Hall of Fame, and the Whatcom Skagit Island Football Officials Association.

Senators Ericksen and Padden spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8707.

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

INTRODUCTION OF GUEST

The President welcomed and introduced Mr. Don Murdzia who was seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator King moved that Douglas D. Peters, Gubernatorial Appointment No. 9136, be confirmed as a member of the Parks and Recreation Commission.

Senator King spoke in favor of the motion.

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

APPOINTMENT OF DOUGLAS D. PETERS

The President declared the question before the Senate to be the confirmation of Douglas D. Peters, Gubernatorial Appointment No. 9136, as a member of the Parks and Recreation Commission.

ROLL CALL

The Secretary called the roll on the confirmation of Douglas D. Peters, Gubernatorial Appointment No. 9136, as a member of the Parks and Recreation Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Douglas D. Peters, Gubernatorial Appointment No. 9136, having received the constitutional majority was declared confirmed as a member of the Parks and Recreation Commission.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Fain, and without objection, senators were limited to speaking but once and for no more than three minutes on each question under debate for the remainder of the day by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

INTRODUCTION OF GUESTS

The President welcomed and introduced members of the Swedish Parliament (Riksdag) Committee on Civil Affairs, Hillevi Larsson, MP, Jessika Roswall, MP, Eva Sonidsson, MP, Ola Johansson, MP, Emma Hult, MP, Thomas Finnborg, MP, Mikael Eskilander, MP, Robert Hannah, MP, Johanna Haraldsson, MP, Lise-Lotte Jonsson Fornarve, MP, Monica Hall, Head of the Committee Secretariat, Susanne Sjöblom, Committee Secretary, Lars Jonsson, Consul of the Kingdom of Sweden, Denice Sigvardsson, Assistant to the Consul, and the Honorable Ralph Munro, Former Washington State Secretary of State who were seated in the gallery.

SECOND READING

SENATE BILL NO. 6523, by Senators Pearson, Hasegawa and Conway

Providing service credit for pension purposes for certain emergency medical services employees.

MOTIONS

On motion of Senator Pearson, Substitute Senate Bill No. 6523 was substituted for Senate Bill No. 6523 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pearson, the rules were suspended, Substitute Senate Bill No. 6523 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6523.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6523 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6523, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 5205, by Senators Becker, Parlette and Warnick

Allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass.

The bill was read on Third Reading.

Senators Becker and Jayapal spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5205.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5205 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5205, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 5109, by Senator Brown

Concerning infrastructure financing for local governments.

The measure was read the second time.

MOTION

On motion of Senator Brown, Second Substitute Senate Bill No. 5109 was substituted for Senate Bill No. 5109 and the second substitute bill was placed on the second reading and read the second time.

MOTION

Senator Brown moved that the following amendment no. 618 by Senators Brown and Fraser be adopted:

On page 9, line 13, after "July 1," strike "2020" and insert "2022"

Senators Brown, Fraser and Chase spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 618 by Senators Brown and Fraser on page 9, line 13 to Second Substitute Senate Bill No. 5109.

The motion by Senator Brown carried and amendment no. 618 was adopted by voice vote.

MOTION

Senator Brown moved that the following amendment no. 611 by Senator Brown be adopted:

On page 15, beginning on line 23, strike all of section 6

On page 1, line 2 of the title, after "governments;" insert "and" On page 1, line 3 of the title, after "82.32.765" strike "; and providing an effective date"

Senator Brown spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 611 by Senator Brown on page 15, line 23 to Second Substitute Senate Bill No. 5109.

The motion by Senator Brown carried and amendment no. 611 was adopted by voice vote.

MOTION

On motion of Senator Brown, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5109 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Brown spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5109.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5109 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Frockt, Jayapal, Lias, McAuliffe, McCoy, Nelson, Pedersen and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5109, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

FOURTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857, by Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Conway, Becker and Pearson)

Addressing registration and regulation of pharmacy benefit managers.

The bill was read on Third Reading.

MOTION

On motion of Senator Parlette, the rules were suspended and Fourth Engrossed Substitute Senate Bill No. 5857 was returned to second reading for the purpose of amendment.

MOTION

Senator Parlette moved that the following striking amendment no. 652 by Senators Parlette, O'Ban and Becker be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.340.030 and 2014 c 213 s 2 are each amended to read as follows:

(1) To conduct business in this state, a pharmacy benefit manager must register with the ((department of revenue's business licensing service)) office of the insurance commissioner and annually renew the registration.

(2) To register under this section, a pharmacy benefit manager must:

(a) Submit an application requiring the following information:

(i) The identity of the pharmacy benefit manager;

(ii) The name, business address, phone number, and contact person for the pharmacy benefit manager; and

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

(iii) Where applicable, the federal tax employer identification number for the entity; and

(b) Pay a registration fee ((of two hundred dollars)) established in rule by the commissioner. The registration fee must be set to allow the registration and oversight activities to be self-supporting.

(3) To renew a registration under this section, a pharmacy benefit manager must pay a renewal fee ((of two hundred dollars)) established in rule by the commissioner. The renewal fee must be set to allow the renewal and oversight activities to be self-supporting.

(4) All receipts from registrations and renewals collected by the ((department)) commissioner must be deposited into the ((business license account created in RCW 19.02.210)) insurance commissioner's regulatory account created in RCW 48.02.190.

NEW SECTION. Sec. 2. (1) The commissioner shall have enforcement authority over this chapter and shall have authority to render a binding decision in any dispute between a pharmacy benefit manager, or third-party administrator of prescription drug benefits, and a pharmacy or pharmacy services administrative organization, arising out of an appeal regarding drug pricing and reimbursement.

(2) Any person, corporation, or third-party administrator of prescription drug benefits, pharmacy benefit manager, or business entity which violates any provision of this chapter shall be subject to a civil penalty in the amount of one thousand dollars for each act in violation of this chapter or, if the violation was knowing and willful, a civil penalty of five thousand dollars for each violation of this chapter.

Sec. 3. RCW 19.340.010 and 2014 c 213 s 1 are each amended to read as follows:

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

(1) "Claim" means a request from a pharmacy or pharmacist to be reimbursed for the cost of filling or refilling a prescription for a drug or for providing a medical supply or service.

(2) "Commissioner" means the insurance commissioner established in chapter 48.02 RCW.

(3) "Insurer" has the same meaning as in RCW 48.01.050.

((3)) (4) "Pharmacist" has the same meaning as in RCW 18.64.011.

((4)) (5) "Pharmacy" has the same meaning as in RCW 18.64.011.

((5)) (6)(a) "Pharmacy benefit manager" means a person that contracts with pharmacies on behalf of an insurer, a third-party payor, or the prescription drug purchasing consortium established under RCW 70.14.060 to:

(i) Process claims for prescription drugs or medical supplies or provide retail network management for pharmacies or pharmacists;

(ii) Pay pharmacies or pharmacists for prescription drugs or medical supplies; or

(iii) Negotiate rebates with manufacturers for drugs paid for or procured as described in this subsection.

(b) "Pharmacy benefit manager" does not include a health care service contractor as defined in RCW 48.44.010.

((6)) (7) "Third-party payor" means a person licensed under RCW 48.39.005.

Sec. 4. RCW 19.340.100 and 2014 c 213 s 10 are each amended to read as follows:

(1) As used in this section:

(a) "List" means the list of drugs for which ((maximum allowable)) predetermined reimbursement costs have been established, such as a maximum allowable cost or maximum allowable cost list or any other benchmark prices utilized by the

pharmacy benefit manager and must include the basis of the methodology and sources utilized to determine multisource generic drug reimbursement amounts.

(b) ("Maximum allowable cost" means the maximum amount that a pharmacy benefit manager will reimburse a pharmacy for the cost of a drug.

(c) "Multiple source drug" means a therapeutically equivalent drug that is available from at least two manufacturers.

(d)) "Multisource generic drug" means any covered outpatient prescription drug for which there is at least one other drug product that is rated as therapeutically equivalent under the food and drug administration's most recent publication of "Approved Drug Products with Therapeutic Equivalence Evaluations;" is pharmaceutically equivalent or bioequivalent, as determined by the food and drug administration; and is sold or marketed in the state during the period.

(c) "Network pharmacy" means a retail drug outlet licensed as a pharmacy under RCW 18.64.043 that contracts with a pharmacy benefit manager.

(d) "Pharmacy acquisition cost" means the amount that a pharmaceutical wholesaler or distributor charges for a pharmaceutical product as listed on the pharmacy's invoice.

(e) "Therapeutically equivalent" has the same meaning as in RCW 69.41.110.

(2) A pharmacy benefit manager:

(a) May not place a drug on a list unless there are at least two therapeutically equivalent multiple source drugs, or at least one generic drug available from only one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers;

(b) Shall utilize the most up-to-date pricing data to calculate reimbursement to pharmacies for drugs subject to multisource generic drug prices within one business day of any price update or modification;

(c) Shall ensure that all drugs on a list are ((generally)) readily available, meaning at least one product with a current national drug code, for purchase by network pharmacies in this state from national or regional wholesalers that serve pharmacies in Washington;

((c)) (d) Shall ensure that all drugs on a list are not obsolete;

((d)) (e) Shall make available to each network pharmacy at the beginning of the term of a contract, and upon renewal of a contract, the sources utilized to determine the maximum allowable cost pricing of the pharmacy benefit manager;

((e)) (f) Shall make ((a)) any list available to a network pharmacy upon request in a format that is readily accessible to and usable by the network pharmacy;

((f)) (g) Shall update each list maintained by the pharmacy benefit manager every seven business days and make the updated lists, including all changes in the price of drugs, available to network pharmacies in a readily accessible and usable format;

((g)) (h) Shall ensure that dispensing fees are not included in the calculation of maximum allowable cost.

(3) A pharmacy benefit manager must establish a process by which a network pharmacy, or their contracting agent such as a pharmacy services administrative organization, may appeal its reimbursement for a ((drug subject to maximum allowable cost pricing)) multisource generic drug. A network pharmacy, or their contracting agent, may appeal ((a maximum allowable cost)) its reimbursement for a multisource generic drug if the reimbursement for the drug is less than the ((net)) amount that the network pharmacy paid to the supplier of the drug. ((An appeal requested under this section must be completed within thirty calendar days of the pharmacy making the claim for which an appeal has been requested.)) Upon receipt of an appeal, the

pharmacy benefit manager shall supply the network pharmacy the national drug code for a product available to the network pharmacy from a national or regional wholesaler operating in Washington at a price less than or equal to the reimbursed amount. An appeal requested under this section must be completed within ten calendar days of the network pharmacy, or their contracting agent, submitting the appeal.

(4) A pharmacy benefit manager must provide as part of the appeals process established under subsection (3) of this section:

(a) A telephone number at which a network pharmacy may contact the pharmacy benefit manager and speak with an individual who is responsible for processing appeals; and

(b) ((A final response to an appeal of a maximum allowable cost within seven business days; and

(c)) If the appeal is denied, the reason for the denial and the national drug code ((of a drug that may be)) of an equivalent multisource generic drug that has been purchased by ((similarly situated pharmacies)) another network pharmacy located in Washington state at a price that is equal to or less than the ((maximum allowable cost.

(5)(a) If an appeal is upheld under this section, the pharmacy benefit manager shall make an adjustment on a date no later than one day after the date of determination. The pharmacy benefit manager shall make the adjustment effective for all similarly situated pharmacies in this state that are within the network.

(b)) pharmacy benefit manager's list price within seven days of the appealed claim, and provide the name of a pharmaceutical wholesaler who operates in Washington state at which the drug can be acquired by the challenging network pharmacy.

(5) If the request for an adjustment has come from a critical access pharmacy, as defined by the state health care authority by rule for purposes related to the prescription drug purchasing consortium established under RCW 70.14.060, the adjustment ((approved under (a) of this subsection)) shall apply only to critical access pharmacies.

(6) Beginning January 1, 2017, if a network pharmacy appeal to the pharmacy benefit manager is denied, or if the network pharmacy is unsatisfied with the outcome of the appeal, the pharmacy or pharmacist may dispute the decision and request review by the commissioner within thirty calendar days of receiving the decision.

(a) All relevant information from the parties may be presented to the commissioner, and the commissioner may enter an order directing the pharmacy benefit manager to make an adjustment to the disputed claim, deny the pharmacy appeal, or take other actions deemed fair and equitable. An appeal requested under this section must be completed within thirty calendar days of the request.

(b) Upon resolution of the dispute, the commissioner shall provide a copy of the decision to both parties within seven calendar days.

(c) Appeals under this subsection (6) are subject to chapter 34.05 RCW. The commissioner may authorize the office of administrative hearings, as provided in chapter 34.12 RCW, to conduct appeals under this subsection (6).

(7) This section does not apply to the state medical assistance program.

NEW SECTION. Sec. 5. (1) The pharmacy benefit manager shall disclose to each plan sponsor in all contracts between the pharmacy benefit manager and a plan sponsor providing prescription drug coverage in the state a written explanation of the methodology and sources utilized by the pharmacy benefit manager to determine multisource generic drug prices.

(2) Multisource generic drug prices shall be updated and transmitted in writing to every plan sponsor providing

prescription drug coverage in this state within seven business days whenever there is a pricing change under any contract it utilizes in this state.

(3) If a pharmacy benefit manager utilizes multisource generic drug prices for drugs dispensed by network pharmacies in this state but does not utilize the same multisource generic drug prices for drugs dispensed in this state through a mail order or other nonretail pharmacy, the pharmacy benefit manager must disclose the difference between the multisource generic drug pricing of drugs dispensed between network retail pharmacies and other nonretail pharmacies, in writing to each plan sponsor no later than five business days from the utilization of the multisource generic drug pricing.

NEW SECTION. Sec. 6. (1) The commissioner shall accept registration of pharmacy benefit managers as established in RCW 19.340.030 and receipts shall be deposited in the insurance commissioner's regulatory account.

(2) The commissioner shall have enforcement authority over chapter 19.340 RCW consistent with requirements established in section 2 of this act.

(3) The commissioner may write rules to implement chapter 19.340 RCW and to establish registration and renewal fees that ensure the registration, renewal, and oversight activities are self-supporting.

NEW SECTION. Sec. 7. The insurance commissioner must review the potential to use the independent review organizations, established in RCW 48.43.535, as an alternative to the appeal process for pharmacy and pharmacy benefit manager disputes, and other disputes between providers and insurance carriers. By December 1, 2016, the commissioner must submit recommendations to the health care committees of the legislature.

NEW SECTION. Sec. 8. Section 1 of this act takes effect January 1, 2017.

NEW SECTION. Sec. 9. RCW 19.340.010, 19.340.020, 19.340.030, 19.340.040, 19.340.050, 19.340.060, 19.340.070, 19.340.080, 19.340.090, and 19.340.100 are each recodified as a new chapter in Title 48 RCW.

NEW SECTION. Sec. 10. Sections 2, 5, and 6 of this act are each added to chapter 48.--- RCW (the new chapter created in section 9 of this act)."

On page 1, line 2 of the title, after "managers;" strike the remainder of the title and insert "amending RCW 19.340.030, 19.340.010, and 19.340.100; adding a new chapter to Title 48 RCW; creating a new section; recodifying RCW 19.340.010, 19.340.020, 19.340.030, 19.340.040, 19.340.050, 19.340.060, 19.340.070, 19.340.080, 19.340.090, and 19.340.100; prescribing penalties; and providing an effective date."

Senator Parlette spoke in favor of adoption of the amendment.
Senator Cleveland spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Parlette, O'Ban and Becker to Fourth Engrossed Substitute Senate Bill No. 5857.

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

MOTION

On motion of Senator Parlette, the rules were suspended, Fifth Engrossed Substitute Senate Bill No. 5857 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

Senators Parlette, Conway, Angel and Becker spoke in favor of passage of the bill.
Senators Cleveland, Keiser and Frockt spoke against passage of the bill.

SECOND READING

SENATE BILL NO. 6414, by Senators Rolfes, Pearson, Warnick and Angel

MOTION

Concerning hatchery management agreements.

Senator Fain demanded that the previous question be put.
The President declared that at least two additional senators joined the demand and the demand was sustained.

The measure was read the second time.

The President declared the question before the Senate to be, "Shall the main question be now put?"
The motion by Senator Fain carried and the previous question was put by voice vote.

MOTION

The President declared the question before the Senate to be the final passage of Fifth Engrossed Substitute Senate Bill No. 5857.

On motion of Senator Rolfes, the rules were suspended, Senate Bill No. 6414 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Pearson spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

ROLL CALL

The President declared the question before the Senate to be the final passage of Senate Bill No. 6414.

The Secretary called the roll on the final passage of Fifth Engrossed Substitute Senate Bill No. 5857 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 16; Absent, 0; Excused, 0.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6414 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Braun, Brown, Carlyle, Chase, Conway, Dammeier, Dansel, Darneille, Fain, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Schoesler, Sheldon, Takko and Warnick

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

Voting nay: Senators Baumgartner, Benton, Billig, Cleveland, Ericksen, Fraser, Frockt, Habib, Hasegawa, Jayapal, Liias, McAuliffe, McCoy, Nelson, Roach and Rolfes

Voting nay: Senator Hasegawa

Excused: Senators Hargrove and Hill

FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SENATE BILL NO. 6414, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF INQUIRY

SECOND READING

Senator Dammeier: "I noticed this was the fifth engrossment of Senate Bill 5857. That is certainly the highest number I have ever seen. Could this possibly be the grossest bill we've ever seen on the Senate floor?"

SENATE BILL NO. 6170, by Senators Roach, Darneille and Benton

REPLY BY THE PRESIDENT

Providing for an exemption from disclosure of certain financial, commercial, and proprietary information held by a city retirement board on behalf of its employees' retirement system.

President Owen: "Could be Senator."

The measure was read the second time.

MOTION

On motion of Senator Rolfes, and without objection, Senators Hargrove and Ranker was excused.

MOTION

MOTION

On motion of Senator Fain, and without objection, Senator Hill was excused.

On motion of Senator Roach, the rules were suspended, Senate Bill No. 6170 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6170.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6170 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SENATE BILL NO. 6170, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6614, by Senators Hobbs, King and Conway

Concerning performance oversight of the state transportation system.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 6614 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6614.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6614 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SENATE BILL NO. 6614, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6268, by Senators Schoesler and Hargrove

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

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 6268 was substituted for Senate Bill No. 6268 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 6268 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Fraser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6268.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6268 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Padden

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 6268, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6314, by Senators Fain and Mullet

Concerning county road administration and maintenance.

MOTIONS

On motion of Senator Fain, Substitute Senate Bill No. 6314 was substituted for Senate Bill No. 6314 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fain, the rules were suspended, Substitute Senate Bill No. 6314 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain, Liias and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6314.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6314 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

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

Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Hargrove and Hill

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 6314, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6120, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6264, by Senators Dammeier, Conway, Bailey, Rivers, Hasegawa, O'Ban, Frockt, Schoesler, Darneille, Lias and Rolfes

MOTION

On motion of Senator Habib, and without objection, Senator Ranker was excused.

Allowing certain law enforcement officers' and firefighters' plan 2 retirees to purchase annuities. Revised for 1st Substitute: Allowing certain Washington state patrol retirement system and law enforcement officers' and firefighters' members to purchase annuities.

SECOND READING

SENATE BILL NO. 6120, by Senator Mullet

Providing a registration exemption for certain vessels.

MOTIONS

On motion of Senator Dammeier, Substitute Senate Bill No. 6264 was substituted for Senate Bill No. 6264 and the substitute bill was placed on the second reading and read the second time.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 6120 was substituted for Senate Bill No. 6120 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dammeier, the rules were suspended, Substitute Senate Bill No. 6264 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 6120 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier and Conway spoke in favor of passage of the bill.

Senators Mullet and King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6264.

POINT OF INQUIRY

Senator Chase: "Will Senator Mullet yield to a question?"

Senator Chase: "I would like to know if these old geezers who are going to get into the kayak will be provided with a lift so they can get in and out of the kayak to use their electric paddle?"

Senator Mullet: "That is not part of the current legislation. I'm sorry."

Senator Chase: "That is an innovative suggestion for you."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6120.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6264 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6120 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

SUBSTITUTE SENATE BILL NO. 6264, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6100, by Senators Chase, Brown, Angel, Hatfield, Ericksen and McCoy

Establishing an economic gardening pilot program.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen,

The measure was read the second time.

MOTION

Senator Chase moved that the following striking amendment no. 651 by Senators Chase and Brown be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Washington's unemployment rate during the recent recession created economic and social hardships for the people of the state;

(b) Local start-up companies and small businesses are likely, as they grow, to remain in their communities of origin, thereby creating local jobs and an economic multiplier effect with their payrolls and taxes while providing local economic stimuli, which increases the local tax base;

(c) Statewide economic prosperity and job creation are advanced significantly by creating, promoting, and retaining local start-up companies and small businesses with high growth potential;

(d) Entrepreneurs and small business owners of second-stage companies, which are those companies that are beyond the start-up stage but have not yet fully matured, with innovative products or services that satisfy market needs, have particular potential for expansion and job creation;

(e) Such entrepreneurs and owners can benefit from specialized business assistance to refine core strategies and from access to in-depth market research, competitor analyses, geographic information systems, search engine optimization, and other strategic information, as well as from relationships with mentors and advisers;

(f) The aspects of economic gardening that incorporate these principles have proven successful in improving the entrepreneurial process and promoting economically sustainable local businesses; and

(g) It is important to the overall health and growth of the state's economy to promote favorable conditions for those expanding Washington businesses that demonstrate the ability to grow.

(2) In recognition of the foregoing findings and principles, it is the intent of the legislature to create a Washington economic gardening pilot project in the department of commerce.

NEW SECTION. Sec. 2. A new section is added to chapter 43.31 RCW to read as follows:

(1) There is hereby created within the department the economic gardening pilot project. The purpose of the pilot project is to stimulate Washington's economy and create good-paying, sustainable jobs by providing economic gardening strategic assistance services to second-stage companies in accordance with this section.

(2) The department must oversee and direct all resources for the execution of the pilot project. The department must work with chambers of commerce, associate development organizations, or other economic development organizations to implement the pilot project. The pilot project includes developing the processes for qualifying and selecting second-stage companies, identifying training components for economic development organizations implementing the pilot project, engaging trained and certified economic gardening private contractors as necessary, and providing economic gardening strategic assistance to companies participating in the pilot project.

(3)(a) On or before January 1, 2017, the department must initiate a program to provide or obtain all necessary credentials for high-impact strategic assistance for the economic development organizations participating in the pilot project.

(b) Prior to the date that strategic assistance is provided pursuant to this subsection (3):

(i) Economic development organizations participating in the pilot project must be certified in economic gardening by a nationally recognized certifying entity identified by the department; and

(ii) The department or economic development organizations participating in the pilot project must, as necessary, contract with trained and certified economic gardening private contractors.

(c) After pilot project staff members are certified under (b) of this subsection, the department must use the existing infrastructure of economic development organizations to promote the pilot project to second-stage companies and to those clients and referrals that show growth potential in jobs, sales, or export potential.

(4)(a) On or before January 1, 2017, the department and participating economic development organizations must publish criteria for a second-stage company to be selected to participate in the pilot project. The criteria must include job growth potential, sustainability, export potential, and a workforce comprised of at least fifty percent Washington residents. Application criteria must also include requirements for data collection, as specified by the department, to show the impacts of services provided through the pilot project. The department and participating economic development organizations must identify second-stage companies eligible to participate by utilizing existing strategic infrastructure and by consulting with local and regional economic development partners, such as chambers of commerce associate development organizations, and other local or regional economic development entities.

(b) In order to participate in the pilot project, a company selected for participation must pay a one-time fee of seven hundred fifty dollars, which moneys must be deposited into the economic gardening pilot project fund, created in subsection (5) of this section, for reinvestment in the pilot project.

(c) On or before March 1, 2017, the department and participating economic development organizations must select a minimum of twenty companies to participate in the pilot project.

(d) The department must oversee staff members certified pursuant to (b) of this subsection or certified private contractors to deploy strategic assistance to all pilot project participants. The department and participating economic development organizations must acquire any tools necessary to provide the strategic assistance, including database licenses, permits, and economic gardening certification.

(e) A participating company has twelve months from the date that the department and participating economic development organizations select the company to participate in the pilot project to use the strategic assistance and other economic gardening services offered pursuant to the pilot project.

(5) There is hereby created in the state treasury the economic gardening pilot project fund, to be administered by the department. The fund consists of all fees received under subsection (4)(b) of this section and any moneys appropriated by the legislature for the purposes of this section. The legislature must make annual appropriations of the moneys in the fund to the department for administering the pilot project. Any moneys in the fund not appropriated must remain in the fund and may not be transferred or revert to the general fund at the end of any fiscal year.

(6) On or before November 1, 2017, and on or before November 1st each year thereafter through November 1, 2019, and in compliance with RCW 43.01.036 the department must submit a report to the economic and workforce development committees of the legislature. The report must include, at a minimum:

(a) The services offered through the pilot project's strategic assistance;

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

(b) The department's expenditures on strategic assistance provided to pilot project participants;

(c) The number and types of jobs created as a result of the pilot project;

(d) The increased sales as a result of the pilot project; and

(e) The value of goods or services sold outside the company's local area or state.

(7) The following definitions apply throughout this section unless the context clearly requires otherwise.

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

(b) "Economic gardening" means an approach to economic growth and development that emphasizes nurturing and cultivating local small businesses by providing strategic assistance to second-stage companies.

(c) "Key industry" means an industry critical to the Washington economy, as identified by the department.

(d) "Pilot project" means the economic gardening pilot project created in this section.

(e) "Second-stage company" means a privately held business that:

(i) Employs full-time at least six persons but not more than ninety-nine persons;

(ii) Has maintained its principal place of business and a majority of its employees in Washington for at least the previous two years;

(iii) Claims at least five hundred thousand dollars but not more than fifty million dollars as annual gross revenue or working capital; and

(iv) Has a product or service that is, or has the potential to be, sold outside the company's local area or state.

(f) "Strategic assistance" or "economic gardening strategic assistance" means performing high-level consulting or database research and analysis or the deployment of staff members certified under subsection (4) of this section to perform market research, develop core strategies, conduct business modeling, identify qualified sales leads, provide growth financing referrals, perform search engine optimization, utilize geographic information systems, advise on new media marketing, or assist with network analyses and innovation strategies.

(8) The pilot project created in this section terminates July 1, 2019.

(9) This section expires July 1, 2020."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "adding a new section to chapter 43.31 RCW; creating a new section; and providing an expiration date."

Senator Chase spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 651 by Senators Chase and Brown to Senate Bill No. 6100.

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

MOTION

On motion of Senator Chase, the rules were suspended, Engrossed Senate Bill No. 6100 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Chase and Brown spoke in favor of passage of the bill.

MOTION

On motion of Senator Liias, and without objection, Senator Pedersen was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6100.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6100 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Liias

Excused: Senators Hargrove, Hill and Pedersen

ENGROSSED SENATE BILL NO. 6100, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5778, by Senators Becker, Frockt, Keiser, Bailey, Dammeier, Liias, Hatfield, Angel, Danel, King, Baumgartner, Brown, Cleveland, Warnick, Honeyford, Parlette, Hill, Rivers, Fain, Braun, Litzow, Conway, Sheldon, Ericksen and Hewitt

Concerning ambulatory surgical facilities.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 5778 was substituted for Senate Bill No. 5778 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 5778 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker, Frockt, Bailey and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5778.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5778 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 5778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5670, by Senate Committee on Energy, Environment & Telecommunications (originally sponsored by Senators Braun, Chase, Kohl-Welles, Sheldon, Hatfield, Rivers, Bailey, Dansel, Ericksen, Becker and Hewitt)

Clarifying expenditures under the state universal communications services program.

The bill was read on Third Reading.

Senator Braun spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5670.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5670 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Habib, Hasegawa, Hewitt, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Chase, Darneille, Frockt, Jayapal, Liias, Mullet, Nelson, Pedersen and Rolfes

Excused: Senators Hargrove and Hill

SUBSTITUTE SENATE BILL NO. 5670, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6165, by Senators Takko, Pearson, Sheldon and Benton

Concerning short-barreled rifles.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6165 was substituted for Senate Bill No. 6165 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 6165 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko, Padden and Sheldon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6165.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6165 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

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

Voting nay: Senators Frockt, Habib, Jayapal, Liias and McCoy

SUBSTITUTE SENATE BILL NO. 6165, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6248, by Senators Ericksen and Ranker

Concerning risk mitigation plans to promote the transition of eligible coal units. Revised for 1st Substitute: Concerning risk mitigation plans to promote the transition of eligible coal units. (REVISED FOR ENGROSSED: Regarding a pathway for a transition of eligible coal units.)

MOTION

On motion of Senator Ericksen, Substitute Senate Bill No. 6248 was substituted for Senate Bill No. 6248 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following striking amendment no. 653 by Senators Ericksen and Ranker be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Eligible coal plant" means a coal-fired electric generation facility that: (a) Had two or fewer generating units as of January 1, 1980, and four generating units as of January 1, 2016; (b) is owned by more than one electrical company as of January 1, 2016; and (c) provides, as a portion of the load served by the coal-fired electric generation facility, electricity paid for in rates by customers in the state of Washington.

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

(2) "Eligible coal unit" means any generating unit of an eligible coal plant.

NEW SECTION. Sec. 2. (1) The commission may, after conducting an adjudicative proceeding under chapters 34.05 and 80.04 RCW, authorize an electrical company to place amounts from one or more regulatory liabilities into a retirement account established pursuant to RCW 80.04.350 to cover decommissioning and remediation costs of eligible coal units that commenced commercial operations before January 1, 1980.

(2) Regulatory liabilities placed in a retirement account pursuant to subsection (1) of this section must: (a) Not be used for any purpose other than the funding and recovery of prudently incurred decommissioning and remediation costs for such eligible coal units; (b) except as provided in RCW 80.04.350, not be reduced, altered, impaired, or limited from the date of commission approval of the inclusion of the regulatory liabilities in the retirement account until all prudently incurred decommissioning and remediation costs for such coal units are recovered or paid in full; and (c) provide that any remaining funds in the retirement account, after recovery by the electrical company of all prudently incurred decommissioning and remediation costs for such eligible coal units, be returned to customers.

NEW SECTION. Sec. 3. (1) If an electrical company proposes a closure date or retires from service an eligible coal unit that commenced commercial operations before January 1, 1980, prior to December 31, 2022, then the commission may not authorize the electrical company to use regulatory liabilities placed in a retirement account for decommissioning and remediation costs pursuant to section 2 of this act.

(2) Subsection (1) of this section does not apply if an electrical company demonstrates to the commission that a decision to retire from service an eligible coal unit that commenced commercial operations before January 1, 1980, prior to December 31, 2022:

(a) Is prudent as determined by evidence showing the continued operation of an eligible coal unit is economically or technologically unfeasible or requires a capital investment that is outside the scope of a prudent improvement or investment or the eligible coal unit has reached the end of its useful life; or

(b) Does not meet the standard in (a) of this subsection but is attributable to the actions of a co-owner or operator of the eligible coal unit over whom the electrical company does not exercise control.

NEW SECTION. Sec. 4. Sections 1 through 3 of this act constitute a new chapter in Title 80 RCW."

On page 1, beginning on line 1 of the title, after "Relating to" strike the remainder of the title and insert "a pathway for a transition of eligible coal units; and adding a new chapter to Title 80 RCW."

Senator Ericksen spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 653 by Senators Ericksen and Ranker to Substitute Senate Bill No. 6248.

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

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Substitute Senate Bill No. 6248 was advanced to third

reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, Ranker, Rolfes and McCoy spoke in favor of passage of the bill.

Senator Sheldon spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6248.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6248 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Benton, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Dammeier, Dinsel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hill, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Roach, Rolfes, Schoesler, Takko and Warnick

Voting nay: Senators Becker, Brown, Hewitt, Honeyford, Padden, Rivers and Sheldon

ENGROSSED SUBSTITUTE SENATE BILL NO. 6248, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

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

MOTION

At 11:32 a.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 12:51 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

February 16, 2016

MR. PRESIDENT:

The House has passed:
 HOUSE BILL NO. 1512,
 HOUSE BILL NO. 1561,
 ENGROSSED HOUSE BILL NO. 1578,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2346,
 HOUSE BILL NO. 2356,

HOUSE BILL NO. 2388,
 SUBSTITUTE HOUSE BILL NO. 2427,
 SUBSTITUTE HOUSE BILL NO. 2441,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL
 NO. 2778,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL
 NO. 2793,
 HOUSE BILL NO. 2856,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928.
 and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

INTRODUCTION OF GUESTS

The President welcomed and introduced representatives of The Arc of Tri Cities, the Benton-Franklin Parent Coalition, People First of the Tri-Cities, Developmental Disabilities Voices, and parents and advocates of the developmentally disabled community from Dayton, Washington, guests of Senator Brown, who were recognized by the Senate and were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 6430, by Senators Parlette, Darneille, O'Ban and Conway

Providing continuity of care for recipients of medical assistance during periods of incarceration.

MOTIONS

On motion of Senator Parlette, Substitute Senate Bill No. 6430 was substituted for Senate Bill No. 6430 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Parlette, the rules were suspended, Substitute Senate Bill No. 6430 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6430.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6430 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6430, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6491, by Senators Pedersen and Roach

Concerning apostille or other signature or attestation services by the secretary of state.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Bill No. 6491 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 6491.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6491 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6491, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6243, by Senators Litzow, Fain, McAuliffe, Dammeier, Rivers, O'Ban, Bailey, Hill, Warnick, Becker, Hewitt, Keiser, Carlyle, Darneille, Rolfes, Conway and Mullet

Concerning a training program for educators and parents to develop students' social and emotional skills to help prevent youth suicide. Revised for 2nd Substitute: Regarding a training program for educators and parents concerning students' mental health.

MOTIONS

On motion of Senator Litzow, Second Substitute Senate Bill No. 6243 was substituted for Senate Bill No. 6243 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Litzow, the rules were suspended, Second Substitute Senate Bill No. 6243 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow, McCoy, McAuliffe and Liias spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6243.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6243 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SECOND SUBSTITUTE SENATE BILL NO. 6243, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6536, by Senator Becker

Addressing the filing and rating of group health benefit plans other than small group plans, all stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 6536 was substituted for Senate Bill No. 6536 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 6536 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker, Cleveland and Keiser spoke in favor of passage of the bill.

MOTION

Senator Fain demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

MOTION

Senator Lias demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

ROLL CALL

The Secretary called the roll on the motion that the previous question be put and the motion by Senator Fain carried by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6536.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6536 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Frockt

SUBSTITUTE SENATE BILL NO. 6536, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6455, by Senators Dammeier, Rolfes, Litzow, Billig, Rivers, Conway and McAuliffe

Expanding the professional educator workforce by increasing career opportunities in education, creating a more robust enrollment forecasting, and enhancing recruitment efforts.

MOTION

On motion of Senator Dammeier, Second Substitute Senate Bill No. 6455 was substituted for Senate Bill No. 6455 and the second substitute bill was placed on the second reading and read the second time.

MOTION

Senator Dammeier moved that the following amendment no. 586 by Senators Dammeier and Rolfes be adopted:

On page 10, line 15, after "(8)" strike "Identify" and insert "Except as provided in section 402 of this act, identify"

On page 10, at the beginning of line 24, strike all material through "state" on line 29 and insert "if the teacher holds a valid teaching certificate issued by the national board for professional teaching standards"

On page 11, after line 14, insert the following:

"NEW SECTION. Sec. 402. A new section is added to chapter 28A.410 RCW to read as follows:

In addition to the requirements in RCW 28A.410.250(8), a professional certificate must be issued to a teacher if:

(1) The teacher has a continuing or advanced level certificate from another state, or that state's equivalent, issued by the other state; or

(2) The teacher has a continuing or advanced level certificate that allows the individual to teach internationally.

NEW SECTION. Sec. 403. A new section is added to chapter 43.131 RCW to read as follows:

The professional certification standards for out-of-state teachers, as established in section 402 of this act, are terminated on June 30, 2021, as provided in section 404 of this act.

NEW SECTION. Sec. 404. A new section is added to chapter 43.131 RCW to read as follows:

Section 402 of this act, as now existing or hereafter amended, is repealed, effective June 30, 2022."

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

On page 1, line 6 of the title, after "RCW;" strike "creating new sections;" and insert "adding a new section to chapter 28A.410 RCW; adding new sections to chapter 43.131 RCW; creating new sections; providing an effective date;"

Senator Dammeier spoke in favor of adoption of the amendment.

MOTION

Senator McAuliffe moved that the following amendment no. 594 by Senators McAuliffe and Chase to the amendment be adopted:

Beginning on page 1, line 1 of the amendment, strike the remainder of the amendment and insert the following:

"On page 10, beginning on line 27, after "a" strike all material through "state" on line 29 and insert "second-level teacher certificate from another state that is equivalent to Washington's professional certification as determined by the professional educator standards board."

Senators McAuliffe, Liias, Mullet and Rolfes spoke in favor of adoption of the amendment.

Senator Dammeier spoke against adoption of the amendment.

MOTION

Senator Liias demanded a roll call vote.

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

The President declared the question before the Senate to be the adoption of the amendment no. 594 by Senators McAuliffe and Chase on page 1, line 1, to the amendment no. 586 to Second Substitute Senate Bill No. 6455.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 594 by Senators McAuliffe and Chase and the amendment was not adopted by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

The President declared the question before the Senate to be the adoption of amendment no. 586 by Senators Dammeier and Rolfes on page 10, line 15 to Second Substitute Senate Bill No. 6455.

The motion by Senator Dammeier carried and amendment no. 586 was adopted by voice vote.

The President Pro Tempore assumed the chair, Senator Roach presiding.

WITHDRAWAL OF AMENDMENT

On motion of Senator Liias, and without objection, the following amendment no. 630 by Senator Liias on page 11, line 37 to Second Substitute Senate Bill No. 6455 was withdrawn:

On page 11, after line 37, insert the following:

"PART V TEACHER SALARIES

Sec. 501. RCW 28A.400.200 and 2010 c 235 s 401 are each amended to read as follows:

(1) Every school district board of directors shall fix, alter, allow, and order paid salaries and compensation for all district employees in conformance with this section.

(2)(a) Salaries for certificated instructional staff shall not be less than the salary provided in the appropriations act in the statewide salary allocation schedule for an employee with a baccalaureate degree and zero years of service(;; and)).

(b) Salaries for certificated instructional staff with a master's degree shall not be less than the salary provided in the appropriations act in the statewide salary allocation schedule for an employee with a master's degree and zero years of service.

(c)(i) In the 2018-19 school year, the minimum salary for any level of experience and education provided in any salary allocation model used in state funding formulas for certificated instructional staff allocations shall not be less than the beginning educator pay recommendations from the compensation technical working group report from 2012 adjusted for inflation since the release of the report.

(ii) For the 2016-17 school year through the 2018-19 school year, the phase in of the new minimum salary allocation shall be made in generally equal annual increments necessary to achieve the full phase in of beginning educator pay recommendations adjusted for inflation by the 2018-19 school year.

(iii) The compensation technical working group's salary allocation recommendations were based on comparable wage analyses from the time of the report. When fully enacted in the 2018-19 school year, the minimum salary allocation for any level of experience and education shall adjust the forty-eight thousand six hundred eighty-seven dollars beginning educator allocation recommended in the report for annual cost-of-living increases from the 2011-12 school year to the 2018-19 school year using the cost-of-living index.

(iv) For the purposes of this subsection (2)(c), "cost-of-living index" means, for any school year, the previous calendar year's annual average consumer price index, using the official current base, compiled by the bureau of labor statistics, United States department of labor for the state of Washington. If the bureau of labor statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the cost-of-living index in this section.

(3)(a) The actual average salary paid to certificated instructional staff shall not exceed the district's average certificated instructional staff salary used for the state basic

education allocations for that school year as determined pursuant to RCW 28A.150.410.

(b) Fringe benefit contributions for certificated instructional staff shall be included as salary under (a) of this subsection only to the extent that the district's actual average benefit contribution exceeds the amount of the insurance benefits allocation provided per certificated instructional staff unit in the state operating appropriations act in effect at the time the compensation is payable. For purposes of this section, fringe benefits shall not include payment for unused leave for illness or injury under RCW 28A.400.210; employer contributions for old age survivors insurance, workers' compensation, unemployment compensation, and retirement benefits under the Washington state retirement system; or employer contributions for health benefits in excess of the insurance benefits allocation provided per certificated instructional staff unit in the state operating appropriations act in effect at the time the compensation is payable. A school district may not use state funds to provide employer contributions for such excess health benefits.

(c) Salary and benefits for certificated instructional staff in programs other than basic education shall be consistent with the salary and benefits paid to certificated instructional staff in the basic education program.

(4) Salaries and benefits for certificated instructional staff may exceed the limitations in subsection (3) of this section only by separate contract for additional time, for additional responsibilities, for incentives, or for implementing specific measurable innovative activities, including professional development, specified by the school district to: (a) Close one or more achievement gaps, (b) focus on development of science, technology, engineering, and mathematics (STEM) learning opportunities, or (c) provide arts education. Beginning September 1, 2011, school districts shall annually provide a brief description of the innovative activities included in any supplemental contract to the office of the superintendent of public instruction. The office of the superintendent of public instruction shall summarize the district information and submit an annual report to the education committees of the house of representatives and the senate. Supplemental contracts shall not cause the state to incur any present or future funding obligation. Supplemental contracts shall be subject to the collective bargaining provisions of chapter 41.59 RCW and the provisions of RCW 28A.405.240, shall not exceed one year, and if not renewed shall not constitute adverse change in accordance with RCW 28A.405.300 through 28A.405.380. No district may enter into a supplemental contract under this subsection for the provision of services which are a part of the basic education program required by Article IX, section 3 of the state Constitution.

(5) Employee benefit plans offered by any district shall comply with RCW 28A.400.350 ((and)), 28A.400.275, and 28A.400.280."

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

On page 1, line 4 of the title, after "28A.660.050," strike "and 28A.410.250" and insert "28A.410.250, and 28A.400.200"

MOTION

Senator McAuliffe moved that the following amendment no. 631 by Senators McAuliffe and Rolfes be adopted:

On page 11, after line 37, insert the following:

"PART V

PROFESSIONAL LEARNING DAYS

"NEW SECTION. Sec. 501. The legislature finds that the Washington state institute for public policy reported that content-

specific professional development is much more effective than general training. The goal of the legislature is to provide a sufficient number of professional learning days necessary to meet the needs in Washington's schools and to designate the professional learning days to be part of basic education.

Sec. 502. RCW 28A.150.200 and 2009 c 548 s 101 are each amended to read as follows:

(1) The program of basic education established under this chapter is deemed by the legislature to comply with the requirements of Article IX, section 1 of the state Constitution, which states that "It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex," and is adopted pursuant to Article IX, section 2 of the state Constitution, which states that "The legislature shall provide for a general and uniform system of public schools."

(2) The legislature defines the program of basic education under this chapter as that which is necessary to provide the opportunity to develop the knowledge and skills necessary to meet the state-established high school graduation requirements that are intended to allow students to have the opportunity to graduate with a meaningful diploma that prepares them for postsecondary education, gainful employment, and citizenship. Basic education by necessity is an evolving program of instruction intended to reflect the changing educational opportunities that are needed to equip students for their role as productive citizens and includes the following:

(a) The instructional program of basic education the minimum components of which are described in RCW 28A.150.220;

(b) The program of education provided by chapter 28A.190 RCW for students in residential schools as defined by RCW 28A.190.020 and for juveniles in detention facilities as identified by RCW 28A.190.010;

(c) The program of education provided by chapter 28A.193 RCW for individuals under the age of eighteen who are incarcerated in adult correctional facilities; ((and))

(d) Transportation and transportation services to and from school for eligible students as provided under RCW 28A.160.150 through 28A.160.180; and

(e) Professional learning days as provided under section 503 of this act.

NEW SECTION. Sec. 503. A new section is added to chapter 28A.150 RCW to read as follows:

(1) Subject to funds appropriated for this purpose:

(a) Beginning in the 2016-17 school year, the legislature shall annually provide additional time and resources for high quality, content-specific, professional learning days for each state-funded certificated instructional staff, paraeducator, and school building-based administrator to increase knowledge and skills in the areas of current and future educational reforms. The minimum funding for a professional learning day must be equivalent to the aggregate amount provided for the state-funded salaries for each certificated instructional staff, paraeducator, and school-based administrator in the school district for one full school day. School districts must be required to expend the funds on professional learning activities but the learning is not required to be accomplished in one full school day and it may be organized in whatever time blocks the district chooses so long as the total time equates to one full school day. The learning improvement day must take place outside of the minimum one hundred eighty-day school calendar.

(b) For the 2016-17 school year, the funds provided for a professional learning day must be used for professional

development that addresses either the school district or individual building goals.

(2) The superintendent of public instruction shall adopt rules to implement this section.

(3) The funding provided under this section shall be deemed to be part of the legislature's definition of basic education under Article IX of the state Constitution."

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

On page 1, line 4 of the title, after "28A.660.050," strike "and 28A.410.250" and insert "28A.410.250, and 28A.150.200"

On page 1, line 6 of the title, after "RCW;" insert "adding a new section to chapter 28A.150 RCW;"

Senator McAuliffe spoke in favor of adoption of the amendment.

Senator Dammeier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 631 by Senators McAuliffe and Rolfes on page 11, after line 37 to Second Substitute Senate Bill No. 6455.

The motion by Senator McAuliffe did not carry and amendment no. 631 was not adopted by voice vote.

MOTION

Senator Rolfes moved that the following amendment no. 632 by Senator Rolfes be adopted:

On page 11, after line 37, insert the following:

"PART V

TEACHER MENTORING

NEW SECTION. Sec. 501. (1) The sum of five million dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the superintendent of public instruction for a beginning educator support program.

(2) The appropriation in this section is provided solely for a beginning educator support program. The program shall prioritize first year teachers in the mentoring program. Either school districts, or regional consortia, or both may apply for grant funding.

(3) The program provided by either a district, or a regional consortia, or both shall include: A paid orientation; assignment of a qualified mentor; development of a professional growth plan for each beginning teacher aligned with professional certification; release time for mentors and new teachers to work together; and teacher observation time with accomplished peers. Funding may

be used to provide statewide professional development opportunities for mentors and beginning educators."

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

On page 1, line 6 of the title, after "sections;" insert "making an appropriation;"

Senator Rolfes spoke in favor of adoption of the amendment.

Senator Dammeier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 632 by Senator Rolfes on page 11, after line 37 to Second Substitute Senate Bill No. 6455.

The motion by Senator Rolfes did not carry and amendment no. 632 was not adopted by voice vote.

MOTION

Senator Rolfes moved that the following amendment no. 633 by Senator Rolfes be adopted:

On page 11, after line 37, insert the following:

"PART V

TEACHER SALARIES

NEW SECTION. Sec. 501. (1) The following calculations determine the salaries used in the state allocations for certificated instructional, certificated administrative, and classified staff units as provided in RCW 28A.150.380 and under section 502, chapter 4, Laws of 2015 3rd sp. sess.:

(a) Salary allocations for certificated instructional staff units are determined for each district by multiplying the district's certificated instructional total base salary from section 503 of this act by the district's average staff mix factor for certificated instructional staff in that school year, computed using the table of staff mix factors for certificated instructional staff in section 502 of this act; and

(b) Salary allocations for certificated administrative staff units and classified staff units for each district are determined based on the district's certificated administrative and classified salary allocation amounts from section 503 of this act.

(2) Incremental fringe benefit factors are applied to salary adjustments at a rate of 20.78 percent for school year 2016-17 for certificated instructional and certificated administrative staff and 19.22 percent for the 2016-17 school year for classified staff.

(3)(a) Pursuant to RCW 28A.150.410, the following statewide salary allocation schedule for certificated instructional staff is established for basic education salary allocations:

Table Of Total Base Salaries For Certificated Instructional Staff For School Year 2016-17

*** Education Experience ***

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	40,000	40,400	40,804	41,212	42,296	44,385	43,229	46,474	48,566
1	40,400	40,804	41,212	41,624	42,886	44,964	43,710	46,988	49,066
2	40,804	41,212	41,624	42,040	43,441	45,541	44,194	47,463	49,564
3	41,212	41,624	42,040	42,461	43,968	46,119	44,652	47,938	50,065
4	41,624	42,040	42,461	42,885	44,545	46,713	45,133	48,417	50,583
5	42,040	42,461	42,885	43,314	45,099	47,309	45,622	48,901	51,103
6	42,461	42,885	43,314	43,747	45,656	47,878	46,123	49,390	51,614
7	42,885	43,314	43,747	44,185	46,680	48,963	47,061	50,362	52,646
8	43,314	43,747	44,185	44,854	48,201	50,569	48,537	51,885	54,251
9		44,185	44,756	46,347	49,773	52,220	50,028	53,455	55,904
10			46,210	47,916	51,388	53,917	51,599	55,071	57,599

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

11	49,531	53,079	55,658	53,214	56,762	59,341
12	51,096	54,815	57,472	54,894	58,497	61,156
13		56,593	59,329	56,631	60,276	63,012
14		58,381	61,258	58,420	62,181	64,940
15		59,900	62,851	59,938	63,797	66,629
16 or more		61,098	64,107	61,137	65,073	67,961

(b) As used in this section, the column headings "BA+(N)" refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings "MA+(N)" refer to the total of:

- (i) Credits earned since receiving the masters degree; and
- (ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(4) For the purposes of this section:

- (a) "BA" means a baccalaureate degree.
- (b) "MA" means a masters degree.
- (c) "PHD" means a doctorate degree.

(d) "Years of service" are calculated under the same rules adopted by the superintendent of public instruction.

(e) "Credits" means college quarter hour credits and equivalent in-service credits computed in accordance with RCW 28A.415.020 and 28A.415.023.

(5) No more than ninety college quarter-hour credits received by any employee after the baccalaureate degree may be used to determine compensation allocations under the state salary allocation schedule established in this section and sections 502 and 503 of this act, or any replacement schedules and documents, unless:

- (a) The employee has a masters degree; or
- (b) The credits were used in generating state salary allocations before January 1, 1992.

(6) The salary allocation schedule established in this section is for allocation purposes only except as provided in RCW 28A.400.200(2).

NEW SECTION. Sec. 502. The staff mix factors for certificated instructional staff according to education and years of experience shall be as follows:

Table of Staff Mix Factors For Certificated Instructional Staff

Years of Service	BA	BA+15	BA+30	BA+45	BA+90	BA+135	MA	MA+45	MA+90 OR Ph.D.
0	1.00000	1.01000	1.02010	1.03030	1.05739	1.10964	1.08073	1.16185	1.21415
1	1.01000	1.02010	1.03030	1.04060	1.07214	1.12410	1.09274	1.17471	1.22665
2	1.02010	1.03030	1.04060	1.05101	1.08603	1.13852	1.10484	1.18657	1.23909
3	1.03030	1.04060	1.05101	1.06152	1.09921	1.15297	1.11630	1.19844	1.25162
4	1.04060	1.05101	1.06152	1.07214	1.11363	1.16781	1.12832	1.21042	1.26457
5	1.05101	1.06152	1.07214	1.08286	1.12746	1.18274	1.14054	1.22253	1.27757
6	1.06152	1.07214	1.08286	1.09369	1.14140	1.19695	1.15307	1.23475	1.29035
7	1.07214	1.08286	1.09369	1.10462	1.16700	1.22407	1.17652	1.25904	1.31616
8	1.08286	1.09369	1.10462	1.12135	1.20503	1.26422	1.21341	1.29712	1.35628
9		1.10462	1.11890	1.15867	1.24432	1.30550	1.25071	1.33638	1.39759
10			1.15524	1.19791	1.28469	1.34792	1.28997	1.37678	1.43998
11				1.23829	1.32696	1.39145	1.33035	1.41905	1.48351
12				1.27740	1.37037	1.43680	1.37234	1.46243	1.52889
13					1.41483	1.48324	1.41577	1.50689	1.57530
14					1.45953	1.53144	1.46051	1.55452	1.62350
15					1.49750	1.57128	1.49846	1.59492	1.66572
16 or more					1.52745	1.60267	1.52843	1.62683	1.69902

NEW SECTION. Sec. 503. The school year salary allocations for certificated administrative staff and classified staff and

derived and total base salaries for certificated instructional staff shall be as follows:

Base Salary Allocations for School Year 2016-17

School District	Certificated Instructional Staff	Administrative Staff	Classified Staff
01 109 Washtucna	40,000	69,442	33,746
01 122 Benge	40,000	61,409	34,327
01 147 Othello	40,000	61,409	33,746
01 158 Lind	40,000	76,812	33,746
01 160 Ritzville	40,000	66,389	33,785
02 250 Clarkston	40,000	62,531	33,746
02 420 Asotin-Anatone	40,000	61,409	33,746
03 017 Kennewick	40,000	61,409	33,746
03 050 Paterson	40,000	61,409	33,746

03 052 Kiona-Benton City	40,000	65,336	33,746
03 053 Finley	40,000	63,892	33,746
03 116 Prosser	40,000	66,529	33,746
03 400 Richland	40,000	62,319	33,746
04 019 Manson	40,000	69,107	33,746
04 069 Stehekin	40,000	70,749	33,746
04 127 Entiat	40,000	81,630	33,746
04 129 Lake Chelan	40,588	61,409	33,945
04 222 Cashmere	40,000	74,282	33,746
04 228 Cascade	40,000	66,891	33,746
04 246 Wenatchee	40,000	64,820	33,746
05 121 Port Angeles	40,000	65,528	33,746
05 313 Crescent	40,000	67,655	33,746
05 323 Sequim	40,000	61,409	33,746
05 401 Cape Flattery	40,000	65,705	33,746
05 402 Quillayute Valley	40,000	63,851	33,746
06 037 Vancouver	40,000	65,106	33,746
06 098 Hockinson	40,000	66,247	33,746
06 101 La Center	40,000	67,123	33,746
06 103 Green Mountain	40,000	84,747	33,746
06 112 Washougal	40,000	61,409	33,830
06 114 Evergreen (Clark)	40,000	61,409	33,746
06 117 Camas	40,000	69,013	33,845
06 119 Battle Ground	40,000	63,802	33,746
06 122 Ridgefield	40,000	67,060	33,746
07 002 Dayton	40,000	61,409	33,746
07 035 Starbuck	40,000	61,409	33,746
08 122 Longview	40,000	61,409	33,746
08 130 Toutle Lake	40,000	72,592	33,915
08 401 Castle Rock	40,000	61,409	34,425
08 402 Kalama	40,000	62,444	33,746
08 404 Woodland	40,000	62,597	33,746
08 458 Kelso	40,000	61,720	33,746
09 013 Orondo	41,904	61,409	33,746
09 075 Bridgeport	40,000	67,079	34,154
09 102 Palisades	40,000	61,409	33,746
09 206 Eastmont	40,000	65,020	33,746
09 207 Mansfield	40,000	81,570	34,179
09 209 Waterville	40,000	62,709	33,746
10 003 Keller	40,000	61,409	33,746
10 050 Curlew	40,000	81,555	33,746
10 065 Orient	40,000	75,603	33,746
10 070 Inchelium	40,000	71,089	33,746
10 309 Republic	40,000	61,409	33,746
11 001 Pasco	40,000	61,499	33,750
11 051 North Franklin	40,000	63,316	33,746
11 054 Star	40,000	61,409	33,746
11 056 Kahlotus	40,000	61,774	33,746
12 110 Pomeroy	40,000	67,949	33,812
13 073 Wahluke	40,000	73,481	33,746
13 144 Quincy	40,000	62,609	33,760
13 146 Warden	40,000	65,060	33,746
13 151 Coulee-Hartline	40,000	69,837	33,746
13 156 Soap Lake	40,000	61,409	33,746
13 160 Royal	40,000	62,230	33,746
13 161 Moses Lake	40,000	62,984	33,746
13 165 Ephrata	40,000	61,409	33,746
13 167 Wilson Creek	40,000	87,003	33,746
13 301 Grand Coulee Dam	40,000	61,409	33,746
14 005 Aberdeen	40,000	62,463	33,746
14 028 Hoquiam	40,000	64,876	33,746
14 064 North Beach	40,000	71,107	33,746
14 065 McCleary	40,000	66,388	35,060
14 066 Montesano	40,000	62,032	33,746
14 068 Elma	40,000	62,030	34,786
14 077 Taholah	40,000	79,394	33,746

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

14 097 Quinault	40,000	62,705	33,998
14 099 Cosmopolis	40,000	62,232	33,746
14 104 Satsop	40,000	61,409	33,746
14 117 Wishkah Valley	40,000	79,382	34,633
14 172 Ocosta	40,000	61,646	33,950
14 400 Oakville	40,000	85,208	34,809
15 201 Oak Harbor	40,260	61,409	33,746
15 204 Coupeville	40,000	61,409	33,746
15 206 South Whidbey	40,000	62,181	34,151
16 020 Queets-Clearwater	40,000	64,029	33,997
16 046 Brinnon	40,000	61,409	33,746
16 048 Quilcene	40,000	85,822	33,746
16 049 Chimacum	40,000	63,969	34,498
16 050 Port Townsend	40,000	61,409	33,746
17 001 Seattle	40,269	63,466	38,948
17 210 Federal Way	40,000	61,409	33,746
17 216 Enumclaw	40,000	61,541	33,746
17 400 Mercer Island	40,000	66,951	34,028
17 401 Highline	40,000	66,153	33,746
17 402 Vashon Island	40,000	68,756	33,746
17 403 Renton	40,000	61,918	33,746
17 404 Skykomish	40,000	89,342	33,951
17 405 Bellevue	40,000	64,844	36,544
17 406 Tukwila	40,000	74,180	33,746
17 407 Riverview	40,000	65,993	33,746
17 408 Auburn	40,000	61,409	33,746
17 409 Tahoma	40,000	61,409	33,922
17 410 Snoqualmie Valley	40,000	61,409	33,746
17 411 Issaquah	40,000	63,192	33,746
17 412 Shoreline	40,000	66,836	35,402
17 414 Lake Washington	40,000	64,774	33,746
17 415 Kent	40,000	61,409	33,746
17 417 Northshore	41,662	61,409	34,221
18 100 Bremerton	40,000	62,384	34,944
18 303 Bainbridge Island	40,000	64,226	33,746
18 400 North Kitsap	40,000	61,615	34,252
18 401 Central Kitsap	40,000	61,409	33,746
18 402 South Kitsap	40,000	62,927	33,863
19 007 Damman	40,000	61,409	33,746
19 028 Easton	40,000	61,409	33,746
19 400 Thorp	40,000	61,529	34,618
19 401 Ellensburg	40,000	62,795	33,746
19 403 Kittitas	40,000	62,891	33,746
19 404 Cle Elum-Roslyn	40,000	66,090	33,750
20 094 Wishram	40,000	76,562	33,746
20 203 Bickleton	40,000	76,517	33,746
20 215 Centerville	40,000	61,409	33,746
20 400 Trout Lake	40,000	67,659	33,746
20 401 Glenwood	40,000	68,152	33,746
20 402 Klickitat	40,000	74,046	33,746
20 403 Roosevelt	40,000	61,409	33,746
20 404 Goldendale	40,000	61,409	33,746
20 405 White Salmon	40,000	69,268	33,746
20 406 Lyle	40,000	69,558	33,746
21 014 Napavine	40,000	71,146	33,805
21 036 Evaline	40,000	61,409	33,746
21 206 Mossyrock	40,000	68,287	33,746
21 214 Morton	40,000	65,950	33,991
21 226 Adna	40,000	71,907	33,746
21 232 Winlock	40,000	64,577	33,746
21 234 Boistfort	40,000	63,624	33,746
21 237 Toledo	40,000	64,126	33,746
21 300 Onalaska	40,000	62,926	33,746
21 301 Pe Ell	40,000	70,620	34,387
21 302 Chehalis	40,000	61,409	33,746

21 303 White Pass	40,000	61,993	33,746
21 401 Centralia	40,000	66,793	33,746
22 008 Sprague	40,000	69,973	33,887
22 009 Reardan-Edwall	40,000	62,815	33,746
22 017 Almira	40,000	79,678	33,746
22 073 Creston	40,000	79,036	33,746
22 105 Odessa	40,000	66,151	33,746
22 200 Wilbur	40,000	75,994	33,746
22 204 Harrington	40,000	89,342	33,746
22 207 Davenport	40,000	67,284	33,746
23 042 Southside	40,604	61,409	33,746
23 054 Grapeview	40,000	66,495	33,746
23 309 Shelton	40,000	64,192	33,857
23 311 Mary M. Knight	40,000	78,659	34,317
23 402 Pioneer	40,000	61,409	33,746
23 403 North Mason	40,000	61,409	33,769
23 404 Hood Canal	40,000	64,121	35,035
24 014 Nespelem	40,000	72,100	33,746
24 019 Omak	40,000	66,742	33,746
24 105 Okanogan	40,000	63,182	34,146
24 111 Brewster	40,000	62,457	33,819
24 122 Pateros	40,000	62,739	33,746
24 350 Methow Valley	40,000	75,723	33,954
24 404 Tonasket	40,000	64,600	33,746
24 410 Oroville	40,000	61,910	34,441
25 101 Ocean Beach	40,000	69,234	33,746
25 116 Raymond	40,000	63,945	33,746
25 118 South Bend	40,000	61,409	33,746
25 155 Naselle-Grays River Valley	40,000	73,314	33,746
25 160 Willapa Valley	40,000	61,409	33,746
25 200 North River	40,000	69,941	33,746
26 056 Newport	40,000	61,481	33,746
26 059 Cusick	40,000	77,582	33,746
26 070 Selkirk	40,000	61,409	33,746
27 001 Steilacoom Historical	40,000	63,520	33,933
27 003 Puyallup	40,806	61,409	33,746
27 010 Tacoma	40,000	61,409	37,018
27 019 Carbonado	40,000	74,990	33,746
27 083 University Place	40,000	61,409	33,746
27 320 Sumner	40,000	62,688	33,746
27 343 Dieringer	40,000	67,168	33,746
27 344 Orting	40,000	63,223	33,746
27 400 Clover Park	40,000	62,891	33,746
27 401 Peninsula	40,000	64,470	33,762
27 402 Franklin Pierce	40,000	66,470	33,746
27 403 Bethel	40,000	63,371	33,746
27 404 Eatonville	40,000	61,409	33,746
27 416 White River	40,000	61,448	33,746
27 417 Fife	40,000	64,145	33,746
28 010 Shaw Island	40,763	61,409	35,720
28 137 Orcas Island	40,000	61,409	33,834
28 144 Lopez Island	40,435	66,467	33,746
28 149 San Juan Island	40,000	65,050	33,746
29 011 Concrete	40,000	67,624	33,746
29 100 Burlington-Edison	40,000	62,159	33,746
29 101 Sedro-Woolley	40,000	61,409	33,849
29 103 Anacortes	40,000	63,341	33,746
29 311 La Conner	40,000	69,634	33,746
29 317 Conway	40,000	66,352	33,746
29 320 Mount Vernon	40,000	61,409	33,746
30 002 Skamania	40,000	77,447	35,933
30 029 Mount Pleasant	40,000	61,409	37,291
30 031 Mill A	40,000	61,409	34,246
30 303 Stevenson-Carson	40,000	62,192	33,746
31 002 Everett	41,985	66,227	35,519
31 004 Lake Stevens	40,000	68,649	33,746

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

31 006 Mukilteo	40,478	64,946	33,746
31 015 Edmonds	40,000	63,968	33,746
31 016 Arlington	40,000	62,115	33,746
31 025 Marysville	41,542	61,602	33,746
31 063 Index	40,000	61,409	33,746
31 103 Monroe	40,000	63,971	33,746
31 201 Snohomish	40,000	65,304	33,746
31 306 Lakewood	40,000	61,409	33,746
31 311 Sultan	40,000	61,409	33,746
31 330 Darrington	40,000	71,576	33,746
31 332 Granite Falls	40,000	61,528	33,746
31 401 Stanwood	40,000	61,409	33,746
32 081 Spokane	40,000	61,409	33,746
32 123 Orchard Prairie	40,000	61,409	33,746
32 312 Great Northern	40,000	61,409	33,746
32 325 Nine Mile Falls	40,000	67,776	33,746
32 326 Medical Lake	40,000	61,409	33,746
32 354 Mead	40,000	61,409	33,746
32 356 Central Valley	40,000	61,409	34,107
32 358 Freeman	40,000	61,409	33,804
32 360 Cheney	40,000	63,039	33,746
32 361 East Valley (Spokane)	40,000	61,409	33,746
32 362 Liberty	40,000	63,787	33,746
32 363 West Valley (Spokane)	40,000	67,392	33,746
32 414 Deer Park	40,000	62,846	33,746
32 416 Riverside	40,000	63,133	33,746
33 030 Onion Creek	40,000	61,409	33,746
33 036 Chewelah	40,000	61,409	34,377
33 049 Wellpinit	40,000	79,320	33,746
33 070 Valley	40,000	68,263	33,746
33 115 Colville	40,000	61,409	33,746
33 183 Loon Lake	40,000	61,409	33,746
33 202 Summit Valley	40,000	61,409	33,746
33 205 Evergreen (Stevens)	40,000	61,409	33,746
33 206 Columbia (Stevens)	40,000	89,342	33,746
33 207 Mary Walker	40,000	68,836	33,746
33 211 Northport	40,000	72,946	33,746
33 212 Kettle Falls	40,000	61,409	34,051
34 002 Yelm	40,000	65,047	33,746
34 003 North Thurston	40,000	61,561	33,746
34 033 Tumwater	40,000	65,364	33,746
34 111 Olympia	40,000	63,397	33,763
34 307 Rainier	40,000	65,333	33,746
34 324 Griffin	40,000	61,409	33,746
34 401 Rochester	40,000	61,409	33,746
34 402 Tenino	40,000	61,409	33,746
35 200 Wahkiakum	40,000	61,409	33,746
36 101 Dixie	40,000	67,431	33,746
36 140 Walla Walla	40,000	61,818	33,746
36 250 College Place	40,000	63,159	33,746
36 300 Touchet	40,000	63,620	33,746
36 400 Columbia (Walla Walla)	40,000	61,409	33,746
36 401 Waitsburg	40,000	74,918	33,746
36 402 Prescott	40,000	72,876	34,997
37 501 Bellingham	40,000	62,056	33,746
37 502 Ferndale	40,000	64,581	33,746
37 503 Blaine	40,000	64,768	34,164
37 504 Lynden	40,000	61,409	33,746
37 505 Meridian	40,000	61,409	33,746
37 506 Nooksack Valley	40,000	61,409	33,766
37 507 Mount Baker	40,000	61,409	33,746
38 126 Lacrosse	40,000	73,899	34,126
38 264 Lamont	40,000	68,984	33,746
38 265 Tekoa	40,000	82,390	33,746
38 267 Pullman	40,000	61,409	33,923

38 300 Colfax	40,000	61,781	33,746
38 301 Palouse	40,000	73,282	34,128
38 302 Garfield	40,000	71,724	33,746
38 304 Steptoe	40,000	61,409	34,209
38 306 Colton	40,000	74,267	33,746
38 308 Endicott	40,000	82,420	33,746
38 320 Rosalia	40,000	77,733	33,804
38 322 St. John	40,000	89,342	33,746
38 324 Oakesdale	40,000	80,400	33,746
39 002 Union Gap	40,000	67,912	33,746
39 003 Naches Valley	40,000	66,113	33,746
39 007 Yakima	40,000	67,396	33,821
39 090 East Valley (Yakima)	40,000	62,350	34,064
39 119 Selah	40,000	66,320	33,746
39 120 Mabton	40,000	70,258	34,810
39 200 Grandview	40,000	63,581	33,746
39 201 Sunnyside	40,000	61,409	33,746
39 202 Toppenish	40,000	66,435	33,746
39 203 Highland	40,000	67,205	33,746
39 204 Granger	40,000	65,609	33,746
39 205 Zillah	40,000	64,987	33,746
39 207 Wapato	40,000	63,992	33,746
39 208 West Valley (Yakima)	40,000	61,409	33,746
39 209 Mount Adams	40,000	66,743	33,746

NEW SECTION. Sec. 504. (1) The sum of seventy-one million seven hundred eighty thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the superintendent of public instruction for school employee compensation adjustments.

(2) The appropriation in this section is subject to the following conditions and limitations:

(a) Additional salary adjustments as necessary to fund the base salaries for certificated instructional staff as listed for each district in section 503 of this act.

(b) Additional salary adjustments to certain districts as necessary to fund the per full-time equivalent salary allocations for certificated administrative staff as listed for each district in section 503 of this act.

(c) Additional salary adjustments to certain districts as necessary to fund the per full-time equivalent salary allocations for classified staff as listed for each district in section 503 of this act.

(d) The appropriation in this section includes associated incremental fringe benefit allocations at 20.78 percent for the 2016-17 school year for certificated instructional and certificated administrative staff and 19.22 percent for the 2016-17 school year for classified staff.

(e) The appropriation in this section includes the increased or decreased portion of salaries and incremental fringe benefits for all relevant state-funded school programs in part V of chapter 4, Laws of 2015 3rd sp. sess. Changes for general apportionment (basic education) are based on the salary allocation schedules and methodology in sections 501, 502, and 503 of this act. Changes for special education result from changes in each district's basic education allocation per student. Changes for educational service districts and institutional education programs are determined by the superintendent of public instruction using the methodology for general apportionment salaries and benefits in sections 501, 502, and 503 of this act.

(f) The appropriation in this section includes no salary adjustments for substitute teachers.

(3) The rates specified in this section are subject to revision each year by the legislature.

NEW SECTION. Sec. 505. The sum of seven million eight hundred twenty-three thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the superintendent of public instruction for local effort assistance.

NEW SECTION. Sec. 506. (1) The sum of forty-four thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the Washington state school for the blind.

(2) The appropriation in this section is sufficient to implement the salary adjustments necessary to fund the base salaries for certificated instructional staff and classified staff at the Washington state school for the blind.

NEW SECTION. Sec. 507. (1) The sum of twenty-three thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2017, from the education legacy trust account to the center for childhood deafness and hearing loss.

(2) The appropriation in this section is sufficient to implement the salary adjustments necessary to fund the base salaries for certificated instructional staff and classified staff at the center for childhood deafness and hearing loss."

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

On page 1, line 6 of the title, after "sections;" insert "making appropriations;"

Senators Rolfes, Billig, Nelson and Hasegawa spoke in favor of adoption of the amendment.

Senators Dammeier and Hill spoke against adoption of the amendment.

MOTION

Senator Liias demanded a roll call vote on the amendment.

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

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

The President declared the question before the Senate to be the adoption of amendment no. 633 by Senator Rolfes on page 11, after line 37 to Second Substitute Senate Bill No. 6455.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 633 by Senator Rolfes and the amendment was not adopted by the following vote: Yeas, 22; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

MOTION

Senator Billig moved that the following amendment no. 634 by Senators Billig and Dammeier be adopted:

On page 11, after line 37, insert the following:

"PART V**TUITION WAIVERS**

Sec. 501. RCW 28B.15.558 and 2015 c 55 s 221 are each amended to read as follows:

(1) The governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges may waive all or a portion of the tuition and services and activities fees for state employees as defined under subsection (2) of this section and teachers ((and)), other certificated instructional staff under subsection (3) of this section, and K-12 classified staff under subsection (4) of this section. The enrollment of these persons is pursuant to the following conditions:

(a) Such persons shall register for and be enrolled in courses on a space available basis and no new course sections shall be created as a result of the registration;

(b) Enrollment information on persons registered pursuant to this section shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall such persons be considered in any enrollment statistics that would affect budgetary determinations; and

(c) Persons registering on a space available basis shall be charged a registration fee of not less than five dollars.

(2) For the purposes of this section, "state employees" means persons employed half-time or more in one or more of the following employee classifications:

(a) Permanent employees in classified service under chapter 41.06 RCW;

(b) Permanent employees governed by chapter 41.56 RCW pursuant to the exercise of the option under RCW 41.56.201;

(c) Permanent classified employees and exempt paraprofessional employees of technical colleges; and

(d) Faculty, counselors, librarians, and exempt professional and administrative employees at institutions of higher education as defined in RCW 28B.10.016.

(3) The waivers available to state employees under this section shall also be available to teachers and other certificated instructional staff employed at public common and vocational schools, holding or seeking a valid endorsement and assignment in a state-identified shortage area.

(4) The waivers available under this section shall also be available to classified staff employed at public common and vocational schools when used for coursework relevant to the work assignment.

(5) In awarding waivers, an institution of higher education may award waivers to eligible persons employed by the institution before considering waivers for eligible persons who are not employed by the institution.

((5)) (6) If an institution of higher education exercises the authority granted under this section, it shall include all eligible state employees in the pool of persons eligible to participate in the program.

((6)) (7) In establishing eligibility to receive waivers, institutions of higher education may not discriminate between full-time employees and employees who are employed half-time or more."

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

On page 1, line 4 of the title, after "28A.660.050," strike "and 28A.410.250" and insert "28A.410.250, and 28B.15.558"

Senators Billig and Dammeier spoke in favor of adoption of the amendment.

The President of the Senate, Lt. Governor Owen, resumed the chair.

The President declared the question before the Senate to be the adoption of amendment no. 634 by Senators Billig and Dammeier on page 11, after line 37 to Second Substitute Senate Bill No. 6455.

The motion by Senator Billig carried and amendment no. 634 was adopted by voice vote.

MOTION

On motion of Senator Dammeier, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6455 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier, Frockt, Rolfes, Hill, Ranker, Miloscia, Jayapal and Nelson spoke in favor of passage of the bill.

Senators McAuliffe and McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6455.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6455 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

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

Voting nay: Senators Chase, Liias, McAuliffe and McCoy

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6396, by Senators Braun, Roach, Bailey, Rivers, Angel, Becker, Brown, Dammeier, Parlette, Sheldon, Schoesler, Honeyford, Warnick, Padden and Pearson

Changing rule-making requirements to require preadoption review by the attorney general and a yearly expiration.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Senate Bill No. 6396 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Hill, Dansel, Ericksen, Angel, Becker and Baumgartner spoke in favor of passage of the bill.

Senators McCoy, Liias, Takko, Billig, Habib, Fraser, Rolfes and Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6396.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6396 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

SENATE BILL NO. 6396, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Liias moved, pursuant to Senate Rule 18, that Engrossed Senate Bill No. 5153, an act relating to increasing transparency of campaign contributions, be made a special order of business to be considered at 4:58 p.m.

Senators Liias and Billig spoke in favor of the motion.
Senators Fain and Baumgartner spoke against the motion.

MOTION

Senator Rolfes demanded a roll call vote.

The President declared that at least one-sixth of the members joined the demand and the demand was sustained.

The President declared the question before the Senate to be the motion by Senator Liias that Engrossed Senate Bill No. 5153 be made a special order of business.

ROLL CALL

The Secretary called the roll on the motion by Senator Liias that Engrossed Senate Bill 5153 be made a special order of business and the motion failed on the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

SECOND READING

SENATE BILL NO. 6605, by Senators Warnick, Becker, Brown and Honeyford

Ensuring that solid waste management requirements prevent the spread of disease, plant pathogens, and pests.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 6605 was substituted for Senate Bill No. 6605 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following striking amendment no. 601 by Senator Warnick be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.95.060 and 1999 c 116 s 1 are each amended to read as follows:

(1) The department shall adopt rules establishing minimum functional standards for solid waste handling, consistent with the standards specified in this section. The department may classify areas of the state with respect to population density, climate, geology, status under a quarantine as defined in RCW 17.24.007, and other relevant factors bearing on solid waste disposal standards.

(2) In addition to the minimum functional standards adopted by the department under subsection (1) of this section, each landfill facility whose area at its design capacity will exceed one hundred acres and whose horizontal height at design capacity will average one hundred feet or more above existing site elevations shall comply with the standards of this subsection. This subsection applies only to wholly new solid waste landfill facilities, no part or unit of which has had construction commence before April 27, 1999.

(a) No landfill specified in this subsection may be located:

(i) So that the active area is closer than five miles to any national park or a public or private nonprofit zoological park displaying native animals in their native habitats; or

(ii) Over a sole source aquifer designated under the federal safe drinking water act, if such designation was effective before January 1, 1999.

(b) Each landfill specified in this subsection (2) shall be constructed with an impermeable berm around the entire

perimeter of the active area of the landfill of such height, thickness, and design as will be sufficient to contain all material disposed in the event of a complete failure of the structural integrity of the landfill.

Sec. 2. RCW 70.95.165 and 2015 1st sp.s. c 4 s 49 are each amended to read as follows:

(1) Each county or city siting a solid waste disposal facility shall review each potential site for conformance with the standards as set by the department for:

- (a) Geology;
- (b) Groundwater;
- (c) Soil;
- (d) Flooding;
- (e) Surface water;
- (f) Slope;
- (g) Cover material;
- (h) Capacity;
- (i) Climatic factors;
- (j) Land use;
- (k) Toxic air emissions; and
- (l) Other factors as determined by the department.

(2) The standards in subsection (1) of this section shall be designed to use the best available technology to protect the environment and human health, and shall be revised periodically to reflect new technology and information.

(3) Each county shall establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption. Such committees shall consist of a minimum of nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, agriculture, and local elected public officials. The members shall be appointed by the county legislative authority. A county or city shall not apply for funds from the state and local improvements revolving account, Waste Disposal Facilities, 1980, under RCW 43.83.350, for the preparation, update, or major amendment of a comprehensive solid waste management plan unless the plan or revision has been prepared with the active assistance and participation of a local solid waste advisory committee.

NEW SECTION. Sec. 3. A new section is added to chapter 70.95 RCW to read as follows:

Upon receipt by the department of a preliminary draft plan as provided in RCW 70.95.094, the department shall immediately provide a copy of the preliminary draft plan to the department of agriculture. Within forty-five days after receiving the preliminary draft plan, the department of agriculture shall review the preliminary draft plan for compliance with chapter 17.24 RCW and the rules adopted under that chapter. The department of agriculture shall advise the local government submitting the preliminary draft plan and the department of the result of the review.

Sec. 4. RCW 70.95.180 and 1997 c 213 s 3 are each amended to read as follows:

(1) Applications for permits to operate a new or modified solid waste handling facility shall be on forms prescribed by the department and shall contain a description of the proposed facilities and operations at the site, plans and specifications for any new or additional facilities to be constructed, and such other information as the jurisdictional health department may deem necessary in order to determine whether the site and solid waste disposal facilities located thereon will comply with local regulations and state ((regulations)) rules.

(2) Upon receipt of an application for a permit to establish or modify a solid waste handling facility, the jurisdictional health department shall refer one copy of the application to the department which shall report its findings to the jurisdictional health department. When the application is for a permit to establish or modify a solid waste handling facility located in an area that is not under a quarantine, as defined in RCW 17.24.007, and when the facility will receive material for composting from an area under a quarantine, the jurisdictional health department shall also provide a copy of the application to the department of agriculture. The department of agriculture shall review the application to determine whether it contains information demonstrating that the proposed facility presents a risk of spreading disease, plant pathogens, or pests to areas that are not under a quarantine. For the purposes of this subsection, "composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition.

(3) The jurisdictional health department shall investigate every application as may be necessary to determine whether a proposed or modified site and facilities meet all solid waste, air, and other applicable laws and regulations, and conforms with the approved comprehensive solid waste handling plan, and complies with all zoning requirements.

(4) When the jurisdictional health department finds that the permit should be issued, it shall issue such permit. Every application shall be approved or disapproved within ninety days after its receipt by the jurisdictional health department.

(5) The jurisdictional board of health may establish reasonable fees for permits and renewal of permits. All permit fees collected by the health department shall be deposited in the treasury and to the account from which the health department's operating expenses are paid.

Sec. 5. RCW 70.95.200 and 1969 ex.s. c 134 s 20 are each amended to read as follows:

Any permit for a solid waste disposal site issued as provided herein shall be subject to suspension at any time the jurisdictional health department determines that the site or the solid waste disposal facilities located on the site are being operated in violation of this chapter, ((or)) the regulations of the department, the rules of the department of agriculture, or local laws and regulations.

Sec. 6. RCW 70.95.300 and 1998 c 156 s 2 are each amended to read as follows:

(1) The department may by rule exempt a solid waste from the permitting requirements of this chapter for one or more beneficial uses. In adopting such rules, the department shall specify both the solid waste that is exempted from the permitting requirements and the beneficial use or uses for which the solid waste is so exempted. The department shall consider: (a) Whether the material will be beneficially used or reused; and (b) whether the beneficial use or reuse of the material will present threats to human health or the environment.

(2) The department may also exempt a solid waste from the permitting requirements of this chapter for one or more beneficial uses by approving an application for such an exemption. The department shall establish by rule procedures under which a person may apply to the department for such an exemption. The rules shall establish criteria for providing such an exemption, which shall include, but not be limited to: (a) The material will be beneficially used or reused; and (b) the beneficial use or reuse of the material will not present threats to human health or the environment. Rules adopted under this subsection shall identify the information that an application shall contain. Persons seeking

such an exemption shall apply to the department under the procedures established by the rules adopted under this subsection.

(3) After receipt of an application filed under rules adopted under subsection (2) of this section, the department shall review the application to determine whether it is complete, and forward a copy of the completed application to all jurisdictional health departments and the department of agriculture for review and comment. Within forty-five days, the jurisdictional health departments and the department of agriculture shall forward to the department their comments and any other information they deem relevant to the department's decision to approve or disapprove the application. The department of agriculture's comments must be limited to addressing whether approving the application risks spreading disease, plant pathogens, or pests to areas that are not under a quarantine, as defined in RCW 17.24.007. Every complete application shall be approved or disapproved by the department within ninety days of receipt. If the application is approved by the department, the solid waste is exempt from the permitting requirements of this chapter when used anywhere in the state in the manner approved by the department. If the composition, use, or reuse of the solid waste is not consistent with the terms and conditions of the department's approval of the application, the use of the solid waste remains subject to the permitting requirements of this chapter.

(4) The department shall establish procedures by rule for providing to the public and the solid waste industry notice of and an opportunity to comment on each application for an exemption under subsection (2) of this section.

(5) Any jurisdictional health department or applicant may appeal the decision of the department to approve or disapprove an application under subsection (3) of this section. The appeal shall be made to the pollution control hearings board by filing with the hearings board a notice of appeal within thirty days of the decision of the department. The hearings board's review of the decision shall be made in accordance with chapter 43.21B RCW and any subsequent appeal of a decision of the board shall be made in accordance with RCW 43.21B.180.

(6) This section shall not be deemed to invalidate the exemptions or determinations of nonapplicability in the department's solid waste rules as they exist on June 11, 1998, which exemptions and determinations are recognized and confirmed subject to the department's continuing authority to modify or revoke those exemptions or determinations by rule."

On page 1, beginning on line 1 of the title, after "Relating to" strike the remainder of the title and insert "ensuring that solid waste management requirements prevent the spread of disease, plant pathogens, and pests; amending RCW 70.95.060, 70.95.165, 70.95.180, 70.95.200, and 70.95.300; and adding a new section to chapter 70.95 RCW."

Senator Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 601 by Senator Warnick to Substitute Senate Bill No. 6605.

The motion by Senator Warnick carried and striking amendment no. 601 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 6605 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick, Takko and Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6605.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6605 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator McCoy

ENGROSSED SUBSTITUTE SENATE BILL NO. 6605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6569, by Senators Cleveland, Becker, Carlyle, Keiser and Ranker

Creating a task force on patient out-of-pocket costs.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 6569 was substituted for Senate Bill No. 6569 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 6569 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland and Becker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6569.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6569 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6569, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

SECOND READING

SENATE BILL NO. 6215, by Senators Padden, Warnick, Pearson and Becker

Identifying water rights for municipal water supply purposes. Revised for 1st Substitute: Identifying certain irrigation or dairy use water rights as water rights being used for municipal water supply purposes.

MOTION

On motion of Senator Padden, Substitute Senate Bill No. 6215 was substituted for Senate Bill No. 6215 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Padden moved that the following amendment no. 658 by Senators Padden and Billig be adopted:

On page 2, after line 10, insert the following:

"(3) Subsection (2) of this section applies to water resource inventory areas 54, 55, 56, and 57, according to the boundaries of those areas as they existed on the effective date of this section.

(4) The legislature intends that a municipal water supplier holding water rights that have been amended pursuant to subsection (2) of this section should retain such water rights."

Senators Padden and Takko spoke in favor of adoption of the amendment.

Senator McCoy spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 658 by Senators Padden and Billig on page 2, after line 10 to Substitute Senate Bill No. 6215.

The motion by Senator Padden carried and amendment no. 658 was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Substitute Senate Bill No. 6215 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Fraser and McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6215.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6215 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Dammeier, Dansel, Ericksen, Hargrove, Hewitt, Hill, Honeyford, King, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hobbs,

Jayapal, Keiser, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Ranker and Rolfes

Absent: Senator Pedersen

ENGROSSED SUBSTITUTE SENATE BILL NO. 6215, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Liias, and without objection, Senator Pedersen was excused.

SECOND READING

SENATE BILL NO. 6263, by Senators Warnick, Ranker, Rivers, Hobbs, Darneille, Liias and Conway

Providing benefits for certain retirement system members who die or become disabled in the course of providing emergency management services.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 6263 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6263.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6263 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6263, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6363, by Senators Takko, Ericksen, Hobbs and Parlette

Concerning the design and construction of certain transportation facilities adjacent to or across a river or waterway.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 6363 was substituted for Senate Bill No. 6363 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 6363 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6363.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6363 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6363, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6406, by Senators Warnick and Conway

Concerning certified public accountant firm mobility.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 6406 was substituted for Senate Bill No. 6406 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following amendment no. 606 by Senators Warnick and Conway be adopted:

On page 4, line 30, after "RCW 18.04.350(10)" insert "or (11)"

On page 4, line 31, after "provided in", strike "RCW 18.04.350(13)" and insert "RCW 18.04.350(14)"

On page 20, line 3, after "advice on tax matters," strike all material through "prepared," on line 5 and insert "(the preparation of financial statements, written statements describing how such financial statements were prepared,)"

On page 20, line 18, after "(11)" insert "Nothing in this chapter prohibits any person or firm composed of persons not holding a license under this chapter from offering or rendering to the public the preparation of financial statements, or written statements describing how such financial statements were prepared, provided that persons, partnerships, limited liability companies, or corporations not holding a license who offer or render these services do not designate any written statement as a report as defined in RCW 18.04.025(21) and do not issue any written statement which purports to express or disclaim an opinion on financial statements which have been audited, and do

not issue any written statement which expresses assurance on financial statements which have been reviewed. The board may prescribe, by rule, language for the written statement describing how such financial statements were prepared for use by persons not holding a license under this chapter.

(12)"

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

Senators Warnick and Conway spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 606 by Senators Warnick and Conway on page 4, line 30 to Substitute Senate Bill No. 6406.

The motion by Senator Warnick carried and amendment no. 606 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 6406 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6406.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6406 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6406, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6147, by Senators Roach, Takko, Dansel, Chase and Benton

Concerning water-sewer districts.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Senate Bill No. 6147 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6147.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6147 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6147, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6334, by Senators Benton, Chase, Rivers, Cleveland, Warnick, Hobbs, King and Sheldon

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

MOTION

On motion of Senator Benton, Substitute Senate Bill No. 6334 was substituted for Senate Bill No. 6334 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator McCoy, and without objection, the following amendment no. 608 by Senator McCoy on page 3, line 29 to Substitute Senate Bill No. 6334 was withdrawn:

On page 3, line 29, after "railroad." insert "Freight rail dependent uses" does not include buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of coal, liquefied natural gas, or "oil" or "oils" as defined in RCW 90.56.010."

MOTION

Senator Benton moved that the following amendment no. 642 by Senators Benton and Cleveland be adopted:

On page 3, line 29, after "railroad" insert "in a county that has a population greater than three hundred fifty thousand, is bordered by the Columbia river, is west of the Cascade mountain range, and borders another state to the south"

Senators Benton and Lias spoke in favor of adoption of the amendment.

Senator Hargrove spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 642 by Senators Benton and Cleveland on page 3, line 29 to Substitute Senate Bill No. 6334.

The motion by Senator Benton carried and amendment no. 642 was adopted by voice vote.

MOTION

On motion of Senator Benton, the rules were suspended, Engrossed Substitute Senate Bill No. 6334 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Benton spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6334.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6334 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Hasegawa, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Darneille, Fraser, Frockt, Habib, Hargrove, Hewitt, Jayapal, Lias, McCoy, Nelson, Pedersen, Ranker and Rolfes

ENGROSSED SUBSTITUTE SENATE BILL NO. 6334, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6297, by Senate Committee on Natural Resources & Parks (originally sponsored by Senators King and Takko)

Concerning the disposition of penalties paid for failure to comply with recreational site or lands pass/permit requirements.

MOTIONS

On motion of Senator King, Second Substitute Senate Bill No. 6297 was substituted for Senate Bill No. 6297 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Second Substitute Senate Bill No. 6297 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Jayapal and Takko spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6297.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6297 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser,

Frocht, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SECOND SUBSTITUTE SENATE BILL NO. 6297, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6439, by Senators Bailey, Conway, Schoesler, Hewitt and Roach

Addressing volunteer firefighters and reserve officers assisting with multiregional state emergencies. Revised for 1st Substitute: Addressing retirement benefits for volunteer firefighters and reserve officers assisting with state emergencies.

MOTIONS

On motion of Senator Bailey, Substitute Senate Bill No. 6439 was substituted for Senate Bill No. 6439 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 6439 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6439.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6439 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6439, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6309, by Senators Angel and Hobbs

Concerning registered service contract and protection product guarantee providers. Revised for 1st Substitute: Addressing registered service contract and protection product guarantee providers.

MOTION

On motion of Senator Angel, Substitute Senate Bill No. 6309 was substituted for Senate Bill No. 6309 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Angel moved that the following striking amendment no. 622 by Senator Angel be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.110.030 and 2014 c 82 s 2 are each amended to read as follows:

(1) A person may not act as, or offer to act as, or hold himself or herself out to be a service contract provider in this state, nor may a service contract be sold to a consumer in this state, unless the service contract provider has a valid registration as a service contract provider issued by the commissioner.

(2) Applicants to be a service contract provider must make an application to the commissioner upon a form to be furnished by the commissioner. The application must include or be accompanied by the following information and documents:

(a) All basic organizational documents of the service contract provider, including any articles of incorporation, articles of association, partnership agreement, trade name certificate, trust agreement, shareholder agreement, bylaws, and other applicable documents, and all amendments to those documents;

(b) The identities of the service contract provider's executive officer or officers directly responsible for the service contract provider's service contract business, and, if more than fifty percent of the service contract provider's gross revenue is derived from the sale of service contracts, the identities of the service contract provider's directors and stockholders having beneficial ownership of ten percent or more of any class of securities;

(c)(i) For service contract providers relying on RCW 48.110.050(2) (a) or (b) or 48.110.075(2)(a) to assure the faithful performance of its obligations to service contract holders, the most recent audited annual financial statements ((or other financial reports acceptable to the commissioner for the two most recent years)), if available, or the most recent audited financial statements which prove that the applicant is solvent ((and any information the commissioner may require in order to review the current financial condition of the applicant. If the service contract provider is relying on RCW 48.110.050(2)(c) to assure the faithful performance of its obligations to service contract holders, then the audited financial statements of the service contract provider's parent company must also be filed. In lieu of submitting audited financial statements, a service contract provider relying on RCW 48.110.050(2)(a) or 48.110.075(2)(a) to assure the faithful performance of its obligations to service contract holders may comply with the requirements of this subsection (2)(c) by submitting annual financial statements of the applicant that are certified as accurate by two or more officers of the applicant;)). In lieu of submitting audited financial statements, a service contract provider relying on RCW 48.110.050(2)(a) or 48.110.075(2)(a) to assure the faithful performance of its obligations to service contract holders may comply with the requirements of this subsection (2)(c)(i) by submitting the most recent annual financial statements, if available, or the most recent financial statements of the applicant that are certified as accurate by two or more officers of the applicant; or

(ii) For service contract providers relying on RCW 48.110.050(2)(c) to assure the faithful performance of its obligations to service contract holders, the most recent audited annual financial statements, if available, or the most recent audited financial statements or form 10-K or form 20-F filed with the securities and exchange commission which prove that the

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

applicant has and maintains a net worth or stockholder's equity of one hundred million dollars or more. However, if the service contract provider is relying on its parent company's net worth or stockholder's equity to meet the requirements of RCW 48.110.050(2)(c) and the service contract provider has provided the commissioner with a written guarantee by the parent company in accordance with RCW 48.110.050(2)(c), then the most recent audited annual financial statements, if available, or the most recent audited financial statements or form 10-K or form 20-F filed with the securities and exchange commission of the service contract provider's parent company must be filed and the applicant need not submit its own financial statements or demonstrate a minimum net worth or stockholder's equity; and

(d) An application fee of two hundred fifty dollars, which must be deposited into the general fund(; and

(e) Any other pertinent information required by the commissioner)).

(3) Each registered service contract provider must appoint the commissioner as the service contract provider's attorney to receive service of legal process issued against the service contract provider in this state upon causes of action arising within this state. Service upon the commissioner as attorney constitutes effective legal service upon the service contract provider.

(a) With the appointment the service contract provider must designate the person to whom the commissioner must forward legal process so served upon him or her.

(b) The appointment is irrevocable, binds any successor in interest or to the assets or liabilities of the service contract provider, and remains in effect for as long as there could be any cause of action against the service contract provider arising out of any of the service contract provider's contracts or obligations in this state.

(c) The service of process must be accomplished and processed in the manner prescribed under RCW 48.02.200.

(4) The commissioner may refuse to issue a registration if the commissioner determines that the service contract provider, or any individual responsible for the conduct of the affairs of the service contract provider under subsection (2)(b) of this section, is not competent, trustworthy, financially responsible, or has had a license as a service contract provider or similar license denied or revoked for cause by any state.

(5) A registration issued under this section is valid, unless surrendered, suspended, or revoked by the commissioner, or not renewed for so long as the service contract provider continues in business in this state and remains in compliance with this chapter. A registration is subject to renewal annually on the first day of July upon application of the service contract provider and payment of a fee of two hundred dollars, which must be deposited into the general fund. If not so renewed, the registration expires on the June 30th next preceding.

(6) A service contract provider must keep current the information required to be disclosed in its registration under this section by reporting all material changes or additions within thirty days after the end of the month in which the change or addition occurs.

Sec. 2. RCW 48.110.040 and 2006 c 274 s 5 are each amended to read as follows:

(1)(a) Every registered service contract provider must file an annual report for the preceding calendar year with the commissioner on or before March 1st of each year, or within any extension of time the commissioner for good cause may grant. The report must be in the form and contain those matters as the commissioner prescribes and shall be verified by at least two officers of the service contract provider.

(b)(i) A service contract provider relying on RCW 48.110.050(2)(a) or 48.110.075(2)(a) to assure the faithful performance of its obligations to service contract holders may not be required to submit audited financial statements of the service contract provider as part of its annual reports. If requested by the commissioner, a service contract provider relying on those provisions must provide a copy of the most recent annual financial statements of the service contract provider or its parent company certified as accurate by two officers of the service contract provider or its parent company.

(ii) A service contract provider relying on its parent company's net worth to meet the requirements of RCW 48.110.050(2)(c) to assure the faithful performance of its obligations to service contract holders must submit as part of its annual report the most recent audited financial statements or form 10-K or form 20-F filed with the United States securities and exchange commission of the service contract provider's parent company if requested by the commissioner but need not submit its own audited financial statements.

(2) At the time of filing the report, the service contract provider must pay a filing fee of twenty dollars which shall be deposited into the general fund.

(3) As part of any investigation by the commissioner, the commissioner may require a service contract provider to file monthly financial reports whenever, in the commissioner's discretion, there is a need to more closely monitor the financial activities of the service contract provider. Monthly financial statements must be filed in the commissioner's office no later than the twenty-fifth day of the month following the month for which the financial report is being filed. These monthly financial reports are the internal financial statements of the service contract provider. The monthly financial reports that are filed with the commissioner constitute information that might be damaging to the service contract provider if made available to its competitors, and therefore shall be kept confidential by the commissioner. This information may not be made public or be subject to subpoena, other than by the commissioner and then only for the purpose of enforcement actions taken by the commissioner.

Sec. 3. RCW 48.110.050 and 2006 c 274 s 6 are each amended to read as follows:

(1) Service contracts shall not be issued, sold, or offered for sale in this state or sold to consumers in this state unless the service contract provider has:

(a) Provided a receipt for, or other written evidence of, the purchase of the service contract to the contract holder; and

(b) Provided a copy of the service contract to the service contract holder within a reasonable period of time from the date of purchase.

(2) In order to either demonstrate its financial responsibility or assure the faithful performance of the service contract provider's obligations to its service contract holders, every service contract provider shall comply with the requirements of one of the following:

(a) Insure all service contracts under a reimbursement insurance policy issued by an insurer holding a certificate of authority from the commissioner or a risk retention group, as defined in 15 U.S.C. Sec. 3901(a)(4), as long as that risk retention group is in full compliance with the federal liability risk retention act of 1986 (15 U.S.C. Sec. 3901 et seq.), is in good standing in its domiciliary jurisdiction, and is properly registered with the commissioner under chapter 48.92 RCW. The insurance required by this subsection must meet the following requirements:

(i) The insurer or risk retention group must, at the time the policy is filed with the commissioner, and continuously thereafter, maintain surplus as to policyholders and paid-in capital

of at least fifteen million dollars and annually file audited financial statements with the commissioner; and

(ii) The commissioner may authorize an insurer or risk retention group that has surplus as to policyholders and paid-in capital of less than fifteen million dollars, but at least equal to ten million dollars, to issue the insurance required by this subsection if the insurer or risk retention group demonstrates to the satisfaction of the commissioner that the company maintains a ratio of direct written premiums, wherever written, to surplus as to policyholders and paid-in capital of not more than three to one;

(b)(i) Maintain a funded reserve account for its obligations under its service contracts issued and outstanding in this state. The reserves shall not be less than forty percent of the gross consideration received, less claims paid, on the sale of the service contract for all in-force contracts. The reserve account shall be subject to examination and review by the commissioner; and

(ii) Place in trust with the commissioner a financial security deposit, having a value of not less than five percent of the gross consideration received, less claims paid, on the sale of the service contract for all service contracts issued and in force, but not less than twenty-five thousand dollars, consisting of one of the following:

(A) A surety bond issued by an insurer holding a certificate of authority from the commissioner;

(B) Securities of the type eligible for deposit by authorized insurers in this state;

(C) Cash;

(D) An irrevocable evergreen letter of credit issued by a qualified financial institution; or

(E) Another form of security prescribed by rule by the commissioner; or

(c)(i) Maintain, or its parent company maintain, a net worth or stockholder's equity of at least one hundred million dollars; and

(ii) Upon request, provide the commissioner with a copy of the service contract provider's or, if using the net worth or stockholder's equity of its parent company to satisfy the one hundred million dollar requirement, the service contract provider's parent company's most recent form 10-K or form 20-F filed with the securities and exchange commission within the last calendar year, or if the company does not file with the securities and exchange commission, a copy of the service contract provider's or, if using the net worth or stockholder's equity of its parent company to satisfy the one hundred million dollar requirement, the service contract provider's parent company's most recent audited financial statements, which shows a net worth of the service contract provider or its parent company of at least one hundred million dollars. If the service contract provider's parent company's form 10-K, form 20-F, or audited financial statements are filed with the commissioner to meet the service contract provider's financial stability requirement, then the parent company shall agree to guarantee the obligations of the service contract provider relating to service contracts sold by the service contract provider in this state. A copy of the guarantee shall be filed with the commissioner. The guarantee shall be irrevocable as long as there is in force in this state any contract or any obligation arising from service contracts guaranteed, unless the parent company has made arrangements approved by the commissioner to satisfy its obligations under the guarantee.

(3) Service contracts shall require the service contract provider to permit the service contract holder to return the service contract within twenty days of the date the service contract was mailed to the service contract holder or within ten days of delivery if the service contract is delivered to the service contract holder at the time of sale, or within a longer time period permitted under the service contract. Upon return of the service contract to the service contract provider within the applicable period, if no claim

has been made under the service contract prior to the return to the service contract provider, the service contract is void and the service contract provider shall refund to the service contract holder, or credit the account of the service contract holder with the full purchase price of the service contract. The right to void the service contract provided in this subsection is not transferable and shall apply only to the original service contract purchaser. A ten percent penalty per month shall be added to a refund of the purchase price that is not paid or credited within thirty days after return of the service contract to the service contract provider.

(4) This section does not apply to service contracts on motor vehicles or to protection product guarantees.

Sec. 4. RCW 48.110.055 and 2011 c 47 s 17 are each amended to read as follows:

(1) This section applies to protection product guarantee providers.

(2) A person must not act as, or offer to act as, or hold himself or herself out to be a protection product guarantee provider in this state, nor may a protection product be sold to a consumer in this state, unless the protection product guarantee provider has:

(a) A valid registration as a protection product guarantee provider issued by the commissioner; and

(b) Either demonstrated its financial responsibility or assured the faithful performance of the protection product guarantee provider's obligations to its protection product guarantee holders by insuring all protection product guarantees under a reimbursement insurance policy issued by an insurer holding a certificate of authority from the commissioner or a risk retention group, as defined in 15 U.S.C. Sec. 3901(a)(4), as long as that risk retention group is in full compliance with the federal liability risk retention act of 1986 (15 U.S.C. Sec. 3901 et seq.), is in good standing in its domiciliary jurisdiction, and properly registered with the commissioner under chapter 48.92 RCW. The insurance required by this subsection must meet the following requirements:

(i) The insurer or risk retention group must, at the time the policy is filed with the commissioner, and continuously thereafter, maintain surplus as to policyholders and paid-in capital of at least fifteen million dollars and annually file audited financial statements with the commissioner; and

(ii) The commissioner may authorize an insurer or risk retention group that has surplus as to policyholders and paid-in capital of less than fifteen million dollars, but at least equal to ten million dollars, to issue the insurance required by this subsection if the insurer or risk retention group demonstrates to the satisfaction of the commissioner that the company maintains a ratio of direct written premiums, wherever written, to surplus as to policyholders and paid-in capital of not more than three to one.

(3) Applicants to be a protection product guarantee provider must make an application to the commissioner upon a form to be furnished by the commissioner. The application must include or be accompanied by the following information and documents:

(a) The names of the protection product guarantee provider's executive officer or officers directly responsible for the protection product guarantee provider's protection product guarantee business and their biographical affidavits on a form prescribed by the commissioner;

(b) The name, address, and telephone number of any administrators designated by the protection product guarantee provider to be responsible for the administration of protection product guarantees in this state;

(c) A copy of the protection product guarantee reimbursement insurance policy or policies;

(d) A copy of each protection product guarantee the protection product guarantee provider proposes to use in this state;

(e) ((Any other pertinent information required by the commissioner)) The most recent annual financial statements, if available, or the most recent financial statements certified as accurate by two or more officers of the applicant which prove that the applicant is solvent; and

(f) A nonrefundable application fee of two hundred fifty dollars.

(4) Each registered protection product guarantee provider must appoint the commissioner as the protection product guarantee provider's attorney to receive service of legal process issued against the protection product guarantee provider in this state upon causes of action arising within this state. Service upon the commissioner as attorney constitutes effective legal service upon the protection product guarantee provider.

(a) With the appointment the protection product guarantee provider must designate the person to whom the commissioner must forward legal process so served upon him or her.

(b) The appointment is irrevocable, binds any successor in interest or to the assets or liabilities of the protection product guarantee provider, and remains in effect for as long as there could be any cause of action against the protection product guarantee provider arising out of any of the protection product guarantee provider's contracts or obligations in this state.

(c) The service of process must be accomplished and processed in the manner prescribed under RCW 48.02.200.

(5) The commissioner may refuse to issue a registration if the commissioner determines that the protection product guarantee provider, or any individual responsible for the conduct of the affairs of the protection product guarantee provider under subsection (3)(a) of this section, is not competent, trustworthy, financially responsible, or has had a license as a protection product guarantee provider or similar license denied or revoked for cause by any state.

(6) A registration issued under this section is valid, unless surrendered, suspended, or revoked by the commissioner, or not renewed for so long as the protection product guarantee provider continues in business in this state and remains in compliance with this chapter. A registration is subject to renewal annually on the first day of July upon application of the protection product guarantee provider and payment of a fee of two hundred fifty dollars. If not so renewed, the registration expires on the June 30th next preceding.

(7) A protection product guarantee provider must keep current the information required to be disclosed in its registration under this section by reporting all material changes or additions within thirty days after the end of the month in which the change or addition occurs.

Sec. 5. RCW 48.110.902 and 2006 c 274 s 21 are each amended to read as follows:

(1) RCW 48.110.030 (2)(a) and (b), (3), and (4), 48.110.040, 48.110.060, 48.110.100, 48.110.110, 48.110.075 (2)(a) and (b) and (4)(e), and 48.110.073 (1) and (2) do not apply to motor vehicle service contracts issued by a motor vehicle manufacturer or import distributor covering vehicles manufactured or imported by the motor vehicle manufacturer or import distributor. For purposes of this section, "motor vehicle service contract" includes a contract or agreement sold for separately stated consideration for a specific duration to perform any of the services set forth in RCW 48.110.020(18)(b).

(2) RCW 48.110.030(2)(c) does not apply to a publicly traded motor vehicle manufacturer or import distributor.

(3) RCW 48.110.030 (2)(a) through (c), (3), and (4), 48.110.040, and 48.110.073(2) do not apply to wholly owned subsidiaries of motor vehicle manufacturers or import distributors.

(4) The adoption of chapter 274, Laws of 2006 does not imply that a vehicle protection product warranty was insurance prior to October 1, 2006."

On page 1, line 2 of the title, after "providers;" strike the remainder of the title and insert "and amending RCW 48.110.030, 48.110.040, 48.110.050, 48.110.055, and 48.110.902."

Senator Angel spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 622 by Senator Angel to Substitute Senate Bill No. 6309.

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

MOTION

On motion of Senator Angel, the rules were suspended, Engrossed Substitute Senate Bill No. 6309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Angel and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6309.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6309 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6633, by Senators Ranker and Ericksen
Concerning the marine resources advisory council.

The measure was read the second time.

MOTION

On motion of Senator Ranker, the rules were suspended, Senate Bill No. 6633 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ranker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6633.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6633 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 6633, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6631, by Senators Roach and Chase

Establishing a joint select committee to consider the political, economic, and security issues at Washington's largest ports.

The measure was read the second time.

MOTION

Senator Roach moved that the following committee amendment by the Committee on Government Operations & Security be adopted:

On page 2, line 27, after "(8)" insert "For the purposes of this section, "Washington's largest ports" means the two port districts in the state that have the highest annual volume of cargo and any port district bordering the Columbia river in a county with a population under one hundred twenty-five thousand with operating revenues over thirty million dollars a year.

(9)"

Senator Roach spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Government Operations & Security to Senate Bill No. 6631.

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

MOTION

Senator Roach moved that the following amendment no. 579 by Senators Benton, Takko and Cleveland be adopted:

On page 2, line 27, after "(8)" insert "For the purposes of this section, "Washington's largest ports" means the four port districts in the state that had the highest gross operating revenues in 2015.

(9)"

Senator Roach spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 579 by Senators Benton, Cleveland and Takko on page 2, line 27 to Senate Bill No. 6631.

The motion by Senator Roach carried and amendment no. 579 was adopted by voice vote.

MOTION

On motion of Senator Roach, the rules were suspended, Engrossed Senate Bill No. 6631 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach, McCoy, Chase and Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6631.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6631 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Hargrove

ENGROSSED SENATE BILL NO. 6631, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5728, by Senators Darneille, Rivers, Rolfes, Ranker, Keiser, Parlette, Hasegawa, Chase and Jayapal

Allowing patients to opt out of HIV testing. Revised for 1st Substitute: Concerning screening for HIV infection.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5728 was substituted for Senate Bill No. 5728 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5728 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Becker spoke in favor of passage of the bill.

Senator Angel spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5728.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5728 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen,

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Angel and Dansel

SUBSTITUTE SENATE BILL NO. 5728, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, pursuant to Rule 18, Engrossed Substitute Senate Bill 5915, an act relating to fiscal notes, was made a special order of business to be considered at 4:57 p.m.

SECOND READING

SENATE BILL NO. 6360, by Senators O'Ban, Carlyle, Lias, Jayapal, Frockt, King, Pearson, Pedersen, Hasegawa and Chase

Developing a plan for the consolidation of traffic-based financial obligations.

MOTIONS

On motion of Senator O'Ban, Substitute Senate Bill No. 6360 was substituted for Senate Bill No. 6360 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator O'Ban, the rules were suspended, Substitute Senate Bill No. 6360 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6360.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6360 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 6360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6317, by Senators Padden, Takko, Dammeier, Hargrove and Hobbs

Establishing an office of superior courts.

MOTION

On motion of Senator Padden, Substitute Senate Bill No. 6317 was substituted for Senate Bill No. 6317 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Padden moved that the following amendment no. 613 by Senator Padden be adopted:

On page 3, after line 31, insert the following:

"(4) The duties of the office of superior courts must be carried out within the existing appropriations of the administrative office of the courts."

POINT OF ORDER

Senator Fain: "There is a special order of business at 4:57 p.m."

SPECIAL ORDER OF BUSINESS

Pursuant to Rule 18, the hour fixed for consideration of a special order of business having arrived, the President called the Senate to order and announced that Engrossed Substitute Senate Bill 5915 to be before the Senate and was immediately considered.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5915, by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Angel, Miloscia, Braun, Dansel, Schoesler, Hewitt and Chase)

Concerning dynamic fiscal impact statements. Revised for 1st Substitute: Addressing fiscal notes and fiscal impact statements.

The bill was read on Third Reading.

MOTION

On motion of Senator Brown, the rules were suspended and Engrossed Substitute Senate Bill No. 5915 was returned to second reading for the purpose of amendment.

MOTION

Senator Chase moved that the following amendment no. 528 by Senator Chase be adopted:

On page 2, line 38, strike "2017", and insert "2018"

On page 4, line 34, strike "2015", and insert "2016"

On page 4, line 37, strike "2016", and insert "2017"

On page 4, line 38, strike "2017", and insert "2018"

On page 5, line 2, strike "2022", and insert "2023"

Senator Chase spoke in favor of adoption of the amendment. Senator Brown spoke against adoption of the amendment.

WITHDRAWAL OF AMENDMENT

On motion of Senator Chase, and without objection, floor amendment no. 528 by Senator Chase to Engrossed Substitute Senate Bill No. 5915 was withdrawn.

MOTION

Senator Hill moved that the following amendment no. 659 by Senator Hill be adopted:

On page 2, line 38, after "2017,", insert "subject to the availability of amounts specifically appropriated for this purpose"

On page 4, line 7, after "(2)(a)" strike "The" and insert "Subject to the availability of amounts specifically appropriated for this purpose, the"

Senator Hill spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 659 by Senator Hill on page 2, line 38 to Engrossed Substitute Senate Bill No. 5915.

The motion by Senator Hill carried and amendment no. 659 was adopted by voice vote.

MOTION

On motion of Senator Brown the rules were suspended, Second Engrossed Substitute Senate Bill No. 5915 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Hargrove and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5915.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5915 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5915, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

Pursuant to Rule 18, the Senate resumed consideration of Substitute Senate Bill 6317 which had been deferred earlier in the day pending the special order of business.

Senator Padden spoke in favor of adoption of the amendment.

Senators Pedersen and Darneille spoke against adoption of the amendment.

MOTION

A division was demanded.

The President declared the question before the Senate to be the adoption of amendment no. 613 by Senator Padden on page 3, after line 31 to Substitute Senate Bill No. 6317.

The motion by Senator Padden carried and amendment no. 613 was adopted on a rising vote.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Substitute Senate Bill No. 6317 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, O'Ban and Hargrove spoke in favor of passage of the bill.

Senators Pedersen and Darneille spoke against passage of the bill.

MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6317.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6317 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Conway, Dammeier, Dansel, Ericksen, Fain, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Darneille, Fraser, Frockt, Habib, Hasegawa, Jayapal, Keiser, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

ENGROSSED SUBSTITUTE SENATE BILL NO. 6317, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Roach: "I'd like to announce the results of the fishing contest. The overall winner is the Senior Legislative Aide to Senator Sheldon who caught a fish that weighed 3.5 pounds. The overall winner in the Senate at 2 pounds was Senator Braun. Senator Hargrove did a great job at 1.23 pounds. Thank you."

PERSONAL PRIVILEGE

Senator Hargrove: "Thank you, Mr. President. First of all, it was a great event and I want to thank Senator Roach for putting it on. I did want to mention that while I was there, I saw Senator Roach pull a big fish out of the water and then grab it with both hands and then it slipped out and went back in the tank. After which, she grabbed a net and went after it with a net. After telling Senator McCoy he couldn't do that. She was out there net fishing for her fish in the tank. It was a great event and I would also like to remind you that next Tuesday we're having our legislative shoot out. We'll get to go make lots of shells. Thank you."

MOTION

THIRTY EIGHTH DAY, FEBRUARY 17, 2016

2016 REGULAR SESSION

At 5:26 p.m., on motion of Senator Fain, the Senate adjourned
until 12:00 o'clock p.m., Thursday, February 18, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRTY NINTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, February 18, 2016

The Senate was called to order at 12:00 o'clock noon by the President Pro Tempore, Senator Roach presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

**MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS**

February 15, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CHERYL ADAMS, reappointed January 28, 2016, for the term ending January 19, 2020, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health Care.

February 4, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHIV BATRA, appointed January 12, 2016, for the term ending June 30, 2019, as Member of the Transportation Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation.

February 12, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MARK BRENNAN, appointed September 27, 2013, for the term ending September 8, 2018, as Member of the Public Employment Relations Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Commerce & Labor.

February 10, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CONNIE FLETCHER, reappointed January 23, 2015, for the term ending January 12, 2019, as Member of the State Board of Education.

Sincerely,

JAY INSLEE, Governor

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

February 12, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JUDY GUENTHER, appointed May 5, 2015, for the term ending January 19, 2019, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health Care.

February 12, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOHN MATTHEWS, appointed May 13, 2015, for the term ending October 1, 2018, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Trade & Economic Development.

February 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JULIE MCCULLOCH, reappointed December 15, 2015, for the term ending September 30, 2020, as Member of the Peninsula College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

QUENTIN POWERS, reappointed February 6, 2015, for the term ending September 30, 2019, as Member of the Edmonds Community College Board of Trustees.

THIRTY NINTH DAY, FEBRUARY 18, 2016

2016 REGULAR SESSION

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Higher Education.

February 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

PHIL ROCKEFELLER, reappointed August 4, 2015, for the term ending July 15, 2019, as Member of the Salmon Recovery Funding Board.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Natural Resources & Parks.

February 10, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TERRI STEWART, appointed June 8, 2015, for the term ending August 2, 2017, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor
Referred to Committee on Law & Justice.

MOTION

On motion of Senator Fain, and without objection, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 17, 2016

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1111,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1213,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1351,
- HOUSE BILL NO. 2023,
- SUBSTITUTE HOUSE BILL NO. 2300,
- SUBSTITUTE HOUSE BILL NO. 2342,
- SUBSTITUTE HOUSE BILL NO. 2359,
- HOUSE BILL NO. 2371,
- HOUSE BILL NO. 2390,
- HOUSE BILL NO. 2403,
- SUBSTITUTE HOUSE BILL NO. 2413,
- SUBSTITUTE HOUSE BILL NO. 2425,
- SUBSTITUTE HOUSE BILL NO. 2435,
- SUBSTITUTE HOUSE BILL NO. 2443,
- HOUSE BILL NO. 2444,
- SUBSTITUTE HOUSE BILL NO. 2448,
- HOUSE BILL NO. 2462,
- HOUSE BILL NO. 2476,

- HOUSE BILL NO. 2493,
- SUBSTITUTE HOUSE BILL NO. 2496,
- HOUSE BILL NO. 2507,
- HOUSE BILL NO. 2512,
- HOUSE BILL NO. 2520,
- HOUSE BILL NO. 2521,
- HOUSE BILL NO. 2522,
- HOUSE BILL NO. 2526,
- ENGROSSED HOUSE BILL NO. 2534,
- SUBSTITUTE HOUSE BILL NO. 2580,
- HOUSE BILL NO. 2599,
- SUBSTITUTE HOUSE BILL NO. 2674,
- HOUSE BILL NO. 2679,
- SUBSTITUTE HOUSE BILL NO. 2871,
- SUBSTITUTE HOUSE BILL NO. 2884,
- SUBSTITUTE HOUSE BILL NO. 2936.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 17, 2016

MR. PRESIDENT:

The House has passed:

- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2573,
- HOUSE BILL NO. 2578,
- SUBSTITUTE HOUSE BILL NO. 2583,
- HOUSE BILL NO. 2605,
- HOUSE BILL NO. 2624,
- SUBSTITUTE HOUSE BILL NO. 2632,
- HOUSE BILL NO. 2634,
- HOUSE BILL NO. 2637,
- HOUSE BILL NO. 2675,
- ENGROSSED HOUSE BILL NO. 2698
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700,
- SUBSTITUTE HOUSE BILL NO. 2705,
- SUBSTITUTE HOUSE BILL NO. 2711,
- HOUSE BILL NO. 2741,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746,
- HOUSE BILL NO. 2771,
- HOUSE BILL NO. 2781,
- HOUSE BILL NO. 2842,
- SUBSTITUTE HOUSE BILL NO. 2859,
- SECOND SUBSTITUTE HOUSE BILL NO. 2877,
- HOUSE BILL NO. 2930,
- HOUSE JOINT MEMORIAL NO. 4000.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 17, 2016

MR. PRESIDENT:

The House has passed:

- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2708,
- ENGROSSED HOUSE BILL NO. 2745,
- ENGROSSED HOUSE BILL NO. 2883,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2925.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6661 by Senators Rolfes, Parlette, Warnick and Rivers

AN ACT Relating to career and technical education materials, supplies, and operating costs; amending RCW 28A.150.260 and 43.88.055; reenacting and amending RCW 28A.150.260; adding a new section to chapter 28A.300 RCW; and providing effective dates.

Referred to Committee on Ways & Means.

SB 6662 by Senator Braun

AN ACT Relating to creating a flexible voluntary program to allow family members to provide personal care services to persons with developmental disabilities or long-term care needs under a consumer-directed medicaid service program; amending RCW 74.39A.074, 74.39A.076, 74.39A.240, 74.39A.341, and 18.88B.041; adding new sections to chapter 74.39A RCW; and creating a new section.

Referred to Committee on Ways & Means.

SJR 8215 by Senators Braun, Benton, Rivers, Angel, Becker, Roach, Schoesler, Bailey, Brown, Miloscia, Warnick, Honeyford, Dammeier, Fain, O'Ban, Sheldon, Parlette and Hewitt

Requiring voter approval for any action or combination of actions by the legislature that raises taxes.

Referred to Committee on Ways & Means.

FIRST READING OF HOUSE BILLS

2SHB 1037 by House Committee on Appropriations (originally sponsored by Representatives Moeller, Ormsby and Kilduff)

AN ACT Relating to implementing changes to child support based on the child support schedule work group report; amending RCW 26.19.011, 26.19.020, 26.19.065, 26.19.075, and 26.19.090; adding a new section to chapter 26.19 RCW; creating a new section; and providing an effective date.

Referred to Committee on Law & Justice.

SHB 1130 by House Committee on Environment (originally sponsored by Representatives Fey, Short, Tharinger, Fitzgibbon and Gregerson)

AN ACT Relating to water power license fees; and amending RCW 90.16.050.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1231 by Representatives Ormsby, Sells, Morris, Goodman, Ortiz-Self, Wylie, Gregerson, Stanford, Riccelli, Moeller, Sawyer, Fitzgibbon, Takko, Reykdal, Bergquist, Moscoso, Kirby, Pollet, Walkinshaw and Hudgins

AN ACT Relating to establishing the prevailing rate of wage based on collective bargaining agreements or other methods if collective bargaining agreements are not available; and amending RCW 39.12.015.

Referred to Committee on Commerce & Labor.

SHB 1290 by House Committee on General Government & Information Technology (originally sponsored by Representatives Condotta, Hurst and Sawyer)

AN ACT Relating to increasing the number of tasting rooms allowed under a domestic winery license; reenacting and amending RCW 66.24.170; and creating a new section.

Referred to Committee on Commerce & Labor.

2SHB 1448 by House Committee on Judiciary (originally sponsored by Representatives Riccelli, Holy, Parker, Ormsby, Caldier, Hayes, Jinkins, Walkinshaw, Gregerson, Appleton, Ryu, McBride and Shea)

AN ACT Relating to procedures for responding to reports of threatened or attempted suicide; amending RCW 71.05.120; adding a new section to chapter 71.05 RCW; and creating a new section.

Referred to Committee on Human Services, Mental Health & Housing.

3SHB 1499 by House Committee on Public Safety (originally sponsored by Representatives Goodman, Jinkins, Johnson, Orwall, Appleton, Lytton and Tharinger)

AN ACT Relating to vulnerable adults; amending RCW 9A.42.020, 9A.42.030, 9A.42.035, 9A.56.020, 9A.56.010, 9.94A.515, 9A.04.080, 9A.56.030, and 9A.56.040; reenacting and amending RCW 9.94A.411; adding a new section to chapter 9A.56 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1512 by Representatives Sells, Hayes, Moscoso and Ormsby

AN ACT Relating to fairness in disciplinary actions of peace officers who appear on a prosecuting attorney's potential impeachment list; adding a new section to chapter 10.93 RCW; and creating a new section.

Referred to Committee on Law & Justice.

2ESHB 1553 by House Committee on Public Safety (originally sponsored by Representatives Walkinshaw, MacEwen, Ryu, Appleton, Moscoso, Holy, Gregerson, Zeiger, Peterson, Farrell, Walsh, Reykdal, Orwall, Pettigrew, Tharinger, Fitzgibbon and Kagi)

AN ACT Relating to certificates of restoration of opportunity; amending RCW 7.60.035, 9.92.120, 10.97.030, 14.20.090, 18.04.295, 9.96A.020, 9.96A.050, 18.11.160, 18.20.125, 18.39.410, 18.44.241, 18.44.311, 18.52.071, 43.43.842, 18.64.165, 18.88B.080, 18.108.085, 18.130.055, 18.235.110, 18.145.120, 9.94A.030, 18.160.080, 18.165.030, 18.170.030, 18.185.020, 18.185.250, 18.130.160, and 43.20A.710; reenacting and amending RCW 18.130.050; adding a new chapter to Title 9 RCW; and creating new sections.

Referred to Committee on Law & Justice.

THIRTY NINTH DAY, FEBRUARY 18, 2016

2016 REGULAR SESSION

HB 1561 by Representatives Hudgins, Scott, Stanford, Magendanz, Ormsby, Smith, S. Hunt and Wylie
AN ACT Relating to consideration of information technology security matters; and amending RCW 42.30.110.

Referred to Committee on Government Operations & Security.

HB 1565 by Representatives Ormsby, Walsh, Pettigrew, Kirby, Jinkins, Robinson, Riccelli, Wylie and Santos
AN ACT Relating to ensuring housing options for participants in government assistance programs; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

EHB 1578 by Representatives Kirby and Vick
AN ACT Relating to authorizing insurers to offer customer satisfaction benefits; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

EHB 1590 by Representatives Reykdal, Haler, Dunshee, Ryu, Van De Wege, Ormsby, Fitzgibbon, Riccelli, Blake, Tarleton, McBride, Wylie and Goodman
AN ACT Relating to requiring completion of an apprenticeship program to receive a journey level or residential specialty electrician certificate of competency; amending RCW 19.28.161, 19.28.191, and 19.28.205; adding a new section to chapter 19.28 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Commerce & Labor.

E2SHB 1605 by House Committee on Finance (originally sponsored by Representatives Peterson, Van De Wege, Griffey, Riccelli and Fitzgibbon)
AN ACT Relating to benefit charges of fire protection districts and regional fire protection service authorities; amending RCW 52.26.220, 52.26.230, 84.55.092, 52.18.050, 52.18.010, and 52.26.180; and creating a new section.

Referred to Committee on Government Operations & Security.

SHB 1631 by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Lytton, Appleton, Van De Wege, Pollet and Santos)
AN ACT Relating to allowing federally recognized tribes with lands held in trust in a county that is west of the Cascade mountain range that borders Puget Sound with a population of at least one hundred eighteen thousand, but less than two hundred fifty thousand, persons to enter into agreements regarding fuel taxes; amending RCW 82.38.310; and providing an effective date.

Referred to Committee on Transportation.

2SHB 1651 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives

Ryu, Goodman, Rodne, Griffey, Van Werven, Wylie, Moscoso, Ormsby and Santos)
AN ACT Relating to human trafficking definitions; and amending RCW 19.320.010.

Referred to Committee on Commerce & Labor.

E2SHB 2061 by House Committee on Environment (originally sponsored by Representatives Short and Kretz)
AN ACT Relating to authorizing county legislative authorities to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards; amending RCW 43.20.050; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

ESHB 2148 by House Committee on General Government & Information Technology (originally sponsored by Representatives Chandler, Pike and Hudgins)
AN ACT Relating to the state auditor including allowing for audits to be conducted by a private entity and establishing an appeal process; amending RCW 43.09.245; adding a new section to chapter 43.09 RCW; and creating a new section.

Referred to Committee on Accountability & Reform.

HB 2321 by Representatives Stokesbary, Reykdal, Peterson, Fitzgibbon, Tharinger and Van De Wege
AN ACT Relating to removing disincentives to the voluntary formation of regional fire protection service authorities by equalizing certain provisions with existing laws governing fire protection districts and by clarifying the formation process; amending RCW 52.26.030, 52.26.230, 84.52.043, 84.52.043, 84.52.125, and 84.55.092; reenacting and amending RCW 52.26.020, 84.52.010, and 84.52.010; adding a new section to chapter 52.26 RCW; creating a new section; providing effective dates; and providing expiration dates.

Referred to Committee on Government Operations & Security.

HB 2332 by Representative Kirby
AN ACT Relating to the filing and public disclosure of health care provider compensation; reenacting and amending RCW 42.56.400; reenacting RCW 48.46.243; creating a new section; repealing RCW 48.44.070; and repealing 2015 c 122 s 24, 2015 c 17 s 16, and 2013 c 277 s 6 (uncodified).

Referred to Committee on Health Care.

E2SHB 2346 by House Committee on Appropriations (originally sponsored by Representatives Morris, Smith, Haler, Rossetti, Tarleton, Hayes and Peterson)
AN ACT Relating to promoting a sustainable, local renewable energy industry through modifying renewable energy system tax incentives and providing guidance for renewable energy system component recycling; amending RCW 82.16.120, 82.16.130, 82.08.962, 82.08.963, 82.12.962, and 82.12.963; adding new sections to chapter 82.16 RCW; creating a new section; adding a new chapter to Title 70 RCW; and declaring an emergency.

Referred to Committee on Energy, Environment & Telecommunications.

HB 2350 by Representatives Cody and Jinkins

AN ACT Relating to defining the administration of medication by medical assistants; and amending RCW 18.360.010.

Referred to Committee on Health Care.

ESHB 2355 by House Committee on Business & Financial Services (originally sponsored by Representatives Kirby, Vick and Blake)

AN ACT Relating to registered service contract and protection product guarantee providers; and amending RCW 48.110.030, 48.110.040, 48.110.050, 48.110.055, 48.110.073, 48.110.130, and 48.110.902.

Referred to Committee on Financial Institutions & Insurance.

HB 2356 by Representatives Kirby and Vick

AN ACT Relating to employer agreements to reimburse certain employee costs for the use of personal vehicles for business purposes; and reenacting and amending RCW 48.110.015.

Referred to Committee on Financial Institutions & Insurance.

E2SHB 2375 by House Committee on General Government & Information Technology (originally sponsored by Representatives Magendanz, Orwall, Smith, Tarleton, MacEwen, Muri, Stanford and Wylie)

AN ACT Relating to cybercrime; amending RCW 9.94A.515; reenacting and amending RCW 9A.52.010; adding a new chapter to Title 9A RCW; creating new sections; repealing RCW 9A.52.110, 9A.52.120, and 9A.52.130; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 2388 by Representatives Hudgins, MacEwen, Stanford, Rossetti and Bergquist

AN ACT Relating to theatrical wrestling; amending RCW 67.08.100 and 67.08.160; reenacting and amending RCW 67.08.002; adding a new section to chapter 67.08 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 2398 by Representatives Holy, Riccelli, Appleton, Haler, Stokesbary, Ormsby, Parker, Santos and S. Hunt

AN ACT Relating to clarifying current requirements for public purchases of goods and services from nonprofit agencies for the blind; adding a new section to chapter 39.26 RCW; adding a new section to chapter 39.24 RCW; and creating a new section.

Referred to Committee on Government Operations & Security.

SHB 2427 by House Committee on Local Government (originally sponsored by Representatives Springer, Stokesbary, Fitzgibbon, Muri, Appleton and Kilduff)

AN ACT Relating to local government modernization; amending RCW 19.360.020, 19.360.030, 19.360.040, 19.360.050, 19.360.060, 36.62.252, 36.32.235, 36.32.245, and 35.58.585; and creating a new section.

Referred to Committee on Government Operations & Security.

E2SHB 2439 by House Committee on Appropriations (originally sponsored by Representatives Kagi, Walsh, Senn, Johnson, Orwall, Dent, McBride, Reykdal, Jinkins, Tharinger, Fey, Tarleton, Stanford, Springer, Frame, Kilduff, Sells, Bergquist and Goodman)

AN ACT Relating to increasing access to adequate and appropriate mental health services for children and youth; amending RCW 74.09.520; adding a new section to chapter 74.09 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2441 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Kirby, Sells and S. Hunt)

AN ACT Relating to the social security offset to disability compensation; amending RCW 51.32.225; and creating a new section.

Referred to Committee on Commerce & Labor.

SHB 2498 by House Committee on Health Care & Wellness (originally sponsored by Representatives Caldier, Cody, DeBolt, Manweller, Walsh, Johnson, Pike, Appleton, Jinkins, Kilduff and Gregerson)

AN ACT Relating to prior authorization for dental services and supplies in medical assistance programs; adding a new section to chapter 74.09 RCW; and providing an expiration date.

Referred to Committee on Health Care.

SHB 2503 by House Committee on Local Government (originally sponsored by Representatives Buys, Griffey, Springer and Van De Wege)

AN ACT Relating to preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems; and adding a new section to chapter 57.02 RCW.

Referred to Committee on Government Operations & Security.

ESHB 2518 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Sawyer, Walsh, Kagi, Kilduff, Zeiger, Reykdal, Frame, McBride, Ormsby, Walkinshaw, Gregerson, Bergquist and Stanford)

AN ACT Relating to reducing intergenerational poverty; and adding a new chapter to Title 74 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2519 by House Committee on Local Government (originally sponsored by Representatives McCaslin, Gregerson, Shea, Appleton, Tharinger, Peterson,

THIRTY NINTH DAY, FEBRUARY 18, 2016

2016 REGULAR SESSION

McBride, Manweller, Stokesbary, Reykdal, Sells, Fitzgibbon, Springer, Kochmar, Orwall, Nealey, Pike, Van De Wege and Stanford)

AN ACT Relating to nuisance abatement cost recovery for cities; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Government Operations & Security.

2SHB 2530 by House Committee on Appropriations (originally sponsored by Representatives Orwall, McCabe, Appleton, Wylie, Tarleton, Senn, McBride, Kagi, Ryu, Hudgins, S. Hunt, Gregerson, Reykdal, Farrell, Pollet, Ortiz-Self, Harris, Bergquist, Lytton, Kochmar, Blake, Cody, Stambaugh, Wilson, Jinkins, Kuderer, Muri, Van De Wege, Frame, Hargrove, Ormsby, Sells, Pettigrew and Stanford)

AN ACT Relating to protecting victims of sex crimes; amending RCW 36.27.020 and 82.32.145; reenacting and amending RCW 42.56.240 and 43.79A.040; adding new sections to chapter 43.43 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.28 RCW; adding a new section to chapter 70.41 RCW; adding a new section to chapter 43.31 RCW; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Law & Justice.

SHB 2539 by House Committee on Finance (originally sponsored by Representatives Nealey, Manweller, Hansen, Tharinger, Harris, Walsh, Magendanz, Wilson, Haler, Springer, Johnson, Muri, Hayes and Dent)

AN ACT Relating to the inheritance exemption for the real estate excise tax; amending RCW 82.45.197; and creating new sections.

Referred to Committee on Ways & Means.

ESHB 2540 by House Committee on Finance (originally sponsored by Representatives Nealey, Tharinger, Harris, Walsh, Ryu, Griffey, Hayes, Manweller, Pike, Smith, Stokesbary, MacEwen, Van De Wege, Johnson, Magendanz, Wilson, McBride, Hargrove, Schmick, Pollet and Van Werven)

AN ACT Relating to modifying the penalty for taxpayers that do not submit an annual survey or report; amending RCW 82.32.534 and 82.32.585; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

HB 2565 by Representatives Vick, Reykdal, Orcutt, Wilson, Springer, Robinson, Nealey, Wilcox, Manweller, Stokesbary, Condotta, Pike, Haler, Frame, Hargrove and Muri

AN ACT Relating to reducing the frequency of local sales and use tax changes; and amending RCW 82.14.055.

Referred to Committee on Ways & Means.

HB 2619 by Representatives Haler, Pettigrew, Klippert, Reykdal, Zeiger, Frame and Pollet

AN ACT Relating to providing postsecondary education to enhance education opportunities and public safety; amending RCW 72.09.460 and 72.09.465; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Law & Justice.

HB 2651 by Representatives Rossetti and Orcutt

AN ACT Relating to vehicle maximum gross weight values; and amending RCW 46.44.041.

Referred to Committee on Transportation.

EHB 2659 by Representatives Jinkins, Hansen, Magendanz, Kilduff and Goodman

AN ACT Relating to the consolidation of traffic-based financial obligations through a unified payment plan system; creating new sections; and providing an expiration date.

Referred to Committee on Law & Justice.

HB 2764 by Representatives Jinkins, Chandler, Gregerson, Johnson, Appleton and Senn

AN ACT Relating to public defense fund distributions; amending RCW 10.101.050, 10.101.060, 10.101.070, and 10.101.080; and adding a new section to chapter 10.101 RCW.

Referred to Committee on Ways & Means.

SHB 2767 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Walsh, Kagi, Kilduff, Schmick and Dye)

AN ACT Relating to defining and using the term center-based services for individuals with developmental disabilities; amending RCW 71A.12.080; and reenacting and amending RCW 71A.10.020.

Referred to Committee on Human Services, Mental Health & Housing.

HB 2768 by Representatives Schmick, Cody, Tharinger, Jinkins, Harris and Robinson

AN ACT Relating to taxes and service charges on certain qualified stand-alone dental plans offered in the individual or small group markets; and amending RCW 48.14.020, 48.14.0201, and 43.71.080.

Referred to Committee on Health Care.

EHB 2775 by Representatives Klippert, Appleton, Haler, Hayes and Dent

AN ACT Relating to coroners and medical examiners regarding death investigations; and amending RCW 68.50.050 and 68.50.020.

Referred to Committee on Law & Justice.

ESHB 2778 by House Committee on Transportation (originally sponsored by Representatives Fey, Orcutt, Clibborn, McBride, Moscoso, Hickel, Stambaugh, Bergquist, Tharinger and Tarleton)

AN ACT Relating to retail sales and use tax exemption criteria for certain clean alternative fuel vehicles; amending

RCW 82.08.809 and 82.12.809; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

ESHB 2783 by House Committee on Finance (originally sponsored by Representatives Springer, Stokesbary, Reykdal, Vick, Robinson, Orcutt, Johnson and Wilson)
AN ACT Relating to specifying the documentation that must be provided to determine when sales tax applies to the sale of a motor vehicle to an enrolled tribal member; and adding new sections to chapter 82.08 RCW.

Referred to Committee on Ways & Means.

E2SHB 2793 by House Committee on Finance (originally sponsored by Representatives Orwall, Blake, Kretz, Sullivan, Cody, Jinkins, Kagi, Goodman, Ormsby, Tharinger, Rossetti and Reykdal)
AN ACT Relating to providing for suicide awareness and prevention education for safer homes; amending RCW 9.41.310 and 43.70.442; adding a new section to chapter 43.70 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Human Services, Mental Health & Housing.

HB 2800 by Representative Haler
AN ACT Relating to correcting a double amendment concerning county legislative authorities; and reenacting and amending RCW 36.32.080.

Referred to Committee on Government Operations & Security.

HB 2815 by Representatives Hayes, Smith, Lytton and Morris
AN ACT Relating to modifying the eligibility requirements for certain counties with ferry terminals to form a regional transportation planning organization; amending RCW 47.80.020; and providing an effective date.

Referred to Committee on Transportation.

SHB 2831 by House Committee on Commerce & Gaming (originally sponsored by Representative Hurst)
AN ACT Relating to assisting small businesses licensed to sell liquor in Washington state; amending RCW 66.28.340; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 2838 by Representatives Klippert and Hayes
AN ACT Relating to clarifying the department of corrections' authority to impose conditions prohibiting contact with other persons, even if the offender is not a sex offender; and reenacting and amending RCW 9.94A.704.

Referred to Committee on Law & Justice.

SHB 2841 by House Committee on Local Government (originally sponsored by Representatives Senn and Buys)
AN ACT Relating to the state building code council; amending RCW 19.27.085, 19.27.070, 19.27.074, and

19.27A.020; adding a new section to chapter 19.27 RCW; and providing an expiration date.

Referred to Committee on Government Operations & Security.

HB 2845 by Representatives Ormsby, Sells, Frame, Gregerson, Moscoso, Bergquist, Jinkins, Cody, Peterson, Robinson, Farrell, Riccelli, Sawyer, Pollet, Appleton, Reykdal, Kilduff, Stanford and Walkinshaw
AN ACT Relating to the time period for workers to recover wages under prevailing wage laws; and amending RCW 39.12.015.

Referred to Committee on Commerce & Labor.

ESHB 2847 by House Committee on Environment (originally sponsored by Representative Rossetti)
AN ACT Relating to creating an exemption to the definition of substantial development in chapter 90.58 RCW relating to the retrofitting of existing structures to accommodate physical access by individuals with disabilities; and amending RCW 90.58.030.

Referred to Committee on Energy, Environment & Telecommunications.

HB 2856 by Representatives DeBolt, Tharinger, Van De Wege and Stanford
AN ACT Relating to establishing the office of Chehalis river basin flood risk reduction; reenacting and amending RCW 43.84.092; and adding new sections to chapter 43.21A RCW.

Referred to Committee on Ways & Means.

SHB 2876 by House Committee on Judiciary (originally sponsored by Representatives Orwall, Kirby and Griffey)
AN ACT Relating to the foreclosure of deeds of trust; amending RCW 61.24.172 and 61.24.135; adding a new section to chapter 61.24 RCW; creating a new section; repealing RCW 61.24.174; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 2886 by Representative Manweller
AN ACT Relating to electrical scope of practice; amending RCW 19.28.095 and 19.28.191; and reenacting and amending RCW 19.28.400.

Referred to Committee on Commerce & Labor.

SHB 2900 by House Committee on Public Safety (originally sponsored by Representatives Klippert and Haler)
AN ACT Relating to prohibiting marijuana, alcohol, or other intoxicant, or a cell phone while confined or incarcerated in a state correctional institution; amending RCW 9.94.041, 9.92.151, and 9.94A.729; and prescribing penalties.

Referred to Committee on Law & Justice.

ESHB 2906 by House Committee on Early Learning & Human Services (originally sponsored by Representatives

THIRTY NINTH DAY, FEBRUARY 18, 2016

2016 REGULAR SESSION

Stambaugh, Kagi, Magendanz, Tharinger, Ortiz-Self, Frame, Goodman and Ormsby)

No. 6662 which was referred to the Committee on Ways and Means.

AN ACT Relating to strengthening opportunities for the rehabilitation and reintegration of juvenile offenders; and amending RCW 13.40.010, 13.40.127, 13.40.308, 10.99.030, 13.40.265, 9.41.040, 46.20.265, 66.44.365, 69.41.065, 69.50.420, and 69.52.070.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

Referred to Committee on Human Services, Mental Health & Housing.

MOTION

Senator Hasegawa moved adoption of the following resolution:

ESHB 2908 by House Committee on Public Safety (originally sponsored by Representatives Ryu, Ortiz-Self, Walkinshaw, Stanford and Santos)

SENATE RESOLUTION

8724

AN ACT Relating to establishing the joint legislative task force on community policing standards for a safer Washington; creating new sections; and providing an expiration date.

By Senators Hasegawa, Hobbs, Nelson, Brown, Pearson, Dansel, Becker, Conway, Rolfes, and Dammeier

Referred to Committee on Law & Justice.

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066 which authorized the military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 12,000 Japanese-American residents of Washington State; and

ESHB 2928 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Blake, Schmick, Dunshee, Short, Haler, Stanford and Chandler)

AN ACT Relating to ensuring that restrictions on outdoor burning for air quality reasons do not impede measures necessary to ensure forest resiliency to catastrophic fires; and amending RCW 76.04.205, 70.94.6512, 70.94.6514, 70.94.6538, and 70.94.6540.

WHEREAS, The first Civilian Evacuation Order gave Japanese-Americans from Bainbridge Island less than one week to leave behind homes, personal belongings, farms, businesses, friends, and family and to report to hastily constructed detention centers like Camp Harmony on the grounds of the Western Washington Fair in Puyallup; and

Referred to Committee on Natural Resources & Parks.

WHEREAS, This drastic course of action allegedly aimed to prevent acts of espionage and sabotage by Japanese-Americans who were deemed untrustworthy and disloyal to the United States; and

EHB 2959 by Representatives Lytton, Nealey and Ormsby
AN ACT Relating to local business tax and licensing simplification; and creating a new section.

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese-Americans, many of whom reported for military duty from concentration camps surrounded by barbed wire in which they and their families were detained; and

Referred to Committee on Trade & Economic Development.

WHEREAS, More than 12,000 volunteers responded to questions of their loyalty and patriotism by amassing a battle record unparalleled in United States military history; and

SHB 2964 by House Committee on Appropriations (originally sponsored by Representatives Gregerson, Santos, Peterson, Rossetti, Kuderer, Stanford, Hudgins, Ormsby, Frame and Bergquist)

AN ACT Relating to eliminating lunch copays for students who qualify for reduced-price lunches; amending RCW 28A.235.160; and creating a new section.

WHEREAS, Equally loyal and patriotic Japanese-Americans fought to protect our constitutional rights and liberties through dissent, like University of Washington student Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and refusing to evacuate when ordered; and

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

WHEREAS, In 1982, the Congressional Commission on Wartime Relocation and Internment of Civilians found "no military or security reason for the internment" of persons of Japanese ancestry, but determined it "was caused by racial prejudice, war hysteria, and a failure of political leadership"; and

EHB 2971 by Representatives McBride and Nealey
AN ACT Relating to real estate as it concerns the local government authority in the use of real estate excise tax revenues and regulating real estate transactions; and amending RCW 64.06.080, 82.46.015, and 82.46.037.

WHEREAS, As a result of this travesty of justice, Japanese-Americans suffered immense economic loss of property and assets, immeasurable physical and psychological harm, and were deprived of their constitutional liberties without due process of law; and

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Engrossed House Bill No. 2959 which was referred to the Committee on Trade & Economic Development and Senate Bill

WHEREAS, In 1976, President Gerald Ford rescinded Executive Order 9066 calling upon the American people to "resolve that this kind of action shall never again be repeated"; and

WHEREAS, The Washington State Legislature enacted token compensatory redress to forty state workers who lost their jobs due to their incarceration; and

WHEREAS, Congressman Mike Lowry of Washington State introduced H.R. 5977 to provide reparations and an apology to former Japanese-American internees, thus initiating a ten-year legislative quest that ended when President Ronald Reagan signed the Civil Liberties Act of 1988; and

WHEREAS, General Douglas MacArthur's chief of intelligence claimed, "The Nisei saved a million lives and shortened the war by two years";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate pause to acknowledge the seventy-fourth anniversary of the signing of Executive Order 9066, to recognize and honor the heroism, sacrifice, patience, and loyalty of the Japanese-American World War II veterans, internees, and civil rights activists, and to remember the lessons and blessings of liberty and justice for all; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Nisei Veterans Committee, the Military Intelligence Service — Northwest Association, the Japanese American Citizens League, the Japanese Cultural & Community Center of Washington State, the Consul General of Japan in Seattle, and the Wing Luke Museum of the Asian Pacific American Experience.

Senators Hasegawa and Rolfes spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8724.

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

REMARKS BY SENATOR HASEGAWA

Senator Hasegawa: "Madame President, thank you. First I would like to express my appreciation to the Majority Floor Leader, Senator Fain, for scheduling this resolution. This is becoming an annual event in the legislature and I've brought this tradition, hopefully in perpetuity, over to this chamber from my previous experience across the rotunda. But I think it's really important for us to remember our history so that it's never repeated again as President Ford said. I know that my words here today are only heard by those who are in this chamber at this moment, because TVW does not broadcast the pro forma sessions. However, I think that this institution really draws its strength from the principles that we were founded on which is life, liberty, and the pursuit of happiness and on the liberty piece, there wasn't injustice done to Americans of Japanese descent during World War II which the resolution properly states, but it was not so much, looking back at it now, a time of tragedy or remorse. It was a time of growth for our country and for my community because from that adversity we drew strength. And I've felt like I've developed a privileged life as a result of the struggles that my parents and family went through during World War II. And I feel compelled to continue the struggles that they ingrained within me, to fight for liberty and justice for all. To, number one, maintain the memory of the struggles that they went through and to be constantly vigilant. Number two, in the future to make sure that it does not ever happen again. So, in our current state of constant fear of the unknown and constant fear of possible wars and terrorism, I think that we have to reach back into our core values, life, liberty, and the pursuit of happiness, to make sure we are not just looking at it through our own eyes at our own lives, but looking at it to build a better country. Right now we are living in fear, and we have actually federal laws on the books, that allow the President to incarcerate people without due process, American citizens without due process, and that clause exists in

legislation recently passed by Congress, in the National Defense Authorization Act. Which is why I have legislation to prohibit local law enforcement, state law enforcement, from enforcing that portion of the NDA within our state. Some people would say that these are radical concepts, that we have to protect ourselves. Well yes we need to protect ourselves, but not at all costs. We can't sacrifice our principles, what we as a people stand for just for our own private safety. That's not what we're all about. Many people have given their lives, their own personal safety, to protect that liberty. It's incumbent upon us to be vigilant into the future to make sure it never happens again. So I appreciate your considering this resolution and for its adoption."

REMARKS BY SENATOR ROLFES

Senator Rolfes: "Thank you Madame President. I also stand in support of this resolution as a proud member of the Bainbridge Island community, which is referenced in the memorial resolution. I would like to say a few words. The internment, the incarceration of Japanese Americans during World War II started on Bainbridge Island from a small ferry dock. And a lot of people, a lot of amateur historians, believed that the first people rounded up by the military and taken to an unknown destiny, because we were a small isolated community, and it was a small pilot project for the military. I don't know that that's true, but for the ensuing years, the sixty plus years that have followed, or is it seventy at this point? The community has borne the scars of that event and the community has come together and tried to heal itself. We've established a memorial which is now part of the National Parks system called Nidoto Nai Yoni, 'Let it not happen again.' And it's a very beautiful memorial, very moving, and very historical, and it commemorates every Bainbridge Islander who was forcibly removed from their homes that day. And I want to say to Senator Hasegawa, and the folks in the gallery as well, that we are as a community, as a Bainbridge Island community, we are working to instill every child, every person, who grows up on Bainbridge Island with a shared memory of this event. And the shared value that this will never happen again. Just last winter, we had a community meeting at the memorial to celebrate diversity in our community and draw strength that was needed at that time against the national tide of anger towards Syrian refugees. And that was a community building experience, and it was a reminder to our youth that we can't let this happen again, that we have to stand up to fear and we need to be leaders and be brave even in times of threat and emergency. And I actually believe strongly that the memorial that we have and the support, the shared support for standing strong, enabled our Governor who is from Bainbridge Island, to be one of the only clear voices this winter on the need to be empathetic and the need to be fair and to not discriminate against refugees based on where they come from. And so I say to Senator Hasegawa and the folks in the gallery, that while not every American shares the family history of the incarceration, it is our goal on Bainbridge Island to make sure that future, all future generations know about it and share the vision and the values of liberty and freedom for all."

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Roach: "The Chair would like to entertain a motion to have the remarks today, on Senate Resolution No. 8724 spread upon the journal."

THIRTY NINTH DAY, FEBRUARY 18, 2016

2016 REGULAR SESSION

MOTION

On motion of Senator Hasegawa and without objection, the remarks regarding the adoption of Senate Resolution No. 8724 were spread upon the journal.

PERSONAL PRIVILEGE

Senator Hasegawa: "I know that it's not proper to speak to folks in the gallery, and I was asked to bring a list for recognition, which I declined because I know that the President does not like to recognize people in the gallery on days of pro forma. There are members of the Japanese American Citizens League, Fife City Councilmember Bryan Yambe, and representatives of the Wing Luke Museum in the gallery. May I also expand on my point of personal privilege, that my daughter is among those up there, Toshiko Grace Hasegawa. Hey Toshi!"

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION
8701

By Senators Fain, Hobbs, Takko, King, Frockt, Hill, and Litzow

WHEREAS, This year marks the Auburn Area Chamber of Commerce's 90th year of service; established in 1925, this private not-for-profit works to serve Auburn area businesses and the community as a whole, working in partnership with over 475 local businesses, coordinated by the efforts of its Board of Directors and many dedicated employees and volunteers; and

WHEREAS, The Auburn Area Chamber of Commerce's motto states, "advancing business, promoting the economy, and connecting communities;" and since its commencement, the Chamber has led a variety of programs that help realize the organization's mission; and

WHEREAS, Each month the Chamber puts out a copy of its newsletter Connections, which serves as a source of information for businesses and community members on the happenings of the Chamber, advice on adapting to the changing business market, and announcements for upcoming Chamber events; and

WHEREAS, The Auburn Area Chamber of Commerce maintains a presence here in Olympia as a member of the South Sound Chambers of Commerce Legislative Coalition, which is composed of chambers from the South King County and North

Pierce County region and collectively advocates to the Legislature on behalf of 3,262 businesses that employ 185,977 workers and generate over one hundred billion dollars in revenue; and

WHEREAS, The Chamber's South Sound Leadership Institute takes business owners from the Auburn area and provides a rigorous eight-month training program in which participants are assigned group projects, speaking assignments, and participate in tours of local institutions; this year's participants have visited Auburn MultiCare Clinic, Sound Transit, Pediatric Interim Care in Kent, and our state's capitol here in Olympia; additionally, the South Sound Leadership Institute helps the Chamber support the Auburn community through a service-based project each year. In 2012, for example, program participants organized a backpack drive for the homeless with bags filled with essential items and information on local resources; and

WHEREAS, The Chamber takes a proactive approach to achieving their mission by developing the youth of the Auburn area, hosting a High School Career Conference each March focusing on giving students the skills needed to succeed as they enter the workforce, featuring mock interviews, keynote speeches on leadership, basic financial advice, and seminars on proper business decorum; and

WHEREAS, The Auburn Area Chamber of Commerce's 90-year commitment to the region's economic and community success is deserving of the highest praise this legislative body can offer;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and honor the Auburn Area Chamber of Commerce for their contributions to the region's economic and community success, on the occasion of the Chamber's 90th year.

Senator Fain spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8701.

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

MOTION

At 12:26 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Friday, February 19, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FORTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 19, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President Pro Tempore, Senator Roach presiding.
No roll call was taken.

MOTION

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

MOTION

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

**REPORTS OF STANDING COMMITTEES
GUBERNATORIAL APPOINTMENTS**

February 18, 2016

SGA 9252 HARRIETTE BRYANT, appointed on September 28, 2015, for the term ending September 30, 2019, as Member of the Olympic College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Frockt, Ranking Minority Member; Becker and Liias.

Passed to Committee on Rules for second reading.

February 18, 2016

SGA 9265 ROBERT J. GREGORY, appointed on November 9, 2015, for the term ending September 30, 2020, as Member of the Lower Columbia College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Frockt, Ranking Minority Member; Becker and Liias.

Passed to Committee on Rules for second reading.

February 18, 2016

SGA 9277 LORRAINE LEE, reappointed on July 1, 2015, for the term ending June 30, 2020, as Director of the Office of Administrative Hearings. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 18, 2016

SGA 9289 CATHY R. PEARSALL-STIPEK, appointed on October 21, 2015, for the term ending September 30, 2020, as Member of the Bates Technical College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Frockt, Ranking Minority Member; Becker and Liias.

Passed to Committee on Rules for second reading.

February 18, 2016

SGA 9294 ROGER S. ROGOFF, appointed on September 18, 2015, for the term ending August 2, 2018, as Member of the Sentencing Guidelines Commission. Reported by Committee on Law & Justice

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 18, 2016

SGA 9304 JANSEN M. VANDERMEULEN, appointed on June 23, 2015, for the term ending June 30, 2016, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Frockt, Ranking Minority Member; Becker and Liias.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all appointees listed on the Gubernatorial Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SJR 8216 by Senators Roach, Angel, Dansel, Brown, Warnick, Pearson, Miloscia, Rivers, Hill, Becker, Bailey, Padden, Braun and Honeyford
Amending the Constitution to require a two-thirds majority vote of the legislature to raise taxes.

Referred to Committee on Government Operations & Security.

FORTIETH DAY, FEBRUARY 18, 2016

2016 REGULAR SESSION

FIRST READING OF HOUSE BILLS

SHB 1111 by House Committee on Judiciary (originally sponsored by Representatives Kilduff, Stokesbary, Walkinshaw, Goodman, Gregerson, Jinkins, Muri, Rodne and Moeller)

AN ACT Relating to court transcripts; amending RCW 2.32.240, 2.32.250, and 3.02.040; and reenacting and amending RCW 36.18.016.

Referred to Committee on Law & Justice.

ESHB 1213 by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Orwall, Klippert, MacEwen, Moeller, Hayes, Moscoso, Ormsby, Muri, Kilduff and Tarleton)

AN ACT Relating to the definition of veteran for the purposes of the county veterans assistance fund; and amending RCW 73.08.005.

Referred to Committee on Government Operations & Security.

ESHB 1351 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake, Harris, DeBolt and Stanford)

AN ACT Relating to license fees for national guard members under Title 77 RCW; and amending RCW 77.32.480.

Referred to Committee on Natural Resources & Parks.

HB 2023 by Representatives Parker, Lytton, Magendanz, Riccelli, Ormsby, Fagan and Santos

AN ACT Relating to changing the deadline for notices of nonrenewal of contracts for certificated school employees; amending RCW 28A.405.210, 28A.405.220, 28A.405.230, 28A.405.245, and 28A.310.250; and declaring an emergency.

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

SHB 2300 by House Committee on State Government (originally sponsored by Representatives Moeller, S. Hunt, Caldier, Appleton, Jinkins and Tharinger)

AN ACT Relating to protecting the personal information of a person acting as a guardian ad litem; and amending RCW 42.56.250.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2342 by House Committee on Commerce & Gaming (originally sponsored by Representative Hurst)

AN ACT Relating to performance of personal services by members of the liquor industry to retailers; and amending RCW 66.28.310 and 66.24.670.

Referred to Committee on Commerce & Labor.

SHB 2359 by House Committee on Judiciary (originally sponsored by Representatives Goodman and Jinkins)

AN ACT Relating to updating obsolete provisions and making technical corrections; amending RCW 6.21.040, 6.23.030, 9.96.020, 10.14.085, 10.37.040, 11.28.090, 11.28.140, 11.68.110, 11.88.140, 12.04.020, 12.04.030, 12.04.100, 12.04.201, 12.04.203, 12.04.204, 12.04.205, 12.04.206, 12.04.207, 12.40.110, 17.28.090, 18.44.251, 19.120.040, 26.04.090, 26.18.100, 26.50.085, 35.22.110, 35.58.090, 35A.08.120, 36.24.110, 36.60.020, 36.68.470, 41.50.590, 43.20B.040, 58.09.080, 60.08.020, 61.12.020, 64.04.030, 64.04.040, 64.04.050, 64.08.060, 64.08.070, 65.12.035, 65.12.125, 65.12.230, 65.12.235, 65.12.255, 65.12.270, 67.38.030, 84.40.320, 85.28.060, 88.32.070, 88.32.140, 91.08.380, and 49.12.450; amending 2013 2nd sp.s. c 4 s 1905 (uncodified); reenacting and amending RCW 36.32.080; reenacting RCW 28B.15.069 and 43.19.501; repealing RCW 19.27A.035; and providing expiration dates.

Referred to Committee on Accountability & Reform.

HB 2371 by Representatives Kuderer, Magendanz, Hudgins, McBride, Goodman, Senn, Jinkins, Appleton and Kilduff

AN ACT Relating to the court's consultation of the judicial information system before granting orders; and amending RCW 2.28.210.

Referred to Committee on Law & Justice.

HB 2390 by Representatives Klippert, Orwall, Zeiger, Kilduff, MacEwen, Johnson, Haler, Chandler, Short, Kretz, Reykdal, Magendanz, Stanford, Muri, McBride, Moscoso and Wilson

AN ACT Relating to the enforcement of employment rights arising from state active duty service by a member of the national guard; and amending RCW 73.16.061.

Referred to Committee on Government Operations & Security.

HB 2403 by Representatives Kochmar, Senn, Griffey, Appleton, Walsh, Wylie, Scott, Ryu, McCabe, Stambaugh, Short, Magendanz, Caldier, Hickel, Wilson, Zeiger, Muri, Kilduff and McBride

AN ACT Relating to Down syndrome resources; adding a new section to chapter 43.70 RCW; adding a new section to chapter 18.50 RCW; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new section to chapter 18.79 RCW; adding a new section to chapter 18.290 RCW; adding a new section to chapter 70.41 RCW; and adding a new section to chapter 18.46 RCW.

Referred to Committee on Health Care.

SHB 2413 by House Committee on Transportation (originally sponsored by Representatives Dent, Tarleton, Dye, Gregerson, Griffey, Hargrove, Klippert, Pike, Muri, Condotta and McBride)

AN ACT Relating to aircraft registration simplification and fairness; amending RCW 47.68.240, 47.68.250, and 47.68.250; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Transportation.

SHB 2425 by House Committee on Health Care & Wellness (originally sponsored by Representatives Kuderer, Schmick, S. Hunt, Chandler, Goodman, Rodne, Kilduff, Manweller and Jinkins)

AN ACT Relating to changing the words "massage practitioner" and "animal massage practitioner" to "massage therapist" and "animal massage therapist"; amending RCW 18.108.025, 18.108.030, 18.108.040, 18.108.045, 18.108.070, 18.108.073, 18.108.085, 18.108.095, 18.108.115, 18.108.125, 18.108.131, 18.108.220, 18.108.230, 18.108.250, 18.120.020, 18.130.040, 18.240.005, 18.240.010, 18.240.020, 18.250.010, 35.21.692, 35A.82.025, 36.32.122, and 50.04.223; reenacting and amending RCW 18.108.010 and 18.74.010; creating a new section; and providing an effective date.

Referred to Committee on Health Care.

SHB 2435 by House Committee on General Government & Information Technology (originally sponsored by Representatives Hudgins, S. Hunt, Tarleton, Stanford, McBride and Bergquist)

AN ACT Relating to enhancing election reconciliation reports; and amending RCW 29A.60.235.

Referred to Committee on Government Operations & Security.

SHB 2443 by House Committee on Labor & Workplace Standards (originally sponsored by Representatives Sells and Kilduff)

AN ACT Relating to the compliance of certain conversion vending units and medical units with certain department of labor and industries requirements; amending RCW 43.22.380, 43.22.360, and 43.22.335; creating a new section; and providing an expiration date.

Referred to Committee on Commerce & Labor.

HB 2444 by Representatives Manweller, Sells and Kilduff

AN ACT Relating to eliminating the reference to the standard industrial classification system in the worker and community right to know fund; and amending RCW 49.70.170.

Referred to Committee on Commerce & Labor.

SHB 2448 by House Committee on Health Care & Wellness (originally sponsored by Representatives Robinson, Harris and Stanford)

AN ACT Relating to the practice of certain East Asian medicine therapies; amending RCW 18.06.010; reenacting and amending RCW 69.41.010; adding a new section to chapter 18.06 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 2462 by Representatives Kilduff, Goodman and Rodne

AN ACT Relating to surrender of person under surety's bond; and amending RCW 10.19.160.

Referred to Committee on Law & Justice.

HB 2476 by Representatives Johnson, Santos, Magendanz, Chandler, S. Hunt, DeBolt, Blake, McCabe, Reykdal,

Tharinger, Dent, Hawkins, Rossetti, Muri, Haler and Hargrove

AN ACT Relating to waivers from the one hundred eighty-day school year requirement; and amending RCW 28A.305.141.

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

HB 2493 by Representatives Smith and Tharinger

AN ACT Relating to extending the expiration date of the habitat and recreation lands coordinating group; amending RCW 79A.25.260; and providing an expiration date.

Referred to Committee on Natural Resources & Parks.

SHB 2496 by House Committee on Judiciary (originally sponsored by Representatives Kilduff, Muri, Shea, Orwall, Klippert, Hayes, Sawyer, Hansen, Rodne, Haler, Goodman, Jinkins, Kuderer, Appleton, Zeiger, Frame, Rossetti, Magendanz, Wilson, McBride, Ormsby, Bergquist, Gregerson, Sells, Stanford and Scott)

AN ACT Relating to pro bono legal services for military service members, veterans, and their families; and adding new sections to chapter 43.10 RCW.

Referred to Committee on Law & Justice.

Referred to Committee on Law & Justice.

HB 2507 by Representatives Klippert, Blake, Walsh, Tharinger, Haler, Ormsby, Van De Wege, Nealey and Wilson

AN ACT Relating to clarifying reimbursement for employees who are victims of offender assaults; and amending RCW 72.09.240.

Referred to Committee on Commerce & Labor.

HB 2512 by Representatives Clibborn and Orcutt

AN ACT Relating to the retention and maintenance of auto dealer and repair facility records; and amending RCW 46.70.120 and 46.71.060.

Referred to Committee on Transportation.

HB 2520 by Representative Wylie

AN ACT Relating to the sale of marijuana to regulated cooperatives; amending RCW 69.50.325 and 69.51A.250; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2521 by Representatives Wylie and Condotta

AN ACT Relating to allowing for proper disposal of unsellable marijuana by a licensed marijuana retail outlet; amending RCW 69.50.357; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2522 by Representatives Wylie and Kilduff

AN ACT Relating to establishing crimes related to minors entering, remaining in, or being served by a marijuana retail outlet; amending RCW 69.50.357; and prescribing penalties.

Referred to Committee on Law & Justice.

FORTIETH DAY, FEBRUARY 18, 2016

2016 REGULAR SESSION

HB 2526 by Representatives McCaslin, Blake, Buys, Muri, Griffey, Goodman, Hargrove, Reykdal, Gregerson, Klippert, Kilduff, Hayes, Van De Wege, Shea and Stanford

AN ACT Relating to reducing the number of days that a person must maintain a permanent place of abode in Washington before qualifying as a state resident for the purposes of Title 77 RCW; amending RCW 77.08.075; creating a new section; and providing an effective date.

Referred to Committee on Natural Resources & Parks.

EHB 2534 by Representatives Kilduff, Orwall, Muri, McCabe, Appleton, Zeiger, Frame, McBride, Sells and Bergquist

AN ACT Relating to creating a community care and supportive services program for veterans; adding new sections to chapter 43.60A RCW; creating a new section; and providing an expiration date.

Referred to Committee on Government Operations & Security.

E2SHB 2573 by House Committee on Appropriations (originally sponsored by Representatives Santos, Magendanz, Kilduff, Reykdal, Rossetti, Muri, Pollet and Hickel)

AN ACT Relating to the shortage of public school teachers and substitute teachers; amending RCW 28A.415.265; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28A.330 RCW; adding a new section to chapter 28B.102 RCW; adding a new section to chapter 28B.76 RCW; creating new sections; and providing expiration dates.

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

HB 2578 by Representatives Jinkins, Manweller, Gregerson, McCabe, G. Hunt, Tharinger, Rossetti and Zeiger

AN ACT Relating to job search requirements for unemployment compensation claimants; amending RCW 50.20.240; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Labor.

SHB 2580 by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Rodne, Robinson, Johnson and Jinkins)

AN ACT Relating to establishing a public registry for the transparency of blood establishments; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care.

SHB 2583 by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives McBride, Haler, Zeiger, Stambaugh, Moscoso, Bergquist, Fitzgibbon, Peterson, Van De Wege, Springer, Santos, Goodman, Hickel and Tharinger)

AN ACT Relating to authorizing specified local governments to designate a portion of their territory as a

creative district subject to certification by the Washington arts commission; adding new sections to chapter 43.46 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 2599 by Representatives Orcutt, Clibborn, Moscoso, Harmsworth, Tarleton, Zeiger, Hayes, Hargrove, Rossetti, McBride and Wilson

AN ACT Relating to the freight mobility strategic investment board's authority to remove funding allocation for projects after a certain number of years without construction occurring; and amending RCW 47.06A.050.

Referred to Committee on Transportation.

HB 2605 by Representatives Kirby, Vick, Blake and Rossetti

AN ACT Relating to creating a special permit by a manufacturer of beer to hold a private event for the purpose of tasting and selling beer of its own production; and reenacting and amending RCW 66.20.010.

Referred to Committee on Commerce & Labor.

HB 2624 by Representatives S. Hunt and Bergquist

AN ACT Relating to election errors involving measures; amending RCW 29A.68.011, 29A.68.020, 29A.68.030, 29A.68.050, 29A.68.070, 29A.68.080, 29A.68.090, 29A.68.110, and 29A.68.120; and adding a new section to chapter 29A.68 RCW.

Referred to Committee on Government Operations & Security.

SHB 2632 by House Committee on State Government (originally sponsored by Representatives Van Werven, S. Hunt, Moscoso, Dent, Wilson, Vick, Manweller, Muri, Scott and Magendanz)

AN ACT Relating to gender requirements in the election of chair and vice chair positions for state committees of political parties; and amending RCW 29A.80.020.

Referred to Committee on Government Operations & Security.

HB 2634 by Representatives Buys, Lytton, Dent, Blake, Stanford and McBride

AN ACT Relating to modifying the powers and duties of the Washington dairy products commission to include research and education related to the economic uses of nutrients produced by dairy farms; and amending RCW 15.44.060.

Referred to Committee on Agriculture, Water & Rural Economic Development.

HB 2637 by Representatives Manweller, DeBolt, G. Hunt and Zeiger

AN ACT Relating to preservation and improvement of historic cemeteries; amending RCW 18.39.175; and adding a new section to chapter 27.34 RCW.

Referred to Committee on Government Operations & Security.

SHB 2674 by House Committee on Judiciary (originally sponsored by Representatives Jinkins, Rodne, Kilduff, Reykdal and Fey)

AN ACT Relating to filing fee surcharges for funding dispute resolution centers; and amending RCW 7.75.035.

Referred to Committee on Law & Justice.

HB 2675 by Representatives Sells, Haler, Reykdal, Manweller, Ormsby, Ryu, Moscoso, Hayes, Zeiger, Johnson and Santos

AN ACT Relating to updating workforce investment act references and making no substantive changes; amending RCW 28B.50.281, 28C.18.010, 28C.18.060, 28C.18.150, 28C.18.164, 50.20.250, 50.22.150, 50.62.030, and 74.15.020; and reenacting and amending RCW 28C.04.410 and 50.22.155.

Referred to Committee on Higher Education.

HB 2679 by Representatives Morris and Stanford

AN ACT Relating to consolidating the duties, powers, missions, functions, and funds of the life sciences discovery fund authority and the cancer research endowment authority within a center of excellence for life sciences and cancer research; amending RCW 43.348.040, 43.348.050, 43.348.080, 43.350.050, and 43.350.070; adding a new chapter to Title 43 RCW; recodifying RCW 43.348.040, 43.348.050, 43.348.080, 43.350.020, 43.350.030, 43.350.040, and 43.350.060; repealing RCW 43.348.005, 43.348.010, 43.348.020, 43.348.030, 43.348.060, 43.348.070, 43.348.900, and 43.350.010; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

EHB 2698 by Representatives Lytton, Magendanz, Sullivan, Ortiz-Self, Reykdal, Rossetti, Senn, Sawyer, S. Hunt and Pollet

AN ACT Relating to delaying implementation of revisions to the school levy lid and local effort assistance; amending RCW 84.52.0531; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010 c 237 ss 9, 8, and 10, and 2013 2nd sp.s. c 4 s 1905 (uncodified); reenacting and amending RCW 84.52.0531; creating a new section; providing effective dates; and providing expiration dates.

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

ESHB 2700 by House Committee on Public Safety (originally sponsored by Representatives Goodman, Klippert, Orwall, Hayes, Kuderer, Pettigrew, Muri, Ortiz-Self and Kilduff)

AN ACT Relating to impaired driving; amending RCW 36.28A.320, 46.01.260, 46.64.025, 46.20.291, 46.20.289, 9.94A.533, 46.61.506, 10.01.230, 10.05.140, 46.20.311, 46.20.385, 46.20.720, 46.20.308, 10.21.055, 46.61.5055, 46.20.3101, and 36.28A.390; reenacting and amending RCW 43.79A.040 and 10.31.100; repealing RCW 36.28A.310; and providing an effective date.

Referred to Committee on Law & Justice.

SHB 2705 by House Committee on Public Safety (originally sponsored by Representatives Klippert, Hayes, Wilson, Griffey, Muri and Smith)

AN ACT Relating to increasing the seriousness level of first degree rape and first degree rape of a child; amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Law & Justice.

ESHB 2708 by House Committee on Local Government (originally sponsored by Representatives Appleton, Griffey, McBride, Fitzgibbon, Gregerson and Tarleton)

AN ACT Relating to fire protection district formation by the legislative authority of a city or town subject to voter approval; amending RCW 52.14.010 and 52.14.020; adding new sections to chapter 52.02 RCW; and adding a new section to chapter 52.14 RCW.

Referred to Committee on Government Operations & Security.

SHB 2711 by House Committee on Health Care & Wellness (originally sponsored by Representatives McCabe, Walsh, Orwall, Cody, McBride, Caldier, Kilduff, Wylie, Senn, Smith, Gregerson, Tarleton, Ormsby, Pollet and Goodman)

AN ACT Relating to increasing the availability of sexual assault nurse examiners; adding a new section to chapter 43.280 RCW; and providing an expiration date.

Referred to Committee on Health Care.

HB 2741 by Representatives Kuderer, Hickel and Stanford

AN ACT Relating to state and local government fiscal agents; amending RCW 43.80.100, 43.80.120, 43.80.125, 43.80.150, 39.46.020, and 39.46.030; adding a new section to chapter 43.80 RCW; and repealing RCW 43.80.110, 43.80.130, 43.80.140, and 43.80.160.

Referred to Committee on Ways & Means.

EHB 2745 by Representatives Fitzgibbon and Cody

AN ACT Relating to ferry advisory committees; and amending RCW 47.60.310.

Referred to Committee on Transportation.

ESHB 2746 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Walkinshaw, Walsh, Kagi, Senn, Frame, Kilduff, Sawyer, McBride, Goodman, Ormsby and Tarleton)

AN ACT Relating to mental health and chemical dependency treatment for juvenile offenders; amending RCW 13.40.020, 13.40.0357, and 13.40.165; and repealing RCW 13.40.167.

Referred to Committee on Human Services, Mental Health & Housing.

HB 2771 by Representatives Bergquist and Johnson

AN ACT Relating to public hospital district contracts for material and work; and amending RCW 70.44.140.

Referred to Committee on Government Operations & Security.

HB 2781 by Representatives Harris, Cody, Senn and Moeller
AN ACT Relating to the board of massage; amending RCW 18.108.025, 18.108.070, and 18.108.073; and adding a new section to chapter 18.108 RCW.

Referred to Committee on Health Care.

HB 2842 by Representatives Schmick, Wylie, Nealey, Reykdal, Dye and Walsh
AN ACT Relating to financing of improvements for state-owned lands to be transferred for private development; and adding a new chapter to Title 39 RCW.

Referred to Committee on Ways & Means.

SHB 2859 by House Committee on Business & Financial Services (originally sponsored by Representatives S. Hunt, Hudgins and Santos)
AN ACT Relating to credit report security freezes; adding new sections to chapter 19.182 RCW; adding a new section to chapter 70.58 RCW; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

SHB 2871 by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Harris, Schmick, Tharinger, Kagi, Ortiz-Self and Ormsby)
AN ACT Relating to the creation of a task force on high patient out-of-pocket costs; and creating new sections.

Referred to Committee on Health Care.

2SHB 2877 by House Committee on Appropriations (originally sponsored by Representatives Hickel, Zeiger, Riccelli, Sawyer, Wilcox, Kochmar, Stanford, Gregerson and Ormsby)
AN ACT Relating to the distribution of supplemental nutrition assistance program benefits; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Human Services, Mental Health & Housing.

EHB 2883 by Representatives Senn, Chandler and Ormsby
AN ACT Relating to government efficiency by eliminating or revising the requirements for state agency reports; amending RCW 28B.10.029, 43.19.642, 43.43.480, 49.04.190, 50.22.157, 70.41.045, 72.10.020, 74.14A.060, and 79A.25.350; reenacting and amending RCW 34.05.328, 46.52.120, and 77.85.140; and repealing RCW 18.27.342, 28A.345.060, 43.22.330, 46.01.325, 43.88.500, 43.88.505, 43.88.510, and 43.88.515.

Referred to Committee on Government Operations & Security.

SHB 2884 by House Committee on Transportation (originally sponsored by Representatives Clibborn, Fey and Moscoso)
AN ACT Relating to modifying the business and occupation tax and public utility tax credits for alternative fuel commercial vehicles; amending RCW 82.04.4496 and 82.16.0496; and amending 2015 3rd sp.s. c 44 s 410 (uncodified).

Referred to Committee on Transportation.

ESHB 2925 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Dent, Blake, McCabe, Schmick, Chandler, Short, Griffey, Johnson, Dye, Haler and Springer)
AN ACT Relating to accessing land during a fire suppression response for the purpose of protecting livestock from a wildland fire; amending RCW 76.04.015 and 79.13.060; and adding a new section to chapter 76.04 RCW.

Referred to Committee on Natural Resources & Parks.

HB 2930 by Representatives Parker and Riccelli
AN ACT Relating to reducing the population requirement in a consortium of counties in order to operate a juvenile correctional facility; and amending RCW 13.04.035.

Referred to Committee on Human Services, Mental Health & Housing.

SHB 2936 by House Committee on Appropriations (originally sponsored by Representatives Senn and Chandler)
AN ACT Relating to public investments; amending RCW 28B.07.040, 39.59.010, 39.59.020, 39.60.010, 39.60.020, 39.60.030, 39.60.040, 39.60.050, and 43.84.080; reenacting and amending RCW 43.250.020; adding a new section to chapter 39.59 RCW; adding a new section to chapter 28B.10 RCW; and repealing RCW 39.59.030 and 43.250.090.

Referred to Committee on Ways & Means.

HJM 4000 by Representatives Reykdal, Orwall, Stanford, Riccelli, Ormsby, Farrell and Pollet
Asking congress to call a limited convention, authorized under Article V of the United States Constitution, for the purpose of proposing a free and fair elections amendment to that Constitution.

Referred to Committee on Government Operations & Security.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

PERSONAL PRIVILEGE

Senator Rolfes: "I very much enjoy having you up there. Also, I was thinking strategically this morning that I could wear jeans because you wouldn't kick me out. But, I decided to show respect for the Senate by wearing appropriate clothing. Thank you for being you."

REPLY BY THE PRESIDENT PRO TEMPORE

Senator Roach: "Thank you. I thought you were going to get up and say, 'No, there would be no motion to keep his (Senator Fain) alarm from going off at 3:00 a.m.' because he absolutely deserved it."

MOTION

BRAD OWEN, President of the Senate

At 10:03 a.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Monday, February 22, 2016.

HUNTER GOODMAN, Secretary of the Senate

FORTY THIRD DAY

NOON SESSION

Senate Chamber, Olympia
Monday, February 22, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Schoesler, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 18, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 6195

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

February 18, 2016

MR. PRESIDENT:

The House has passed:

HOUSE CONCURRENT RESOLUTION NO. 4401

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Schoesler, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Honeyford moved adoption of the following resolution:

SENATE RESOLUTION
8709

By Senators Honeyford, Hasegawa, and Conway

WHEREAS, The state of Washington has recognized the proud history of Filipino Americans since 2010; and

WHEREAS, The earliest documented proof of Filipino presence in the continental United States was the date of October 18, 1587, when the first "Luzones Indios" set foot in Morro Bay, California; and

WHEREAS, The Filipino American National Historical Society recognizes the year of 1763 as the date of the first

permanent Filipino settlement in the United States in St. Malo, Louisiana; and

WHEREAS, Washington State contributed to this history with the recognition of the 1888 documents of Port Blakely on Bainbridge Island, Washington, at the time the largest lumber mill in the world, as listing a "Manilla," the first known employee from the Philippines in the Pacific Northwest; and

WHEREAS, These events set in motion a focus on the story of our nation's past from a new perspective by concentrating on the economic, cultural, social, and other notable contributions that Filipino Americans have made in countless ways toward the development of the United States; and

WHEREAS, Efforts must continue to promote the study of Filipino American history and culture, as mandated in the mission statement of the Filipino American National Historical Society; and

WHEREAS, It is imperative for Filipino American youth to have positive role models to instill in them the importance of education, complemented with the richness of their ethnicity and the value of their legacy; and

WHEREAS, Washingtonians who have made a national contribution to American culture and society include Filipino Americans Carlos Bulosan, Roy Baldoz, Harry Bucsit, Jose Calugas, Fred and Dorothy Cordova, Pio DeCano Sr., Trinidad Rojo, Bob Santos, Delores Sibonga, Silvestre Tangalan, Bernie Reyes Whitebear, Velma Veloria, Rey Pascua, and many others; and

WHEREAS, Filipinos are one of the largest Asian/Pacific Islander communities in Washington State, and in the United States; and

WHEREAS, Washington State is the location of historic Filipino American communities, including Wapato, Seattle, Bainbridge Island, Tacoma, Auburn, Bremerton, Pateros, and others; and

WHEREAS, Filipinos have served with special distinction in all of the United States military branches; and

WHEREAS, The United States and the Republic of the Philippines continue to hold a special bond, which is supported by the Filipino Chamber of Commerce of the Pacific Northwest; and

WHEREAS, The national office of the Filipino American National Historical Society is located in the city of Seattle, Washington; and

WHEREAS, Filipino community-based organizations such as the Filipino Community of Seattle, the Filipino American Community organizations of the Yakima Valley, South Puget Sound, Kitsap County, Spokane, Tri-Cities, and others provide important community services and serve as a center for the Filipino community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate October 2016 as the 429th anniversary of the presence of Filipinos in the now United States and as part of an ongoing opportunity to study the advancement of Filipino Americans in the history of the State of Washington; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Rey Pascua, President of the Filipino American Community of the Yakima Valley; Sheila Burris, Executive Director of the Filipino Community of Seattle; Alex Borromeo, President of the Filipino Chamber of Commerce of the Pacific Northwest; and Velma Veloria, former Washington State Representative for the 11th district, for further distribution to the

Filipino American National Historical Society, to the Wing Luke Asian Museum and other Asian and Pacific Islander organizations, to other historical societies and civil entities, and to the Superintendent of Public Instruction.

Senators Honeyford, Hasegawa and King spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8709.

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

MOTION

At 12:05 p.m., on motion of Senator Schoesler, the Senate adjourned until 12:00 o'clock noon, Tuesday, February 23, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FORTY FOURTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, February 23, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 22, 2016

ESHB 1213 Prime Sponsor, Committee on Community Development, Housing & Tribal Affairs: Concerning the definition of veteran for the purposes of the county veterans assistance fund. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 1561 Prime Sponsor, Representative Hudgins: Concerning the consideration of information technology security matters. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

E2SHB 1645 Prime Sponsor, Committee on Appropriations: Concerning youth substance use prevention associated with tobacco and drug delivery e-cigarettes and vapor products. Reported by Committee on Health Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 22, 2016

E2SHB 1725 Prime Sponsor, Committee on Appropriations: Concerning the consumer's right to assign hours to individual providers and the department of social and health services' authority to adopt rules related to payment of individual providers. Reported by Committee on Health Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 22, 2016

EHB 1752 Prime Sponsor, Representative Hawkins: Addressing the qualifications for chief examiners. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 1858 Prime Sponsor, Representative Shea: Prohibiting the names of county auditors and the secretary of state from being included on ballot envelopes and in voters' pamphlets when running for reelection. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2321 Prime Sponsor, Representative Stokesbary: Removing disincentives to the voluntary formation of regional fire protection service authorities by equalizing certain provisions with existing laws governing fire protection districts and by clarifying the formation process. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

ESHB 2323 Prime Sponsor, Committee on Early Learning & Human Services: Creating the Washington achieving a better life experience program. Reported by Committee on Health Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority

Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 22, 2016

HB 2390 Prime Sponsor, Representative Klippert: Concerning the enforcement of employment rights arising from state active duty service by a member of the national guard. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2391 Prime Sponsor, Representative McCabe: Concerning county payroll draw days. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2398 Prime Sponsor, Representative Holy: Clarifying current requirements for public purchases of goods and services from nonprofit agencies for the blind. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2457 Prime Sponsor, Representative Young: Concerning recorded interests in easements by an electric utility. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2516 Prime Sponsor, Representative Kirby: Providing that commercial transportation services providers are not commuter ride-sharing arrangements. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators King, Chair; Hobbs, Ranking Minority Member; Liias, Asst. Ranking Minority Member; Carlyle; Cleveland; Ericksen; Jayapal and Miloscia.

Passed to Committee on Financial Institutions & Insurance.

February 22, 2016

EHB 2534 Prime Sponsor, Representative Kilduff: Creating a community care and supportive services program for veterans. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Ways & Means.

February 22, 2016

HB 2557 Prime Sponsor, Representative Hunt, S.: Addressing the return of unused shared leave. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member and Habib.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2623 Prime Sponsor, Representative Van Werven: Concerning recounts of statewide advisory measures. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2624 Prime Sponsor, Representative Hunt, S.: Concerning election errors involving measures. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2663 Prime Sponsor, Representative Springer: Implementing sunshine committee recommendations to repeal obsolete exemptions to public disclosure provisions. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

SHB 2678 Prime Sponsor, Committee on Appropriations: Regulating nursing home facilities. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeyer, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

MOTION

Passed to Committee on Rules for second reading.

February 22, 2016

SHB 2725 Prime Sponsor, Committee on Health Care & Wellness: Addressing the authority of pharmacists to dispense prescription drugs. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser and Parlette.

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

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2772 Prime Sponsor, Representative Johnson: Concerning job order contracts by public hospital districts. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2800 Prime Sponsor, Representative Haler: Correcting a double amendment concerning county legislative authorities. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

ESHB 2852 Prime Sponsor, Committee on State Government: Establishing standards for election data and reporting. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 22, 2016

HB 2918 Prime Sponsor, Representative Gregerson: Granting a city or town the authority to establish and operate a traffic school without county consent, control, or supervision. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

On motion of Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Engrossed House Bill No. 2534 which was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 22, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 2362

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HCR 4401 by Representatives S. Hunt and Reykdal Renaming "Office Building 2" as the "Human Services Building."

Referred to Committee on Government Operations & Security.

MOTION

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

SIGNED BY THE PRESIDENT

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6195.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Litzow moved adoption of the following resolution:

SENATE RESOLUTION

8712

By Senators Litzow, Jayapal, Fain, Habib, McAuliffe, Hill, and Fraser

WHEREAS, Mr. Ryan Lafferty has ably served the Bellevue community as a teacher and mentor for five years; and

WHEREAS, Mr. Lafferty was nationally recognized, winning the Milken Educator Award, and was the only teacher in Washington state to do so; and

WHEREAS, Mr. Lafferty has a passion for learning and educating that exceeds expectations, and inspires this passion within his supervisors, peers, and students; and

WHEREAS, Mr. Lafferty instills a love of learning in his students, keeping them engaged, excited, and challenged; and

WHEREAS, Mr. Lafferty pushes students to feel confident in their abilities and expand their learning by asking deeper questions and teaching to multiple learning styles; and

WHEREAS, Mr. Lafferty utilizes project-based learning, allowing students to apply their learning to the real world; and

WHEREAS, Mr. Lafferty's students are inspired to do more and be more, one declaring "I want to be a physics teacher"; and

WHEREAS, Mr. Lafferty never stops helping, whether it's during his summer break, prep period, lunch break, or after hours; and

WHEREAS, Mr. Lafferty takes action to make our education system better, implementing a new science program for students who complete all other science courses at their school, helping his coworker rebuild the 8th grade physics curriculum, collaborating to write a new physics curriculum for the district, and helping write a problem-based Advanced Placement Physics curriculum that will be available nationally; and

WHEREAS, Mr. Lafferty demonstrates his commitment to all students through his work with special education students; and

WHEREAS, Mr. Lafferty worked with an autistic student, providing extra support so the student was able to graduate and get an internship at Microsoft; and

WHEREAS, Mr. Lafferty's students' pass rate on the Advanced Placement Physics exam is above the national average, and his students excel on district assessments; and

WHEREAS, Mr. Lafferty works with the high school and middle school science clubs, collaborates with veterans, advises the National Honor Society, mentors new teachers, and heads a video game design focus week; and

WHEREAS, Mr. Lafferty is a natural leader, bridging the gap between science and education;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Ryan Lafferty for his career of leadership and passionate commitment to the students and families of the Bellevue community.

Senator Litzow spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8712.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced Mr. Ryan Lafferty and his father, Mr. Rod Lafferty, who were seated in the gallery.

MOTION

Senator Frockt moved adoption of the following resolution:

SENATE RESOLUTION

8726

By Senators Frockt, Bailey, Miloscia, Nelson, Habib, Baumgartner, McAuliffe, and Fraser

WHEREAS, Five years ago this spring, the state of Washington enacted RCW 28B.77.240, expanding access to affordable bachelor's and master's degrees for Washington residents through the creation of online, competency-based Western Governors University Washington (WGU Washington); and

WHEREAS, WGU Washington offers high-quality, career-focused degree programs in fields vital to the state's economy, including business, health professions, teaching, and information technology; and

WHEREAS, WGU Washington contributes to the Washington Student Achievement Council's educational attainment goal of at least seventy percent of Washington adults achieving a postsecondary credential by 2023; and

WHEREAS, WGU Washington has experienced an enrollment increase of one thousand percent since 2011, growing to more than eight thousand five hundred full-time students and making Washington home to more WGU students than any other state in the nation; and

WHEREAS, WGU Washington has awarded more than five thousand one hundred degrees to hard-working, motivated men and women, helping develop the business leaders, nurses, teachers, and information technology professionals needed to keep Washington's economy strong; and

WHEREAS, WGU Washington is committed to helping Washingtonians achieve their dreams for a university degree and career success;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the fifth anniversary of WGU Washington, and recognize its important role in providing our state's population with high-quality and career-focused education.

Senators Frockt, Bailey and Habib spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8726.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced Ms. Jean Floten, Chancellor of WGU Washington, who was seated in the gallery.

MOTION

At 12:20 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Wednesday, February 24, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FORTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, February 24, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

No roll call was taken.

The Sergeant at Arms Color Guard consisting of Cadet Brishum Harris, Cadet Faith Giles, Cadet Travis Reedy, and Cadet Daffyd Tyler, of the Mt. Rainier Squadron of the Civil Air Patrol in Puyallup presented the Colors.

The prayer was offered by Major David King of the Ft. Vancouver Squadron of the Civil Air Patrol in Vancouver.

REMARKS BY THE PRESIDENT

President Owen: "Although we will be recognizing the Civil Air Patrol in a moment, I think we should recognize these outstanding cadets for the incredible job they did in presenting the colors."

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 23, 2016

HB 1022 Prime Sponsor, Representative Appleton: Prohibiting general power of attorney provisions in bail bond agreements. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt and Pearson.

Passed to Committee on Rules for second reading.

February 23, 2016

ESHB 1248 Prime Sponsor, Committee on Judiciary: Concerning court proceedings. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt and Pearson.

Passed to Committee on Ways & Means.

February 23, 2016

SHB 2357 Prime Sponsor, Committee on Environment: Concerning the authority of the pollution liability insurance agency. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Honeyford and Ranker.

Passed to Committee on Ways & Means.

February 23, 2016

EHB 2400 Prime Sponsor, Representative Fitzgibbon: Clarifying that the provisions of chapter 70.95 RCW do not apply to steel slag that is a product of production in the electric arc steel-making process and is managed as an item of commercial value and placed in commerce. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

February 23, 2016

SHB 2405 Prime Sponsor, Committee on Judiciary: Concerning the role of parties in cases related to certain notices and records. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt and Pearson.

Passed to Committee on Rules for second reading.

February 23, 2016

SHB 2425 Prime Sponsor, Committee on Health Care & Wellness: Concerning massage therapists. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeyer, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 23, 2016

ESHB 2430 Prime Sponsor, Committee on Agriculture & Natural Resources: Preserving water resources for an array of water supply needs, including irrigated agriculture, fish and wildlife habitat, and municipal use, by updating water conservation standards for appliances. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Chair; Takko, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Commerce & Labor.

February 23, 2016

EHB 2478 Prime Sponsor, Representative Peterson: Supporting agricultural production, including that of apiarists, through the preservation of forage for pollinators. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Warnick, Chair; Takko, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 23, 2016

SHB 2501 Prime Sponsor, Committee on Public Safety: Concerning the communication of information to continue health services for confined persons. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt and Pearson.

Passed to Committee on Rules for second reading.

February 23, 2016

HB 2587 Prime Sponsor, Representative Rodne: Concerning the superior court judges' association. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt and Pearson.

Passed to Committee on Rules for second reading.

February 23, 2016

HB 2634 Prime Sponsor, Representative Buys: Modifying the powers and duties of the Washington dairy products commission to include research and education related to the economic uses of nutrients produced by dairy farms. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Takko, Ranking Minority Member; Hobbs and Honeyford.

Passed to Committee on Rules for second reading.

February 23, 2016

ESHB 2700 Prime Sponsor, Committee on Public Safety: Concerning impaired driving. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt and Pearson.

Passed to Committee on Transportation.

February 23, 2016

SHB 2730 Prime Sponsor, Committee on Health Care & Wellness: Concerning the prescription monitoring program. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 23, 2016

EHB 2749 Prime Sponsor, Representative Kagi: Extending dates concerning measuring performance and performance-based contracting of the child welfare system. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 23, 2016

HB 2773 Prime Sponsor, Representative Klippert: Repealing the warrant authority of coroners. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt and Pearson.

Passed to Committee on Rules for second reading.

February 23, 2016

HB 2781 Prime Sponsor, Representative Harris: Requiring the Washington state board of massage to adopt rules to allow approved massage programs to establish transfer programs. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 23, 2016

2SHB 2877 Prime Sponsor, Committee on Appropriations: Expanding distribution dates for supplemental nutrition assistance program benefits. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 23, 2016

SGA 9221 GARY D. CHANDLER, appointed on March 10, 2014, for the term ending June 30, 2017, as Member of the Workforce Training and Education Coordinating Board. Reported by Committee on Higher Education

FORTY FIFTH DAY, FEBRUARY 24, 2016

2016 REGULAR SESSION

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 23, 2016

SGA 9285 ALLYSON M. PAGE, appointed on January 16, 2015, for the term ending September 30, 2018, as Member of the Columbia Basin College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 23, 2016

SGA 9302 FRIEDA K. TAKAMURA, appointed on November 9, 2015, for the term ending September 30, 2020, as Member of the Renton Technical College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6663 by Senator Miloscia

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections, requiring redistricting and new elections in certain circumstances, and establishing a cause of action to redress lack of voter opportunity; amending RCW 36.32.020 and 29A.76.010; adding a new section to chapter 28A.343 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on Government Operations & Security.

SB 6664 by Senator Braun

AN ACT Relating to retirement from public service.

Referred to Committee on Ways & Means.

SB 6665 by Senator Braun

AN ACT Relating to state government.

Referred to Committee on Ways & Means.

SB 6666 by Senator Braun

AN ACT Relating to fiscal matters.

Referred to Committee on Ways & Means.

SB 6667 by Senator Braun

AN ACT Relating to fiscal matters.

Referred to Committee on Ways & Means.

FIRST READING OF HOUSE BILLS

EHB 2362 by Representatives Hansen, Pettigrew, Nealey and Kirby

AN ACT Relating to video and/or sound recordings made by law enforcement or corrections officers; amending RCW 42.56.120; reenacting and amending RCW 42.56.240 and 42.56.080; adding a new chapter to Title 10 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Law & Justice.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Honeyford moved adoption of the following resolution:

SENATE RESOLUTION

8717

By Senators Honeyford, Angel, Cleveland, O'Ban, Miloscia, Chase, Conway, Becker, Baumgartner, Pearson, Rivers, Bailey, Dammeier, Padden, Parlette, King, Dandel, Hobbs, Fain, Benton, Takko, Litzow, Rolfes, Warnick, Billig, Nelson, Hill, Braun, Schoesler, Sheldon, Fraser, Mullet, Ericksen, Brown, Hewitt, and Hargrove

WHEREAS, The Civil Air Patrol has now been in commission for 75 years, since December 1, 1941, just days before the attack on Pearl Harbor, for the purpose of liaison flying and interdiction of infiltrators on the East Coast and southern border of the United States, and thereafter the Civil Air Patrol insignia, a red three-bladed propeller in the Civil Defense white-triangle-in-blue-circle, began appearing; and

WHEREAS, When German submarines began to prey on American ships, the Civil Air Patrol's mission grew to include a 1,000-member coastal patrol, 64 of whom died in service and 26 of whom were lost at sea; and

WHEREAS, After a crew was forced to watch in vain as a grounded submarine off Cape Canaveral, Florida escaped before the military arrived, Civil Air Patrol planes were issued bombs and depth charges, and thereafter the Civil Air Patrol coastal patrol flew 24 million miles and found 173 submarines, ultimately attacking 57, hitting 10, and sinking 2; and

WHEREAS, By presidential executive order, the Civil Air Patrol became an auxiliary of the United States Army Air Forces on April 28, 1943, and several months later the Germans withdrew coastal U-boat operations "because of those damned little red and yellow airplanes"; and

WHEREAS, During the postwar years, the Civil Air Patrol was put to work in search and rescue missions, saving the United States millions of dollars in operational costs as the only organization with the equipment and training to perform this vital job, with military aircraft being far too expensive to operate and flying too fast to accurately spot downed planes and personnel; and

WHEREAS, During the deadly 2014 Oso mudslide, the Civil Air Patrol flew vital supplies to areas unreachable by heavier aircraft, and ground teams helped to evacuate cities and towns; and

WHEREAS, The Civil Air Patrol has a cadet program with over 23,000 participants between the ages of 12 and 20, one of its major attractions being its aerospace program, which provides both classroom and practical instruction in flight and rocketry, and offers each cadet the opportunity to participate in orientation flights in both powered and glider aircraft while learning search and rescue techniques and other valuable skills, emphasizing military history, leadership, and service within the squadron and to the community as a whole; and

WHEREAS, Over 16,000 students in kindergarten through 6th grade completed the Aerospace Connections in Education program developed by the Civil Air Patrol and the United States Air Force; and

WHEREAS, Today's Civil Air Patrol continues its service and commitment to our state and country with three primary missions: Aerospace education, cadet programs, and emergency services; and

WHEREAS, The Washington Wing's commitment to service includes two nationally recognized leaders, Lieutenant Colonel Dave Franklin, the Chaplain of the year in 2014 and Senator (and Lieutenant Colonel) Jim Honeyford, Legislative Squadron Commander of the Year in 2015, along with the many senior members and cadets; and

WHEREAS, In Washington State alone, the Civil Air Patrol is composed of approximately 732 senior members and 624 cadets, who flew their 14 aircraft 1,835 hours in 2015 alone in service to our state, at a value of 4.4 million dollars in volunteer hours; and

WHEREAS, The Washington Wing was ranked first for hours flown per aircraft among all wings in the Civil Air Patrol Pacific Region, which includes wings from Alaska, California, Hawaii, Nevada, Oregon, and Washington, and was ranked 14th for hours flown per wing out of the 57 Civil Air Patrol units nationwide; and

WHEREAS, The Mt. Rainier composite squadron, having won multiple accolades over the last few years and representing their division as well as the state wing of the Civil Air Patrol, have volunteered their time to present the colors;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the Washington State wing of the Civil Air Patrol for its courageous and unwavering dedication to our citizens; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Colonel James P. Furlong, Commander of the Civil Air Patrol Washington Wing.

Senators Honeyford and Cleveland spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8717.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced representatives of the Washington State Civil Air Patrol: Colonel Ted Tax; Lieutenant Colonel David Nelson and Lieutenant Colonel Larry Mason who were seated in the chambers. The President also welcomed senior leaders and cadets of the Washington State Civil Air Patrol who were seated in the gallery.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon adjournment.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon adjournment.

MOTION

At 10:17 a.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Thursday, February 25, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FORTY SIXTH DAY

NOON SESSION

Senate Chamber, Olympia
Thursday, February 25, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

Pursuant to Rule 46, on motion of Senator Fain, and without objection, the Committee on Human Services, Mental Health & Housing was granted special leave to meet during the day's session.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 24, 2016

SB 6307 Prime Sponsor, Senator King: Making 2015-2017 supplemental transportation appropriations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6307 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Lias, Assistant Ranking Minority Member; Cleveland; Jayapal; Miloscia; Rivers; Sheldon and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Benton, Vice Chair and Carlyle.

Passed to Committee on Rules for second reading.

February 24, 2016

SB 6547 Prime Sponsor, Senator Becker: Concerning Washington state patrol officer recruitment and compensation. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6547 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Cleveland; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 24, 2016

ESHB 1067 Prime Sponsor, Committee on Judiciary: Reauthorizing the medicaid fraud false claims act. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass. Signed by Senators Miloscia, Chair; Padden, Vice Chair; Fraser, Ranking Minority Member; Danel and McAuliffe.

Passed to Committee on Rules for second reading.

February 24, 2016

2ESHB 1100 Prime Sponsor, Committee on Technology & Economic Development: Creating new appliance efficiency standards. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass as amended. Signed by Senators Erickson, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Brown; Cleveland; Habib and Ranker.

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

Passed to Committee on Rules for second reading.

February 24, 2016

ESHB 1351 Prime Sponsor, Committee on Agriculture & Natural Resources: Concerning license fees for national guard members under Title 77 RCW. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Pearson, Chair; Danel, Vice Chair; Jayapal, Ranking Minority Member; Fraser and Warnick.

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

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

Passed to Committee on Rules for second reading.

February 24, 2016

EHB 1465 Prime Sponsor, Representative MacEwen: Creating a dedicated account for elevators, lifting devices, moving walks, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, and contractor registration and compliance activities. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Ways & Means.

February 24, 2016

EHB 1578 Prime Sponsor, Representative Kirby: Authorizing insurers to offer customer satisfaction benefits. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 24, 2016

2SHB 1651 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning definitions related to human trafficking. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 24, 2016

HB 1659 Prime Sponsor, Representative Vick: Addressing the benefits of group life and disability insurance policies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 24, 2016

HB 2309 Prime Sponsor, Representative Smith: Increasing the available term of water pollution control revolving fund program loans to reflect the 2014 amendments to the federal clean water act allowing such an increase. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

February 24, 2016

HB 2315 Prime Sponsor, Representative Kirby: Addressing the expiration date of the mortgage lending fraud prosecution account. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 24, 2016

HB 2320 Prime Sponsor, Representative Stokesbary: Providing that the horse racing commission operating account is

a nonappropriated account. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Ways & Means.

February 24, 2016

HB 2331 Prime Sponsor, Representative Chandler: Concerning the expiration date of the invasive species council and account. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dangel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Rules for second reading.

February 24, 2016

ESHB 2355 Prime Sponsor, Committee on Business & Financial Services: Concerning registered service contract and protection product guarantee providers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 24, 2016

HB 2356 Prime Sponsor, Representative Kirby: Concerning employer agreements to reimburse certain employee costs for the use of personal vehicles for business purposes. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass as amended. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 24, 2016

SHB 2359 Prime Sponsor, Committee on Judiciary: Updating obsolete provisions and making technical corrections. Reported by Committee on Accountability & Reform

MAJORITY recommendation: Do pass as amended. Signed by Senators Miloscia, Chair; Padden, Vice Chair; Fraser, Ranking Minority Member; Dangel and McAuliffe.

Passed to Committee on Rules for second reading.

February 24, 2016

ESHB 2433 Prime Sponsor, Committee on Business & Financial Services: Concerning certified public accountant firm mobility. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa,

FORTY SIXTH DAY, FEBRUARY 25, 2016

2016 REGULAR SESSION

Ranking Minority Member; Conway; Keiser; King and Warnick.

Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 24, 2016

February 24, 2016

SHB 2443 Prime Sponsor, Committee on Labor & Workplace Standards: Concerning the compliance of certain conversion vending units and medical units with certain department of labor and industries requirements. Reported by Committee on Commerce & Labor

HB 2521 Prime Sponsor, Representative Wylie: Allowing for proper disposal of unsellable marijuana by a licensed marijuana retail outlet. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 24, 2016

February 24, 2016

HB 2444 Prime Sponsor, Representative Manweller: Eliminating the reference to the standard industrial classification system in the worker and community right to know fund. Reported by Committee on Commerce & Labor

HB 2526 Prime Sponsor, Representative McCaslin: Reducing the number of days that a person must maintain a permanent place of abode in Washington before qualifying as a state resident for the purposes of Title 77 RCW. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Fraser; Hewitt and Warnick.

Passed to Committee on Rules for second reading.

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

February 24, 2016

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

HB 2493 Prime Sponsor, Representative Smith: Extending the expiration date of the habitat and recreation lands coordinating group. Reported by Committee on Natural Resources & Parks

Passed to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

HB 2543 Prime Sponsor, Representative Stokesbary: Addressing civil service qualifications. Reported by Committee on Commerce & Labor

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

February 24, 2016

Passed to Committee on Rules for second reading.

HB 2516 Prime Sponsor, Representative Kirby: Providing that commercial transportation services providers are not commuter ride-sharing arrangements. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

SHB 2583 Prime Sponsor, Committee on Community Development, Housing & Tribal Affairs: Authorizing specified local governments to designate a portion of their territory as a creative district subject to certification by the Washington arts commission. Reported by Committee on Trade & Economic Development

Passed to Committee on Rules for second reading.

February 24, 2016

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Chase, Ranking Minority Member; Angel; Carlyle; Ericksen and McCoy.

HB 2520 Prime Sponsor, Representative Wylie: Concerning the sale of marijuana to regulated cooperatives. Reported by Committee on Commerce & Labor

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

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa,

Passed to Committee on Ways & Means.

February 24, 2016

SHB 2584 Prime Sponsor, Committee on Commerce & Gaming: Concerning public disclosure of information submitted to the liquor and cannabis board regarding marijuana product traceability and operations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Conway; Keiser; King and Warnick.

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

Passed to Committee on Rules for second reading.

February 24, 2016

SHB 2585 Prime Sponsor, Committee on Community Development, Housing & Tribal Affairs: Concerning private activity bond allocation. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 24, 2016

HB 2605 Prime Sponsor, Representative Kirby: Creating a special permit by a manufacturer of beer to hold a private event for the purpose of tasting and selling beer of its own production. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 24, 2016

HB 2679 Prime Sponsor, Representative Morris: Consolidating the duties, powers, missions, functions, and funds of the life sciences discovery fund authority and the cancer research endowment authority within a center of excellence for life sciences and cancer research. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Angel; Carlyle and McCoy.

MINORITY recommendation: Do not pass. Signed by Senators Chase, Ranking Minority Member and Ericksen.

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

Passed to Committee on Ways & Means.

February 24, 2016

SHB 2859 Prime Sponsor, Committee on Business & Financial Services: Concerning credit report security freezes for minors and incapacitated persons. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 24, 2016

SHB 2876 Prime Sponsor, Committee on Judiciary: Addressing the foreclosure of deeds of trust. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Fain; Hobbs; Litzow; Nelson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

February 24, 2016

ESHB 2925 Prime Sponsor, Committee on Agriculture & Natural Resources: Concerning accessing land during a fire suppression response for the purpose of protecting livestock from a wildland fire. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dangel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Rules for second reading.

February 24, 2016

ESHB 2928 Prime Sponsor, Committee on Agriculture & Natural Resources: Ensuring that restrictions on outdoor burning for air quality reasons do not impede measures necessary to ensure forest resiliency to catastrophic fires. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass as amended. Signed by Senators Pearson, Chair; Dangel, Vice Chair; Jayapal, Ranking Minority Member; Chase; Fraser; Hewitt and Warnick.

Passed to Committee on Ways & Means.

February 24, 2016

SHB 2938 Prime Sponsor, Committee on Finance: Encouraging participation in Washington trade conventions by modifying tax provisions related to establishing substantial nexus. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Brown, Chair; Braun, Vice Chair; Chase, Ranking Minority Member; Angel; Ericksen and McCoy.

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

FORTY SIXTH DAY, FEBRUARY 25, 2016

2016 REGULAR SESSION

Passed to Committee on Rules for second reading.

MOTION

On motion of Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 1067 which was referred to the Committee on Rules.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

February 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JERRIE L. ALLARD, appointed January 28, 2016, for the term ending January 19, 2020, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health Care.

February 23, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TERESA BERNTSEN, appointed February 3, 2016, for the term ending January 1, 2025, as a Director of the Office of Minority and Women's Business Enterprises - Agency Head.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Commerce & Labor.

February 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DON BONKER, reappointed June 15, 2015, for the term ending June 12, 2019, as Member of the Columbia River Gorge Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Natural Resources & Parks.

February 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

TERI L. FERREIRA, appointed January 28, 2016, for the term ending January 19, 2020, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health Care.

February 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JOANNE R. HARRELL, reappointed January 5, 2016, for the term ending September 30, 2021, as Member of the University of Washington Board of Regents.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

February 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

KENNETH W. KENYON JR., appointed January 28, 2016, for the term ending January 19, 2017, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health Care.

February 23, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

ELEANOR K. KIRTLEY, appointed January 28, 2016, for the term ending December 26, 2018, as Member of the Board of Pilotage Commissioners.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Transportation.

February 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SKYLEE ROBINSON, appointed June 3, 2015, for the term ending June 17, 2016, as Member of the Human Rights Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Law & Justice.

February 22, 2016

TO THE HONORABLE, THE SENATE OF THE STATE
OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

TIM G. WETTACK, reappointed September 18, 2015, for the term ending August 2, 2018, as Member of the Sentencing Guidelines Commission.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Law & Justice.

MOTION

On motion of Senator Fain, and without objection, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 24, 2016

MR. PRESIDENT:

The Speaker has signed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6195 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6668 by Senators Hill, Braun, Ericksen and Hewitt

AN ACT Relating to merging the assets, liabilities, and membership of the law enforcement officers' and firefighters' retirement system plan 1 with the teachers' retirement system plan 1 and establishing a funding policy for the merged plan; amending RCW 41.26.030, 41.26.080, 41.45.010, 41.45.060, 41.45.150, 41.50.055, and 41.50.075; reenacting and amending RCW 43.84.092; adding a new section to chapter 41.50 RCW; adding a new section to chapter 41.26 RCW; creating new sections; and providing an effective date.

Referred to Committee on Ways & Means.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the following measures, which had been on the calendars for consideration, were referred to the Committee on Rules and placed in the Committee's "X file" by voice vote: Senate Bill No. 5067; Senate Bill No. 5069; Substitute Senate Bill No. 5072; Engrossed Senate Bill No. 5111; Second Substitute Senate Bill No. 5127; Senate Bill No. 5137; Senate Bill No. 5138; Engrossed Senate Bill No. 5153; Senate Bill No. 5189; Senate Bill No. 5222;

Senate Bill No. 5255; Senate Bill No. 5256; Senate Bill No. 5289; Senate Bill No. 5330; Senate Bill No. 5376; Senate Bill No. 5412; Second Substitute Senate Bill No. 5449; Senate Bill No. 5509; Engrossed Senate Bill No. 5513; Senate Bill No. 5527; Senate Bill No. 5559; Senate Bill No. 5565; Senate Bill No. 5586; Senate Bill No. 5587; Senate Bill No. 5594; Substitute Senate Bill No. 5622; Senate Bill No. 5653; Senate Bill No. 5668; Engrossed Senate Bill No. 5673; Engrossed Substitute Senate Bill No. 5735; Engrossed Second Substitute Senate Bill No. 5737; Senate Bill No. 5751; Senate Bill No. 5753; Senate Bill No. 5777; Senate Bill No. 5800; Senate Bill No. 5920; Substitute Senate Bill No. 5960; Senate Bill No. 5983; Senate Bill No. 6021; Senate Bill No. 6033; Senate Bill No. 6097; Senate Bill No. 6129; Senate Bill No. 6152; Senate Bill No. 6193; Senate Bill No. 6213; Senate Bill No. 6214; Senate Bill No. 6217; Senate Bill No. 6229; Senate Bill No. 6231; Senate Bill No. 6259; Senate Bill No. 6260; Senate Bill No. 6287; Senate Bill No. 6308; Senate Bill No. 6315; Senate Bill No. 6319; Senate Bill No. 6322; Senate Bill No. 6359; Senate Bill No. 6361; Senate Bill No. 6373; Senate Bill No. 6387; Senate Bill No. 6389; Senate Bill No. 6391; Senate Bill No. 6397; Senate Bill No. 6429; Senate Bill No. 6437; Senate Bill No. 6440; Senate Bill No. 6482; Senate Bill No. 6492; Senate Bill No. 6494; Senate Bill No. 6524; Senate Bill No. 6530; Senate Bill No. 6533; Senate Bill No. 6541; Senate Bill No. 6544; Senate Bill No. 6550; Senate Bill No. 6553; Senate Bill No. 6554; Senate Bill No. 6555; Senate Bill No. 6568; Senate Bill No. 6578; Senate Bill No. 6580; Senate Bill No. 6591; Senate Bill No. 6595; Senate Bill No. 6611; Senate Bill No. 6618; Senate Bill No. 6622; Senate Bill No. 6639; Senate Bill No. 6642; Senate Concurrent Resolution No. 8405; Senate Joint Memorial No. 8017; Senate Joint Memorial No. 8023; and Substitute Senate Joint Memorial No. 8014.

MOTION

On motion of Senator Fain, and without objection, the Committee on Rules was relieved of further consideration of the following measures and the measures were referred to the Committee's "X file" by voice vote: Senate Bill No. 5001; Senate Bill No. 5007; Substitute Senate Bill No. 5012; Engrossed Senate Bill No. 5014; Senate Bill No. 5017; Substitute Senate Bill No. 5018; Senate Bill No. 5020; Substitute Senate Bill No. 5025; Substitute Senate Bill No. 5028; Senate Bill No. 5036; Substitute Senate Bill No. 5037; Senate Bill No. 5042; Senate Bill No. 5044; Senate Bill No. 5045; Senate Bill No. 5056; Engrossed Second Substitute Senate Bill No. 5057; Senate Bill No. 5063; Senate Bill No. 5064; Substitute Senate Bill No. 5066; Substitute Senate Bill No. 5073; Senate Bill No. 5074; Engrossed Substitute Senate Bill No. 5077; Substitute Senate Bill No. 5081; Senate Bill No. 5089; Senate Bill No. 5090; Engrossed Senate Bill No. 5091; Senate Bill No. 5092; Second Substitute Senate Bill No. 5093; Senate Bill No. 5106; Substitute Senate Bill No. 5112; Engrossed Substitute Senate Bill No. 5113; Senate Bill No. 5129; Engrossed Substitute Senate Bill No. 5133; Senate Bill No. 5136; Senate Bill No. 5141; Second Substitute Senate Bill No. 5142; Senate Bill No. 5146; Senate Bill No. 5149; Engrossed Second Substitute Senate Bill No. 5152; Senate Bill No. 5155; Substitute Senate Bill No. 5167; Senate Bill No. 5171; Senate Bill No. 5172; Senate Bill No. 5174; Senate Bill No. 5182; Senate Bill No. 5185; Senate Bill No. 5187; Senate Bill No. 5188; Senate Bill No. 5197; Senate Bill No. 5199; Senate Bill No. 5204; Senate Bill No. 5209; Senate Bill No. 5212; Senate Bill No. 5213; Senate Bill No. 5218; Senate Bill No. 5220; Engrossed Senate Bill No. 5226; Senate Bill No. 5233; Substitute Senate Bill No. 5234; Senate Bill No. 5240; Senate Bill No. 5247; Second Substitute Senate Bill No. 5252; Senate Bill No. 5257; Senate Bill No. 5258; Substitute Senate Bill No. 5264; Engrossed Substitute Senate Bill No. 5267; Senate Bill No. 5272;

FORTY SIXTH DAY, FEBRUARY 25, 2016

2016 REGULAR SESSION

Senate Bill No. 5274; Senate Bill No. 5278; Senate Bill No. 5281; Engrossed Substitute Senate Bill No. 5282; Senate Bill No. 5290; Senate Bill No. 5291; Senate Bill No. 5295; Substitute Senate Bill No. 5298; Senate Bill No. 5301; Senate Bill No. 5303; Senate Bill No. 5309; Senate Bill No. 5312; Engrossed Substitute Senate Bill No. 5316; Senate Bill No. 5318; Senate Bill No. 5320; Engrossed Substitute Senate Bill No. 5321; Senate Bill No. 5323; Substitute Senate Bill No. 5324; Senate Bill No. 5329; Senate Bill No. 5331; Senate Bill No. 5332; Engrossed Substitute Senate Bill No. 5347; Substitute Senate Bill No. 5350; Senate Bill No. 5364; Senate Bill No. 5368; Senate Bill No. 5369; Senate Bill No. 5371; Senate Bill No. 5373; Substitute Senate Bill No. 5380; Senate Bill No. 5382; Senate Bill No. 5392; Senate Bill No. 5394; Senate Bill No. 5395; Senate Bill No. 5396; Substitute Senate Bill No. 5397; Substitute Senate Bill No. 5398; Engrossed Substitute Senate Bill No. 5407; Senate Bill No. 5409; Senate Bill No. 5410; Substitute Senate Bill No. 5411; Engrossed Senate Bill No. 5416; Substitute Senate Bill No. 5418; Senate Bill No. 5420; Senate Bill No. 5421; Senate Bill No. 5422; Senate Bill No. 5430; Substitute Senate Bill No. 5436; Senate Bill No. 5437; Senate Bill No. 5439; Senate Bill No. 5442; Senate Bill No. 5446; Substitute Senate Bill No. 5451; Substitute Senate Bill No. 5455; Senate Bill No. 5457; Substitute Senate Bill No. 5463; Engrossed Substitute Senate Bill No. 5470; Engrossed Substitute Senate Bill No. 5477; Senate Bill No. 5483; Substitute Senate Bill No. 5487; Senate Bill No. 5491; Senate Bill No. 5496; Senate Bill No. 5499; Senate Bill No. 5500; Senate Bill No. 5507; Senate Bill No. 5508; Senate Bill No. 5511; Senate Bill No. 5514; Senate Bill No. 5517; Engrossed Senate Bill No. 5523; Engrossed Senate Bill No. 5524; Substitute Senate Bill No. 5529; Senate Bill No. 5536; Senate Bill No. 5537; Senate Bill No. 5539; Senate Bill No. 5540; Senate Bill No. 5541; Senate Bill No. 5543; Senate Bill No. 5547; Senate Bill No. 5552; Senate Bill No. 5555; Substitute Senate Bill No. 5563; Senate Bill No. 5576; Senate Bill No. 5579; Senate Bill No. 5585; Senate Bill No. 5588; Senate Bill No. 5589; Substitute Senate Bill No. 5601; Senate Bill No. 5613; Senate Bill No. 5614; Senate Bill No. 5615; Senate Bill No. 5620; Senate Bill No. 5634; Substitute Senate Bill No. 5645; Senate Bill No. 5654; Engrossed Substitute Senate Bill No. 5656; Senate Bill No. 5658; Senate Bill No. 5661; Senate Bill No. 5665; Senate Bill No. 5671; Senate Bill No. 5678; Engrossed Second Substitute Senate Bill No. 5688; Senate Bill No. 5698; Substitute Senate Bill No. 5705; Senate Bill No. 5708; Senate Bill No. 5712; Substitute Senate Bill No. 5715; Senate Bill No. 5723; Senate Bill No. 5725; Substitute Senate Bill No. 5730; Senate Bill No. 5744; Engrossed Substitute Senate Bill No. 5748; Senate Bill No. 5752; Second Substitute Senate Bill No. 5755; Senate Bill No. 5758; Senate Bill No. 5759; Substitute Senate Bill No. 5763; Senate Bill No. 5774; Senate Bill No. 5775; Senate Bill No. 5783; Substitute Senate Bill No. 5799; Engrossed Substitute Senate Bill No. 5804; Senate Bill No. 5819; Senate Bill No. 5823; Senate Bill No. 5827; Senate Bill No. 5829; Senate Bill No. 5840; Senate Bill No. 5841; Senate Bill No. 5842; Engrossed Senate Bill No. 5854; Senate Bill No. 5860; Senate Bill No. 5868; Senate Bill No. 5869; Substitute Senate Bill No. 5870; Engrossed Senate Bill No. 5874; Senate Bill No. 5878; Senate Bill No. 5880; Senate Bill No. 5898; Engrossed Substitute Senate Bill No. 5899; Senate Bill No. 5900; Senate Bill No. 5903; Senate Bill No. 5914; Senate Bill No. 5916; Senate Bill No. 5917; Senate Bill No. 5919; Engrossed Senate Bill No. 5921; Senate Bill No. 5931; Senate Bill No. 5934; Senate Bill No. 5940; Senate Bill No. 5941; Engrossed Senate Bill No. 5944; Senate Bill No. 5950; Senate Bill No. 5951; Senate Bill No. 5952; Senate Bill No. 5953; Substitute Senate Bill No. 5965; Senate Bill No. 5969; Substitute Senate Bill No. 5972; Senate Bill No. 5976; Senate Bill No. 5977; Senate Bill No. 5978; Senate Bill No. 5979; Senate Bill No. 5981; Senate Bill No. 5985; Engrossed Substitute Senate Bill

No. 5990; Engrossed Substitute Senate Bill No. 5991; Senate Bill No. 6000; Senate Bill No. 6004; Senate Bill No. 6015; Senate Bill No. 6016; Senate Bill No. 6036; Engrossed Senate Bill No. 6044; Substitute Senate Bill No. 6045; Senate Bill No. 6050; Senate Bill No. 6051; Senate Bill No. 6059; Engrossed Substitute Senate Bill No. 6062; Senate Bill No. 6081; Substitute Senate Bill No. 6084; Senate Bill No. 6085; Substitute Senate Bill No. 6088; Senate Bill No. 6098; Substitute Senate Bill No. 6099; Senate Bill No. 6105; Senate Bill No. 6116; Engrossed Substitute Senate Bill No. 6125; Senate Bill No. 6126; Senate Bill No. 6131; Senate Bill No. 6141; Senate Bill No. 6154; Senate Bill No. 6158; Senate Bill No. 6173; Senate Bill No. 6174; Senate Bill No. 6181; Senate Bill No. 6197; Senate Bill No. 6204; Senate Bill No. 6218; Senate Bill No. 6222; Senate Bill No. 6224; Senate Bill No. 6230; Senate Bill No. 6233; Senate Bill No. 6244; Senate Bill No. 6249; Senate Bill No. 6250; Senate Bill No. 6255; Senate Bill No. 6256; Senate Bill No. 6270; Senate Bill No. 6277; Senate Bill No. 6302; Senate Bill No. 6303; Senate Bill No. 6304; Senate Bill No. 6312; Senate Bill No. 6346; Senate Bill No. 6370; Senate Bill No. 6377; Senate Bill No. 6380; Senate Bill No. 6382; Senate Bill No. 6383; Senate Bill No. 6386; Senate Bill No. 6390; Senate Bill No. 6393; Senate Bill No. 6410; Senate Bill No. 6420; Senate Bill No. 6457; Senate Bill No. 6495; Senate Bill No. 6496; Senate Bill No. 6512; Senate Bill No. 6527; Senate Bill No. 6537; Senate Bill No. 6548; Senate Bill No. 6551; Senate Bill No. 6556; Senate Bill No. 6576; Senate Bill No. 6579; Senate Bill No. 6584; Senate Bill No. 6602; Senate Bill No. 6612; Senate Bill No. 6616; Senate Bill No. 6638; Senate Bill No. 6645; Senate Joint Memorial No. 8000; Senate Joint Memorial No. 8006; Substitute Senate Joint Memorial No. 8007; and Senate Joint Resolution No. 8205.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION

8727

By Senators Fain, Braun, Frockt, Litzow, Jayapal, and Rolfes

WHEREAS, The Miss Auburn Scholarship Program is the leading community-based scholarship competition of its kind in the state; and

WHEREAS, The Miss Auburn Scholarship pageant is an official preliminary to the Miss Washington and Miss America pageants; and

WHEREAS, The goal of the Miss Auburn Scholarship Program is to inspire accomplishments and motivate personal achievement in young women and promote young women's education and community involvement; and

WHEREAS, Seventeen year old Cami Werden was crowned Miss Auburn out of a pool of nine remarkable contestants; and

WHEREAS, Sixteen year old Jaclyn Seifert was crowned Miss Auburn's Outstanding Teen; and

WHEREAS, Cami is a senior at Auburn Riverside High School and will graduate with honors this spring; and

WHEREAS, Cami hopes to pursue a degree in communications and someday become a tour director for a museum or a national park; and

WHEREAS, Cami sang an emotional rendition of "There's Always Me" from the American jukebox musical "All Shook Up"; and

WHEREAS, Cami competed on the platform of breast cancer awareness--which was very personal because her grandmothers have faced the disease; and

WHEREAS, Jaelyn is a sophomore at Kennedy Catholic High School and hopes to study psychology and business in college; and

WHEREAS, Jaelyn has been singing and playing the piano since she was young, and sang a powerful rendition of a Puccini opera; and

WHEREAS, Jaelyn competed on the platform of combating teenage depression;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and support the good work of the Miss Auburn Scholarship Program; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Miss Auburn Scholarship Program; Cami Werden, Miss Auburn 2016; and Jaelyn Seifert, Miss Auburn Outstanding Teen 2016.

Senator Fain spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8727.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced representatives of the Miss Auburn Scholarship Program: Miss Auburn 2016, Cami Werden; Miss Auburn Outstanding Teen 2016, Jaelyn Seifert; and Ms. Antoinette Manthey, with the City of Auburn, who were seated in the gallery.

MOTION

At 12:11 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Friday, February 26, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FORTY SEVENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, February 26, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. David Lambert and Miss Larkin Elizabeth Lucy, granddaughter of Senator Parlette, presented the Colors.

Page Miss Madeline Elizabeth Mathews led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Jim Erlandson of Community Christ Church, Olympia.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 25, 2016

SB 6201 Prime Sponsor, Senator Honeyford: Concerning the supplemental capital budget. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6201 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Minority Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

February 25, 2016

SB 6246 Prime Sponsor, Senator Hill: Making 2016 supplemental operating appropriations. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6246 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Minority Member; Keiser, Assistant Ranking Minority Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

February 25, 2016

SJR 8216 Prime Sponsor, Senator Roach: Amending the Constitution to require a two-thirds majority vote of the legislature to raise taxes. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair and Dandel.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Habib and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

EHB 1003 Prime Sponsor, Representative Hawkins: Concerning the development of a model policy on natural disaster school infrastructure recovery. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 25, 2016

E3SHB 1295 Prime Sponsor, Committee on Appropriations: Concerning breakfast after the bell programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

February 25, 2016

HB 1345 Prime Sponsor, Representative Lytton: Adopting a definition and standards of professional learning. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 25, 2016

2SHB 1408 Prime Sponsor, Committee on Education: Concerning the development of a definition and model for "family engagement coordinator" and other terms used interchangeably with it. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 25, 2016

4SHB 1541 Prime Sponsor, Committee on Appropriations: Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

February 25, 2016

3SHB 1682 Prime Sponsor, Committee on Appropriations: Improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

February 25, 2016

2SHB 1737 Prime Sponsor, Committee on Appropriations: Addressing the availability of retired teachers as substitutes. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Fain; Hill and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators McAuliffe, Ranking Minority Member; Billig; Mullet and Rolfes.

Passed to Committee on Ways & Means.

February 25, 2016

E2SHB 1745 Prime Sponsor, Committee on State Government: Enacting the Washington voting rights act. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass as amended. Signed by Senators Roach, Chair; Benton, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

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

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 1790 Prime Sponsor, Committee on Education: Clarifying the authority of a nurse working in a school setting. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senator Dammeier, Vice Chair.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 1804 Prime Sponsor, Representative Springer: Concerning the confidentiality of educator professional growth plans. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

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

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 1867 Prime Sponsor, Committee on Education: Concerning the frequency of evaluations for certain classroom teachers. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

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

Passed to Committee on Rules for second reading.

February 25, 2016

E2SHB 1983 Prime Sponsor, Committee on Appropriations: Creating the TEACH pilot project of financial assistance for teachers taking basic skills and content tests for teacher certification programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

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

Chair; McCoy, Ranking Minority Member; Danel; Habib and Takko.

Passed to Committee on Ways & Means.

Passed to Committee on Rules for second reading.

February 25, 2016

February 25, 2016

4SHB 1999 Prime Sponsor, Committee on Appropriations: Coordinating services and programs for foster youth in order to improve educational outcomes. Reported by Committee on Early Learning & K-12 Education

ESHB 2511 Prime Sponsor, Committee on Early Learning & Human Services: Concerning child care center licensing requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; McAuliffe, Ranking Minority Member; Fain; Hill; Mullet and Rivers.

Passed to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dammeier, Vice Chair; Billig and Rolfes.

February 25, 2016

Passed to Committee on Rules for second reading.

HB 2023 Prime Sponsor, Representative Parker: Changing the deadline for notices of nonrenewal of contracts for certificated school employees. Reported by Committee on Early Learning & K-12 Education

February 25, 2016

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

SHB 2519 Prime Sponsor, Committee on Local Government: Allowing nuisance abatement cost recovery for cities. Reported by Committee on Government Operations & Security

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Danel; Habib and Takko.

February 25, 2016

Passed to Committee on Rules for second reading.

HB 2360 Prime Sponsor, Representative Lytton: Eliminating the quality education council. Reported by Committee on Early Learning & K-12 Education

February 25, 2016

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

E2SHB 2573 Prime Sponsor, Committee on Appropriations: Concerning the shortage of public school teachers and substitute teachers. Reported by Committee on Early Learning & K-12 Education

Passed to Committee on Ways & Means.

MAJORITY recommendation: Do pass as amended. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

February 25, 2016

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

HB 2476 Prime Sponsor, Representative Johnson: Concerning waivers from the one hundred eighty-day school year requirement. Reported by Committee on Early Learning & K-12 Education

Passed to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

February 25, 2016

Passed to Committee on Rules for second reading.

HB 2597 Prime Sponsor, Representative Orwall: Requiring school districts to include sexual abuse as a topic in plans addressing students' emotional or behavioral distress. Reported by Committee on Early Learning & K-12 Education

February 25, 2016

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

SHB 2503 Prime Sponsor, Committee on Local Government: Preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems. Reported by Committee on Government Operations & Security

Passed to Committee on Rules for second reading.

February 25, 2016

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice

SHB 2632 Prime Sponsor, Committee on State Government: Concerning gender requirements in the election of

chair and vice chair positions for state committees of political parties. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; Dansel; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2639 Prime Sponsor, Representative McCabe: Increasing the safety of school bus riders. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 25, 2016

EHB 2698 Prime Sponsor, Representative Lytton: Delaying implementation of revisions to the school levy lid and local effort assistance. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

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

Passed to Committee on Ways & Means.

February 25, 2016

SHB 2716 Prime Sponsor, Committee on Early Learning & Human Services: Concerning working connections child care eligibility for vulnerable children. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

February 25, 2016

SHB 2841 Prime Sponsor, Committee on Local Government: Concerning the state building code council. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass as amended. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2851 Prime Sponsor, Committee on Education: Concerning compensation of school directors. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet and Rolfes.

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

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

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2875 Prime Sponsor, Committee on Technology & Economic Development: Establishing the office of privacy and data protection. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2964 Prime Sponsor, Committee on Appropriations: Eliminating lunch copays for students who qualify for reduced-price lunches. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Ways & Means.

February 25, 2016

SGA 9310 BERL L. COLLEY, appointed on February 20, 2015, for the term ending July 1, 2019, as Member of the Washington State School for the Blind Board of Trustees. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

February 25, 2016

SGA 9322 CONNIE L. FLETCHER, reappointed on January 23, 2015, for the term ending January 12, 2019, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Minority Member; Billig; Fain; Hill; Mullet; Rivers and Rolfes.

Passed to Committee on Rules for second reading.

MOTION

Senator Fain moved that all measures listed on the Standing Committee report be referred to the committees as designated.

POINT OF ORDER

Senator Rolfes: "I object to the referral of Senate Joint Resolution No. 8216 to the Rules Committee. Under Senate Concurrent Resolution 8406 which establishes cutoff dates, the last day to read in committee reports for a Senate bill coming from committee other than a fiscal committee was Friday, February 5th. There are a specific list of exceptions to this rule but none of them apply in this instance. Therefore, Senate Joint Resolution No. 8216 is not properly before the body and should be returned to the Government Operations and Security Committee."

MOTION

Senator Fain moved that all measures listed on the Standing Committee report be referred to the committees as designated with the exception of Senate Joint Resolution No. 8216, which should be held at the desk.

POINT OF ORDER

Senator Rolfes: "Thank you, Mr. President. I object to Senate Joint Resolution No. 8216 being held at the desk. It should be sent back to the Government Operations and Security Committee."

The President declared the question before the Senate to be the motion by Senator Fain that all measures listed on the Standing Committee report be referred to the committees as designated with the exception of Senate Joint Resolution No. 8216, which should be held at the desk.

The motion by Senator Fain that the measures on the Standing Committee Report be referred to the committees as designated, with the exception of Senate Joint Resolution No. 8216, carried by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGES FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

Department of Commerce – "*Bond Cap Allocation Program, 2016 Biennial Policy Report and Activity Summary*" pursuant to RCW 39.86.190, report date 2/12/2016

Health Care Authority – "*Comparison of Federally Qualified Health Centers and Rural Health Clinics to Uniform Medical Plan Rates*" in accordance with Engrossed Substitute Senate Bill No. 6052, report date 02/01/2016

Northwest Power and Conservation Council "*The State of the Columbia River Basin in 2015*" pursuant to RCW 70.275.140., report date 02/12/2016

Department of Social & Health Services, "*Kinship Care Oversight Committee 2015 Report*" pursuant to RCW 74.13.621 RCW, report date 12/31/2015

Department of Transportation "*Fund Transfers Report, October - December 2015*" in accordance with Second Engrossed Substitute House Bill No. 1299, report date 02/10/2016 and "*Capital Projects and Nickel/TPA Projects Quarterly Reports - 2015-17 Biennium Quarter 2*" in accordance with Second Engrossed Substitute House Bill No. 1299, report date 02/18/2016

Walla Walla Watershed Management Partnership – "*Walla Walla Pilot Local Water Management Program, Interim Progress Report for 2013-2015*" pursuant to RCW 90.92.060 RCW, report date 12/31/2015

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6669 by Senators Brown and Braun

AN ACT Relating to consolidating business assistance programs and services; amending RCW 43.42.005, 43.42.010, 43.42.030, 43.42.090, 43.42.092, 43.42.095, 43.42.100, 34.05.320, 43.30.550, 43.42A.030, 43.88.585, 43.155.070, 43.157.020, 43.157.030, 43.160.060, 47.80.090, 77.55.181, 43.330.040, 43.330.050, 43.330.060, 43.330.090, and 43.330.440; reenacting and amending RCW 34.05.328; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Dansel moved adoption of the following resolution:

SENATE RESOLUTION
8720

By Senators Dansel, Litzow, Ericksen, Sheldon, Carlyle, Hasegawa, Hobbs, Chase, Takko, Billig, Conway, Fraser, Dammeier, Honeyford, Jayapal, and Pedersen

WHEREAS, A teacher in a small rural school district is often presented with unique challenges, expectations, and opportunities of the type not typically experienced in urban districts; and

WHEREAS, Catherine Diane Wilson has spent her entire 37-year career as a teacher in rural districts, with the first 7 years at J.L. Crowe Secondary School in Trail, British Columbia,

followed by 30 consecutive years in the neighboring Northport School District in Stevens County; and

WHEREAS, Through the course of her career, Ms. Wilson has posted some varied and remarkable achievements, including starting the first boys' volleyball team at Northport High, and organizing and leading a month long trip to Europe in 1997 for 11 students--after first having to raise \$14,000 through a community wide effort to cover travel expenses; and

WHEREAS, Ms. Wilson was the force behind the North Port Pioneer, the first and only student-generated newspaper at Northport High, which she managed and nurtured for 15 years; and

WHEREAS, Ms. Wilson invigorated the drama/theater and performing arts program during a time when other arts programs in the district were getting cut, and for many years was one of the instigators of the famous teacher Christmas skits; and

WHEREAS, Ms. Wilson once caused a very surprised truck driver to swerve and hit a guardrail after he saw her riding down the street on her bicycle wearing a Teletubby costume for school spirit week; and

WHEREAS, With the assistance of a retired local newspaper editor, Ms. Wilson produced a video that showed antiquated school supplies and infrastructure at Northport, featuring textbooks with lice in the seams, moldy walls and carpeting, asbestos-coated ceilings, and a female school bus driver chaining up in the mud; and

WHEREAS, Ms. Wilson then shared the video with the late Senator Bob Morton to show to the Legislature as a way of seeking funding for rural schools that would be less reliant on matching levies; and

WHEREAS, Ms. Wilson has spent her career teaching in a number of disciplines, including French, English, and filling in wherever needed while promoting health, fitness, and the expanded use of technology; and

WHEREAS, Ms. Wilson is retiring this June after a long and enjoyable career that made a huge difference in the lives of many Northport students;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the career of Catherine Diane Wilson as a living example of the kind of devotion, commitment, and dedication that all teachers in rural districts in Washington face through the course of their careers; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted to the Superintendent of the Northport School District in the honor of Ms. Wilson's distinguished teaching career.

Senator Dansel spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8720.

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

PARLIAMENTARY INQUIRY

Senator Dansel: "I was required to get six signatures on this resolution. Evidently, there's a rule that we have to get six signatures and present that to the floor leader. I'm wondering if that's an actual rule that we voted on? When did that become part of the rules? It seems pretty ridiculous to me that I couldn't present a resolution honoring a school teacher from Northport, Washington without getting six signatures. I didn't think it was too controversial. When did this become a rule and did we vote on it?"

REPLY BY THE PRESIDENT

President Owen: "Senator Dansel, I can answer your question as far as the Senate Rules go. As far as the Senate Rules go, there is absolutely no rule that requires six signatures for any measure to be introduced to the Senate. It takes simply one signature of a senator. It may be a policy issue, but it is simply not an issue that is a rule of the senate."

PERSONAL PRIVILEGE

Senator Rolfes: "Thank you, Mr. President. I just wanted to say we would have accepted his resolution with just one signature."

PERSONAL PRIVILEGE

Senator Dansel: "I'd like to thank the good lady from the 23rd District. I didn't think it was too big of a deal."

Senator Fain announced a meeting of the Rules Committee immediately upon going at ease at the bar of the Senate.

Senator Fraser announced a meeting of the Democratic Caucus immediately following the meeting of the Committee on Rules .

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately following the meeting of the Committee on Rules.

MOTION

At 10:18 a.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:53 a.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

MOTION TO LIMIT DEBATE

Pursuant to Rule 29, on motion of Senator Fain and without objection, senators were limited to speaking but once and for no more than three minutes on each question under debate for the remainder of the day by voice vote.

SECOND READING

SENATE BILL NO. 6201, by Senators Honeyford and Keiser

Concerning the supplemental capital budget.

MOTION

On motion of Senator Honeyford, Substitute Senate Bill No. 6201 was substituted for Senate Bill No. 6201 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Billig moved that the following amendment no. 665 by Senators Billig and Baumgartner be adopted:

On page 10, line 31, insert "Spokane Family Justice Center at the YWCA \$75,000"

On page 10, line 32, strike "\$130,269,000" and insert "\$130,334,000"

On page 11, line 3, strike "\$130,269,000" and insert "\$130,334,000"

On page 11, line 7, strike "\$130,269,000" and insert "\$130,334,000"

Senators Billig and Honeyford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 665 by Senators Billig and Baumgartner on page 10, line 31 to Substitute Senate Bill No. 6201.

The motion by Senator Billig carried and amendment no. 665 was adopted by voice vote.

MOTION

Senator Honeyford moved that the following amendment no. 667 by Senators Honeyford and Dammeier be adopted:

On page 24, line 22, strike "one dollar" and insert "not less than \$200,000"

Senator Honeyford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 667 by Senators Honeyford and Dammeier on page 24, line 22 to Substitute Senate Bill No. 6201.

The motion by Senator Honeyford carried and amendment no. 667 was adopted by voice vote.

MOTION

Senator Honeyford moved that the following amendment no. 664 by Senators Honeyford and Hargrove be adopted:

On page 44, line 31, strike everything through page 45, line 21

Senators Honeyford and Hargrove spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 664 by Senators Honeyford and Hargrove on page 44, line 31 to Substitute Senate Bill No. 6201.

The motion by Senator Honeyford carried and amendment no. 664 was adopted by voice vote.

MOTION

Senator Baumgartner moved that the following amendment no. 661 by Senator Baumgartner be adopted: On page 57, after line 24, insert

"**Sec. 5008.** 2015 3rd sp.s. c 3 s 5056 (uncodified) is amended to read as follows:

FOR THE EASTERN WASHINGTON UNIVERSITY
 University Science Center - Science I (30000001)
 Appropriation:

State Building Construction Account-State	. . .
(\$4,791,000)	
<u>\$21,791,000</u>	
Prior Biennia (Expenditures) . . .	\$400,000
Future Biennia (Projected Costs . . .)	(\$55,444,000)
\$38,444,000	
TOTAL	\$60,635,000

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

Senator Baumgartner spoke in favor of adoption of the amendment.

Senator Honeyford spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 661 by Senator Baumgartner on page 57, after line 24 to Substitute Senate Bill No. 6201.

The motion by Senator Baumgartner did not carry and amendment no. 661 was not adopted by voice vote.

MOTION

On motion of Senator Honeyford, the rules were suspended, Engrossed Substitute Senate Bill No. 6201 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford, Keiser and Benton spoke in favor of passage of the bill.

Senator McCoy spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6201.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6201 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Honeyford, Jayapal, Keiser, King, Litzow, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Chase, Habib, Hobbs, Lias, McAuliffe, McCoy, Mullet, Pedersen and Rolfes

ENGROSSED SUBSTITUTE SENATE BILL NO. 6201, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Baumgartner moved that Michael D. Wilson, Gubernatorial Appointment No. 9306, be confirmed as a member of the Community Colleges of Spokane Board of Trustees.

Senators Baumgartner and Billig spoke in favor of passage of the motion.

APPOINTMENT OF MICHAEL D. WILSON

The President declared the question before the Senate to be the confirmation of Michael D. Wilson, Gubernatorial Appointment No. 9306, as a member of the Community Colleges of Spokane Board of Trustees.

The Secretary called the roll on the confirmation of Michael D. Wilson, Gubernatorial Appointment No. 9306, as a member of the Community Colleges of Spokane Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Michael D. Wilson, Gubernatorial Appointment No. 9306, having received the constitutional majority was declared confirmed as a member of the Community Colleges of Spokane Board of Trustees.

THIRD READING
CONFIRMATION OF GUBERNATORIAL
APPOINTMENTS

MOTION

Senator Rolfes moved that Jim Page, Gubernatorial Appointment No. 9286, be confirmed as a member of the Olympic College Board of Trustees.

Senators Rolfes and Sheldon spoke in favor of passage of the motion.

APPOINTMENT OF JIM PAGE

The President declared the question before the Senate to be the confirmation of Jim Page, Gubernatorial Appointment No. 9286, as a member of the Olympic College Board of Trustees.

The Secretary called the roll on the confirmation of Jim Page, Gubernatorial Appointment No. 9286, as a member of the Olympic College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Jim Page, Gubernatorial Appointment No. 9286, having received the constitutional majority was declared confirmed as a member of the Olympic College Board of Trustees.

THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5105, by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Frockt, O'Ban, Fain, Fraser, Pearson, Roach and Darneille)

Making a fourth driving under the influence offense a felony.

The bill was read on Third Reading.

MOTION

On motion of Senator Padden, the rules were suspended and Second Substitute Senate Bill No. 5105 was returned to second reading for the purpose of amendment.

MOTION

Senator Padden moved that the following striking amendment no. 542 by Senators Padden and Frockt be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.61.502 and 2013 c 3 s 33 are each amended to read as follows:

(1) A person is guilty of driving while under the influence of intoxicating liquor, marijuana, or any drug if the person drives a vehicle within this state:

(a) And the person has, within two hours after driving, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after driving, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor, marijuana, or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor, marijuana, and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state shall not constitute a defense against a charge of violating this section.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of alcohol after the time of driving and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a sufficient quantity of marijuana after the time of driving and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after driving. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged driving may be used as evidence that within two hours of the alleged driving, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by marijuana in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class C felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has ((four)) three or more prior offenses within ten years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.504(6).

Sec. 2. RCW 46.61.504 and 2015 2nd sp.s. c 3 s 24 are each amended to read as follows:

(1) A person is guilty of being in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug if the person has actual physical control of a vehicle within this state:

(a) And the person has, within two hours after being in actual physical control of the vehicle, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood made under RCW 46.61.506; or

(b) The person has, within two hours after being in actual physical control of a vehicle, a THC concentration of 5.00 or higher as shown by analysis of the person's blood made under RCW 46.61.506; or

(c) While the person is under the influence of or affected by intoxicating liquor or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor and any drug.

(2) The fact that a person charged with a violation of this section is or has been entitled to use a drug under the laws of this state does not constitute a defense against any charge of violating this section. No person may be convicted under this section and it is an affirmative defense to any action pursuant to RCW 46.20.308 to suspend, revoke, or deny the privilege to drive if, prior to being pursued by a law enforcement officer, the person has moved the vehicle safely off the roadway.

(3)(a) It is an affirmative defense to a violation of subsection (1)(a) of this section which the defendant must prove by a preponderance of the evidence that the defendant consumed a sufficient quantity of alcohol after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's breath or blood to cause the defendant's alcohol concentration to be 0.08 or more within two hours after being in such control. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(b) It is an affirmative defense to a violation of subsection (1)(b) of this section, which the defendant must prove by a preponderance of the evidence, that the defendant consumed a

sufficient quantity of marijuana after the time of being in actual physical control of the vehicle and before the administration of an analysis of the person's blood to cause the defendant's THC concentration to be 5.00 or more within two hours after being in control of the vehicle. The court shall not admit evidence of this defense unless the defendant notifies the prosecution prior to the omnibus or pretrial hearing in the case of the defendant's intent to assert the affirmative defense.

(4)(a) Analyses of blood or breath samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in such control, a person had an alcohol concentration of 0.08 or more in violation of subsection (1)(a) of this section, and in any case in which the analysis shows an alcohol concentration above 0.00 may be used as evidence that a person was under the influence of or affected by intoxicating liquor or any drug in violation of subsection (1)(c) or (d) of this section.

(b) Analyses of blood samples obtained more than two hours after the alleged being in actual physical control of a vehicle may be used as evidence that within two hours of the alleged being in control of the vehicle, a person had a THC concentration of 5.00 or more in violation of subsection (1)(b) of this section, and in any case in which the analysis shows a THC concentration above 0.00 may be used as evidence that a person was under the influence of or affected by marijuana in violation of subsection (1)(c) or (d) of this section.

(5) Except as provided in subsection (6) of this section, a violation of this section is a gross misdemeanor.

(6) It is a class C felony punishable under chapter 9.94A RCW, or chapter 13.40 RCW if the person is a juvenile, if:

(a) The person has ((four)) three or more prior offenses within ten years as defined in RCW 46.61.5055; or

(b) The person has ever previously been convicted of:

(i) Vehicular homicide while under the influence of intoxicating liquor or any drug, RCW 46.61.520(1)(a);

(ii) Vehicular assault while under the influence of intoxicating liquor or any drug, RCW 46.61.522(1)(b);

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of this subsection (6) or RCW 46.61.502(6).

Sec. 3. RCW 46.61.5055 and 2015 2nd sp.s. c 3 s 9 are each amended to read as follows:

(1) No prior offenses in seven years. Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) Penalty for alcohol concentration less than 0.15. In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one day nor more than three hundred sixty-four days. Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court may order not less than fifteen days of electronic home monitoring. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall

determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) Penalty for alcohol concentration at least 0.15. In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than two days nor more than three hundred sixty-four days. Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court may order not less than thirty days of electronic home monitoring. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(2) One prior offense in seven years. Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) Penalty for alcohol concentration less than 0.15. In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. In lieu of the mandatory minimum term of sixty days electronic home monitoring, the court may order at least an additional four days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the

offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) Penalty for alcohol concentration at least 0.15. In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. In lieu of the mandatory minimum term of ninety days electronic home monitoring, the court may order at least an additional six days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) Two ((or three)) prior offenses in seven years. Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has two ((or three)) prior offenses within seven years shall be punished as follows:

(a) Penalty for alcohol concentration less than 0.15. In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred twenty days of electronic home monitoring, the court may order at least an additional eight days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) Penalty for alcohol concentration at least 0.15. In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred fifty days of electronic home monitoring, the court may order at least an additional ten days in jail. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) ((Four)) Three or more prior offenses in ten years. A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has ((four)) three or more prior offenses within ten years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) Monitoring.

(a) Ignition interlock device. The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) Monitoring devices. If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) Ignition interlock device substituted for 24/7 sobriety program monitoring. In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) Penalty for having a minor passenger in vehicle. If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while a passenger under the age of sixteen was in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional six months;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment and a fine of not less than one thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment and a fine of not less than two thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two ((or three)) prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment and a fine of not less than three thousand dollars and not more than ten thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(7) Other items courts must consider while setting penalties. In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) Treatment and information school. An offender punishable under this section is subject to the alcohol assessment and treatment provisions of RCW 46.61.5056.

(9) Driver's license privileges of the defendant. The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(a) Penalty for alcohol concentration less than 0.15. If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for two years; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(b) Penalty for alcohol concentration at least 0.15. If the person's alcohol concentration was at least 0.15:

(i) Where there has been no prior offense within seven years, be revoked or denied by the department for one year;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(c) Penalty for refusing to take test. If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

(i) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(iii) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this subsection for a suspension, revocation, or denial imposed under RCW 46.20.3101 arising out of the same incident.

Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) Probation of driving privilege. After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) Conditions of probation. (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The

court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720(3). The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) Waiver of electronic home monitoring. A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-four days.

(13) Extraordinary medical placement. An offender serving a sentence under this section, whether or not a mandatory minimum

term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1)(c).

(14) Definitions. For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (x), (xi), or (xii) of this subsection if committed in this state;

(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while

under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means alcohol or drug treatment approved by the department of social and health services;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 4. RCW 9.94A.515 and 2015 c 261 s 11 are each amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055) Malicious explosion 1 (RCW 70.74.280(1))
XIV	Murder 1 (RCW 9A.32.030) Murder 2 (RCW 9A.32.050) Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2)) Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011) Assault of a Child 1 (RCW 9A.36.120) Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a)) Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101) Rape 1 (RCW 9A.44.040) Rape of a Child 1 (RCW 9A.44.073) Trafficking 2 (RCW 9A.40.100(3))
XI	Manslaughter 1 (RCW 9A.32.060) Rape 2 (RCW 9A.44.050) Rape of a Child 2 (RCW 9A.44.076) Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
X	Child Molestation 1 (RCW 9A.44.083) Criminal Mistreatment 1 (RCW 9A.42.020) Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a)) Kidnapping 1 (RCW 9A.40.020)

- Leading Organized Crime (RCW 9A.82.060(1)(a))
 Malicious explosion 3 (RCW 70.74.280(3))
 Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
 Assault of a Child 2 (RCW 9A.36.130)
 Explosive devices prohibited (RCW 70.74.180)
 Hit and Run—Death (RCW 46.52.020(4)(a))
 Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
 Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
 Malicious placement of an explosive 2 (RCW 70.74.270(2))
 Robbery 1 (RCW 9A.56.200)
 Sexual Exploitation (RCW 9.68A.040)
- VIII Arson 1 (RCW 9A.48.020)
 Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
 Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
 Manslaughter 2 (RCW 9A.32.070)
 Promoting Prostitution 1 (RCW 9A.88.070)
 Theft of Ammonia (RCW 69.55.010)
 Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- VII Burglary 1 (RCW 9A.52.020)
 Child Molestation 2 (RCW 9A.44.086)
 Civil Disorder Training (RCW 9A.48.120)
 Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
 Drive-by Shooting (RCW 9A.36.045)
 Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
 Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
 Introducing Contraband 1 (RCW 9A.76.140)
 Malicious placement of an explosive 3 (RCW 70.74.270(3))
 Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
 Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
 Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
 Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
 Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
 Bribery (RCW 9A.68.010)
 Incest 1 (RCW 9A.64.020(1))
 Intimidating a Judge (RCW 9A.72.160)
 Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
 Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
 Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
 Rape of a Child 3 (RCW 9A.44.079)
 Theft of a Firearm (RCW 9A.56.300)
 Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
 Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
 Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
 Child Molestation 3 (RCW 9A.44.089)
 Criminal Mistreatment 2 (RCW 9A.42.030)
 Custodial Sexual Misconduct 1 (RCW 9A.44.160)
 Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
 Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
 ((Driving While Under the Influence (RCW 46.61.502(6))))
 Extortion 1 (RCW 9A.56.120)
 Extortionate Extension of Credit (RCW 9A.82.020)
 Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
 Incest 2 (RCW 9A.64.020(2))
 Kidnapping 2 (RCW 9A.40.030)
 Perjury 1 (RCW 9A.72.020)
 Persistent prison misbehavior (RCW 9.94.070)
 ((Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))))
 Possession of a Stolen Firearm (RCW 9A.56.310)
 Rape 3 (RCW 9A.44.060)
 Rendering Criminal Assistance 1 (RCW 9A.76.070)
 Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
 Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
 Sexually Violating Human Remains (RCW 9A.44.105)
 Stalking (RCW 9A.46.110)
 Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
- IV Arson 2 (RCW 9A.48.030)
 Assault 2 (RCW 9A.36.021)

Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
 Assault by Watercraft (RCW 79A.60.060)
 Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
 Cheating 1 (RCW 9.46.1961)
 Commercial Bribery (RCW 9A.68.060)
 Counterfeiting (RCW 9.16.035(4))
 Driving While Under the Influence (RCW 46.61.502(6))
 Endangerment with a Controlled Substance (RCW 9A.42.100)
 Escape 1 (RCW 9A.76.110)
 Hit and Run—Injury (RCW 46.52.020(4)(b))
 Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))
 Identity Theft 1 (RCW 9.35.020(2))
 Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
 Influencing Outcome of Sporting Event (RCW 9A.82.070)
 Malicious Harassment (RCW 9A.36.080)
 Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
 Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
 Residential Burglary (RCW 9A.52.025)
 Robbery 2 (RCW 9A.56.210)
 Theft of Livestock 1 (RCW 9A.56.080)
 Threats to Bomb (RCW 9.61.160)
 Trafficking in Stolen Property 1 (RCW 9A.82.050)
 Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
 Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
 Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
 Unlawful transaction of insurance business (RCW 48.15.023(3))
 Unlicensed practice as an insurance professional (RCW 48.17.063(2))
 Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
 Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
 Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
 Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
 Willful Failure to Return from Furlough (RCW 72.66.060)

III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
 Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
 Assault of a Child 3 (RCW 9A.36.140)
 Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
 Burglary 2 (RCW 9A.52.030)
 Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
 Criminal Gang Intimidation (RCW 9A.46.120)
 Custodial Assault (RCW 9A.36.100)
 Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
 Escape 2 (RCW 9A.76.120)
 Extortion 2 (RCW 9A.56.130)
 Harassment (RCW 9A.46.020)
 Intimidating a Public Servant (RCW 9A.76.180)
 Introducing Contraband 2 (RCW 9A.76.150)
 Malicious Injury to Railroad Property (RCW 81.60.070)
 Mortgage Fraud (RCW 19.144.080)
 Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
 Organized Retail Theft 1 (RCW 9A.56.350(2))
 Perjury 2 (RCW 9A.72.030)
 Possession of Incendiary Device (RCW 9.40.120)
 Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
 Promoting Prostitution 2 (RCW 9A.88.080)
 Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))
 Securities Act violation (RCW 21.20.400)
 Tampering with a Witness (RCW 9A.72.120)
 Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
 Theft of Livestock 2 (RCW 9A.56.083)
 Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
 Trafficking in Stolen Property 2 (RCW 9A.82.055)
 Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))
 Unlawful Imprisonment (RCW 9A.40.040)
 Unlawful Misbranding of Food Fish or Shellfish 1 (RCW 69.04.938(3))
 Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
 Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))
 Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))

Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))

Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)

Willful Failure to Return from Work Release (RCW 72.65.070)

II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))

Computer Trespass 1 (RCW 9A.52.110)

Counterfeiting (RCW 9.16.035(3))

Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))

Escape from Community Custody (RCW 72.09.310)

Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)

Health Care False Claims (RCW 48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial Information (RCW 9.35.010)

Malicious Mischief 1 (RCW 9A.48.070)

Organized Retail Theft 2 (RCW 9A.56.350(3))

Possession of Stolen Property 1 (RCW 9A.56.150)

Possession of a Stolen Vehicle (RCW 9A.56.068)

Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))

Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)

Theft 1 (RCW 9A.56.030)

Theft of a Motor Vehicle (RCW 9A.56.065)

Theft of Rental, Leased, ((or)) Lease-purchased, or Loaned Property (valued at ((one)) five thousand ((five hundred)) dollars or more) (RCW 9A.56.096(5)(a))

Theft with the Intent to Resell 2 (RCW 9A.56.340(3))

Trafficking in Insurance Claims (RCW 48.30A.015)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))

Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))

Unlawful Practice of Law (RCW 2.48.180)

Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))

Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))

Voyeurism (RCW 9A.44.115)

I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)

False Verification for Welfare (RCW 74.08.055)

Forgery (RCW 9A.60.020)

Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)

Malicious Mischief 2 (RCW 9A.48.080)

Mineral Trespass (RCW 78.44.330)

Possession of Stolen Property 2 (RCW 9A.56.160)

Reckless Burning 1 (RCW 9A.48.040)

Spotlighting Big Game 1 (RCW 77.15.450(3)(b))

Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))

Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)

Theft 2 (RCW 9A.56.040)

Theft of Rental, Leased, ((or)) Lease-purchased, or Loaned Property (valued at ((two)) seven hundred fifty dollars or more but less than ((one)) five thousand ((five hundred)) dollars) (RCW 9A.56.096(5)(b))

Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)

Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))

Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)

Unlawful Possession of Fictitious Identification (RCW 9A.56.320)

Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)

Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)

Unlawful Production of Payment Instruments (RCW 9A.56.320)

Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps (RCW 9.91.144)

Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))

Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))

Vehicle Prowl 1 (RCW 9A.52.095)

Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))

Sec. 5. RCW 46.61.5054 and 2015 c 265 s 32 are each amended to read as follows:

(1)(a) In addition to penalties set forth in RCW 46.61.5051 through 46.61.5053 until September 1, 1995, and RCW 46.61.5055 thereafter, a two hundred fifty dollar fee shall be assessed to a person who is either convicted, sentenced to a lesser charge, or given deferred prosecution, as a result of an arrest for violating RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522. This fee is for the purpose of funding the Washington state toxicology laboratory and the Washington state patrol for grants and activities to increase the conviction rate and decrease the

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

incidence of persons driving under the influence of alcohol or drugs.

(b) Upon a verified petition by the person assessed the fee, the court may suspend payment of all or part of the fee if it finds that the person does not have the ability to pay.

(2) The fee assessed under subsection (1) of this section shall be collected by the clerk of the court and, subject to subsection ((4)) (5) of this section, one hundred seventy-five dollars of the fee must be distributed as follows:

(a) Forty percent shall be subject to distribution under RCW 3.46.120, 3.50.100, 35.20.220, 3.62.020, 3.62.040, or 10.82.070.

(b) The remainder of the fee shall be forwarded to the state treasurer who shall, through June 30, 1997, deposit: Fifty percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and fifty percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs. Effective July 1, 1997, the remainder of the fee shall be forwarded to the state treasurer who shall deposit: Fifteen percent in the death investigations' account to be used solely for funding the state toxicology laboratory blood or breath testing programs; and eighty-five percent in the state patrol highway account to be used solely for funding activities to increase the conviction rate and decrease the incidence of persons driving under the influence of alcohol or drugs.

(3) Twenty-five dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to reduce statewide collisions caused by persons driving under the influence of alcohol or drugs. Grants awarded under this subsection may be for projects that encourage collaboration with other community, governmental, and private organizations, and that utilize innovative approaches based on best practices or proven strategies supported by research or rigorous evaluation. Grants recipients may include, for example:

(a) DUI courts; and

(b) Jurisdictions implementing the victim impact panel registries under RCW 46.61.5152 and 10.01.230.

(4) Fifty dollars of the fee assessed under subsection (1) of this section must be distributed to the highway safety fund to be used solely for funding Washington traffic safety commission grants to organizations within counties targeted for programs to reduce driving under the influence of alcohol or drugs.

(5) If the court has suspended payment of part of the fee pursuant to subsection (1)(b) of this section, amounts collected shall be distributed proportionately.

((5)) (6) This section applies to any offense committed on or after July 1, 1993, and only to adult offenders."

On page 1, line 2 of the title, after "felony;" strike the remainder of the title and insert "amending RCW 46.61.502, 46.61.504, 46.61.5055, 9.94A.515, and 46.61.5054; and prescribing penalties."

Senator Padden spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 542 by Senators Padden and Frockt to Second Substitute Senate Bill No. 5105.

The motion by Senator Padden carried and striking amendment no. 542 was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5105 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5105.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5105 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced fifth grade students from Elizabeth Blackwell Elementary School, Sammamish, and their advisor Ms. Karen Lepere, guests of Senator Hill, who were seated in the gallery.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pedersen moved that Patrick Escamilla, Gubernatorial Appointment No. 9044, be confirmed as a member of the Sentencing Guidelines Commission.

Senators Pedersen and Darneille spoke in favor of passage of the motion.

MOTION

On motion of Senator Mullet, and without objection, Senator Lias was excused.

APPOINTMENT OF PATRICK ESCAMILLA

The President declared the question before the Senate to be the confirmation of Patrick Escamilla, Gubernatorial Appointment No. 9044, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Patrick Escamilla, Gubernatorial Appointment No. 9044, as a member of the Sentencing Guidelines Commission and the appointment was

confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Liias

Patrick Escamilla, Gubernatorial Appointment No. 9044, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

Senator Pedersen moved that Kimberly Gordon, Gubernatorial Appointment No. 9059, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Pedersen spoke in favor of the motion.

APPOINTMENT OF KIMBERLY GORDON

The President declared the question before the Senate to be the confirmation of Kimberly Gordon, Gubernatorial Appointment No. 9059, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Kimberly Gordon, Gubernatorial Appointment No. 9059, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Kimberly Gordon, Gubernatorial Appointment No. 9059, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

INTRODUCTION OF GUESTS

The President welcomed and introduced fifth grade students from Ridgewood Elementary School, Renton, and their advisor Mr. Steve Hoell, guests of Senator Hasegawa, who were seated in the gallery.

MOTION

Senator Padden moved that Maryann Moreno, Gubernatorial Appointment No. 9117, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Padden spoke in favor of the motion.

APPOINTMENT OF MARYANN MORENO

The President declared the question before the Senate to be the confirmation of Maryann Moreno, Gubernatorial Appointment No. 9117, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Maryann Moreno, Gubernatorial Appointment No. 9117, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Maryann Moreno, Gubernatorial Appointment No. 9117, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SENATE BILL NO. 6246, by Senators Hill and Hargrove

Making 2016 supplemental operating appropriations.

MOTION

On motion of Senator Hill, Substitute Senate Bill No. 6246 was substituted for Senate Bill No. 6246 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Frockt moved that the following amendment no. 668 by Senators Frockt, Pedersen, Mullet, Rolfes and Liias be adopted:

On page 22, line 30, increase the General Fund- -State FY 2017 appropriation by \$2,000,000 and adjust the total appropriation accordingly.

On page 31, after line 38, insert the following:

"(43) \$2,000,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation and administration of a competitive grant program for stable housing for unaccompanied homeless youth from very low-income households, in consultation with the office of the superintendent of public instruction. The grant program shall link homeless students and their families with housing located in the student's school district to provide educational stability for homeless students by promoting housing stability. A maximum of fifteen grants of up to five hundred thousand dollars to school districts partnered with eligible organizations, such as local government, local housing authority, regional support network established under chapter 71.24 RCW, nonprofit community or neighborhood-based organization, federally recognized Indian tribe in the state of Washington, or regional or statewide nonprofit housing assistance organization, shall be awarded. Applications

for the grant program must include contractual agreements between the housing providers and school districts defining the responsibilities and commitments of each party to identify, house, and support homeless students. Activities eligible for assistance under this grant program include but are not limited to:

(a) Rental assistance, which includes utilities, security and utility deposits, first and last month's rent, rental application fees, moving expenses, and other eligible expenses to be determined by the department;

(b) Transportation assistance, including gasoline assistance for families with vehicles and bus passes;

(c) Emergency shelter; and

(d) Housing stability case management.

On page 166, line 9, increase the General Fund- -State FY 2017 appropriation by \$2,000,000 and adjust the total appropriation accordingly.

On page 180, after line 32, insert the following:

"(47) \$2,000,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the office of the superintendent of public instruction for the following:

(a) Create a competitive grant process to evaluate and award state-funded three-year grants to school districts to increase identification of homeless students and the capacity of the districts to provide support, which may include education liaisons, for homeless students;

(b) Provide grants to school districts based on the demonstrated need of the school district with consideration of the number or overall percentage, or both, of homeless children and youths enrolled in preschool, elementary, and secondary schools in the school district, and the ability of the local school district to meet these needs. Preference must be given to districts that demonstrate a commitment to serving the needs of unaccompanied youth. School districts must certify that grant funds allocated under this section must not supplant existing federal, state, or local resources for homeless student supports, which may include education liaisons; and

(c) Collect and report from the grantees how often each student physically moves during the school year, what services families or unaccompanied youth could access, and whether or not a family or unaccompanied youth received stable housing by the end of the school year. The information collected must be published on the office's website annually."

Senators Frockt, Rolfes, Liias and Chase spoke in favor of adoption of the amendment.

Senator Miloscia spoke against adoption of the amendment.

MOTION

Senator Rolfes demanded a roll call.

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

The President declared the question before the Senate to be the adoption of amendment no. 668 by Senators Frockt, Pedersen, Mullet, Rolfes and Liias on page 22, line 30, to Substitute Senate Bill No. 6246.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 668 and the amendment was not adopted by the following vote: Yeas, 24; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa,

Hobbs, Jayapal, Keiser, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

MOTION

Senator Liias moved that the following amendment no. 670 by Senator Liias be adopted:

On page 52, on line 34, increase the amount by \$841,000 and adjust the totals accordingly.

On page 58, after line 21, insert the following:

"(20) \$841,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for a base rate increase and an increase in tiered reimbursement rates, levels three through five, for licensed family child care providers. This funding is for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 947 of this act."

On page 93, on line 8, increase the amount by \$8,048,000 and adjust the totals accordingly.

On page 93, on line 18, strike "\$163,463,000" insert "\$171,511,000"

On page 95, on line 2, after "education system)," insert the following:

"Of the amounts provided in this subsection (1)(d), \$8,048,000 of the appropriation for fiscal year 2017 is provided solely for a base rate increase. This funding is for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 947 of this act."

On page 241, on line 21, increase the amount by \$3,777,000 and adjust the totals accordingly.

On page 244, on line 18, strike "\$18,841,000" and insert "\$12,828,000"

On page 246, after line 25, insert the following:

"(18) \$3,777,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for the supplemental agreement to the 2015-2017 collective bargaining agreement covering family child care providers as set forth in section 947 of this act. Of the amounts provided in this subsection:

(a) \$638,000 is for a base rate increase;

(b) \$956,000 is for an increase in tiered reimbursement rates for levels three through five;

(c) \$1,315,000 is for an increase in quality improvement awards;

(d) \$478,000 is provided for training and quality improvement support services to family child care providers provided by the 501(c)(3) organization created for this purpose;

(e) \$190,000 is provided for the administration of the family child care training and quality improvement fund and participation in the joint committee on family child care providers training and quality improvement; and

(f) \$200,000 is provided for a slot-based pilot."

On page 325, after line 8, insert the following:

"**NEW SECTION. Sec. 949.** A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows:

SUPPLEMENTAL COLLECTIVE BARGAINING AGREEMENT FOR NONSTATE EMPLOYEES—SEIU LOCAL 925 CHILDCARE WORKERS

(1) An agreement was reached between the governor and the service employees international union local 925 through an interest arbitration decision and under the provisions of chapter

41.56 RCW for the 2015-2017 fiscal biennium. In the 2015 3rd sp.s., the legislature approved the request for funds necessary to implement the compensation and benefit provisions of the agreement. The agreement included two reopener provisions that required the state and union to enter into bargaining to bargain over quality improvement awards and tiered reimbursement subsidy rates for fiscal year 2017 based on the results of the pilot program.

(2) Pursuant to the reopener provisions, a supplemental agreement has been reached for fiscal year 2017 between the governor and the service employees international union local 925 under the provisions of chapter 41.56 RCW. Funding is provided for a variable base rate increase relative to the 2015 market rate survey, an increase to the tiered reimbursement rates at levels three through five, an increase in the quality improvement awards, a new training and quality improvement committee and fund, and a slot based pilot project."

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

Senator Liias spoke in favor of adoption of the amendment.
Senator Braun spoke against adoption of the amendment.

MOTION

Senator Rolfes demanded a roll call.

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

The President declared the question before the Senate to be the adoption of amendment no. 670 by Senator Liias on page 52, line 34, to Substitute Senate Bill No. 6246.

ROLL CALL

The Secretary called the roll on the adoption of amendment no 670 and the amendment, having failed to receive the required two-thirds majority, was not adopted by the following vote: Yeas, 25; Nays, 24; Absent; 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

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

POINT OF ORDER

Senator Rolfes: "That vote had a majority of yes votes for the amendment. We want to clarify the reason that it did not pass?"

RULING BY THE PRESIDENT

President Owen: "You are required to have a 60 percent vote on the budget."

POINT OF INQUIRY

Senator Rolfes: "So the rule that was passed by the majority last year is still working through these amendments that it must require a super majority vote to pass? Just clarifying that for the members."

REPLY BY THE PRESIDENT

President Owen: "That rule is part of the permanent rules until you change it."

MOTION

Senator Darneille moved that the following amendment no. 671 by Senator Darneille be adopted:

On page 64, line 4, increase the General Fund--State FY 2017 appropriation by \$43,611,000

On page 64, line 6, increase the General Fund--Federal appropriation by \$32,168,000 and adjust the total appropriation accordingly.

On page 70, after line 3, strike all of subsection (v), and insert the following:

"(v) By April 1, 2016, the department must establish maximum levels for all reserves allowed under behavioral health organization contracts and must monitor and ensure that behavioral health organization reserves do not exceed maximum levels. The department must monitor behavioral health organization revenue and expenditure reports and must require a behavioral health organization to submit a corrective action plan when its reported reserves exceed maximum levels established under the contract. The department must review and approve such plans and monitor to ensure compliance. If the department determines that a behavioral health organization has failed to provide an adequate excess reserve corrective action plan or is not complying with an approved plan, the department must reduce payments to the behavioral health organization in accordance with remedial actions provisions included in the contract. These reductions in payments must continue until the department determines that the behavioral health organization has come into substantial compliance with an approved excess reserve corrective action plan."

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

Senators Darneille, Cleveland and Liias spoke in favor of adoption of the amendment.

Senator Braun spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 671 by Senator Darneille on page 64, line 4 to Substitute Senate Bill No. 6246.

The motion by Senator Darneille did not carry and amendment no. 671 was not adopted by voice vote.

REMARKS BY THE PRESIDENT

President Owen: "For the members' reference, if you wanted to refer to the rule on the 60 percent, it is Rule 53 in the permanent Senate Rules."

MOTION

Senator Cleveland moved that the following amendment no. 666 by Senator Cleveland be adopted:

On page 83, line 8, increase the General Fund-State FY2017 appropriation by \$910,000 and adjust the total accordingly;

On page 83, line 10, increase the General Fund-Federal Appropriation by \$40,500 and adjust the total accordingly;

On page 92, after line 40, insert the following:

"(19)(a) \$910,000 of the general fund--state appropriation for fiscal year 2017, and 40,500 of the general fund--federal appropriation are provided solely for the department of social and

health services to implement an elder justice demonstration program to include establishing an elder justice center in Spokane county and expanding the elder justice center located in Clark county. The department and the counties shall enter into memoranda of understanding or working agreements necessary to operate senior-focused programs that coordinate a locally tailored, collaborative, multidisciplinary approach to the prevention, investigation, prosecution, and treatment of abandonment, abuse, neglect, and financial exploitation of vulnerable adults. The memoranda and agreements must allow for the pooling of state and local resources, and support the development of local protocols for coordinated access to services including, but not limited to, advocacy and case review by multidisciplinary teams that include, but are not limited to, adult protective services, law enforcement officers, a prosecuting attorney, a victim advocate, representation from a local guardianship program, if available, and a program coordinator.

(b) The department shall submit a report to the governor and the appropriate committees of the legislature by December 1, 2017, discussing the effectiveness of the elder justice center model in increasing community capacity to prevent and respond to abandonment, abuse, neglect, and financial exploitation of vulnerable adults."

Senators Cleveland and Takko spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 666 by Senator Cleveland on page 83, line 8 to Substitute Senate Bill No. 6246.

The motion by Senator Cleveland did not carry and amendment no. 666 was not adopted by voice vote.

MOTION

Senator Darneille moved that the following amendment no. 672 by Senator Darneille be adopted:

On page 93, on line 8, increase the amount by \$15,000,000 and adjust the totals accordingly.

On page 93, on line 18, strike "163,463,000" and insert "178,463,000"

On page 94, on line 3, strike "316,460,000" and insert "331,460,000"

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

Senator Darneille spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 672 by Senator Darneille on page 93, line 8 to Engrossed Substitute Senate Bill No. 6246.

The motion by Senator Darneille did not carry and amendment no. 672 was not adopted by voice vote.

MOTION

Senator Habib moved that the following amendment no. 673 by Senator Habib be adopted:

On page 106, line 38, increase the General Fund--State FY 2017 appropriation by \$1,876,000

On page 107, line 1, increase the General Fund--Federal appropriation by \$8,855,000 and adjust the total appropriation accordingly.

On page 118, after line 27, insert the following:

"(tt) Sufficient amounts are appropriated in this section for the authority to provide an adult vision hardware benefit and an adult hearing hardware benefit."

Senator Habib spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 673 by Senator Habib on page 106, line 38 to Substitute Senate Bill No. 6246.

The motion by Senator Habib did not carry and amendment no. 673 was not adopted by voice vote.

MOTION

Senator Keiser moved that the following amendment no. 674 by Senator Keiser be adopted:

On page 106, line 38, increase the General Fund--State FY 2017 appropriation by \$25,533,000

On page 107, line 1, increase the General Fund--Federal appropriation by \$25,533,000 and adjust the total appropriation accordingly.

On page 108, after line 2, strike subsection (b), and re-letter the subsections accordingly.

Senators Keiser, Liias and Habib spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 674 by Senator Keiser on page 106, line 38 to Engrossed Substitute Senate Bill No. 6246.

The motion by Senator Keiser did not carry and amendment no. 674 was not adopted by voice vote.

MOTION

Senator Carlyle moved that the following amendment no. 662 by Senators Carlyle and Ranker be adopted:

On page 118, after line 27, insert the following:

"(tt) (i) Within amounts appropriated within this section, the authority shall coordinate with the agency medical directors group, which shall consist of the medical directors of state agencies that purchase or reimburse for prescription drugs, to examine prescription drug purchasing methods and develop strategies to:

(A) Promote and improve drug price transparency for taxpayers; and

(B) Implement innovative, value-based drug purchasing approaches for state-purchased health care programs that maximize purchasing power to the extent possible under current federal law, with the goal of reducing the impacts of high prescription drug prices on taxpayers.

(ii) The agency medical directors group shall:

(A) Evaluate state and federal regulations regarding the purchase of prescription drugs and examine the current tools and statutory authority for state agencies to leverage the purchase of drugs;

(B) Conduct an environmental scan of best purchasing strategies in other states and seek evidence-based consultation, as determined necessary;

(C) Identify current limitations on agency programs to manage drug spending and explore strategies to assure quality and to mitigate annual cost increases;

(D) Develop recommendations to improve and expand the current tools and statutory authority which focus on innovative, value-based approaches to the purchase of prescription drugs and improving drug price transparency; and

(E) Communicate with other purchasers, including health insurance carriers, self-insured entities, local governments, and states to share and coordinate prescription drug purchasing strategies, to the extent possible.

(iii) The authority shall, in coordination with the agency medical directors group, develop a work plan to implement this subsection. The authority shall coordinate with joint select committee on health care oversight and shall submit a report to this committee outlining its progress by December 1, 2016."

Senators Carlyle, Conway and Keiser spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

Senator Carlyle demanded a division.

The President declared the question before the Senate to be the adoption of amendment no. 662 by Senators Carlyle and Ranker on page 118, after line 27 to Substitute Senate Bill No. 6246.

The motion by Senator Carlyle did not carry and amendment no. 662 was not adopted by a rising vote.

MOTION

Senator Fraser moved that the following amendment no. 687 by Senators Fraser, Becker, Nelson and King be adopted: On page 119, after line 2, strike all of subsection (b), and re-letter the subsections accordingly.

Senators Fraser and Becker spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 687 by Senators Fraser, Becker, Nelson and King on page 119, after line 2 to Substitute Senate Bill No. 6246.

The motion by Senator Fraser carried and amendment no. 687 was adopted by voice vote.

MOTION

Senator McCoy moved that the following amendment no. 669 by Senator McCoy be adopted:

On page 146, beginning on line 34, strike all material down through and including line 4 on page 147 and renumber the subsections consecutively.

Senators McCoy and Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 669 by Senator McCoy on page 146, line 34 to Substitute Senate Bill No. 6246.

The motion by Senator McCoy carried and amendment no. 669 was adopted by voice vote.

MOTION

Senator McCoy moved that the following amendment no. 676 by Senators McCoy and Hasegawa be adopted:

On page 166, line 9, increase the General Fund- -State FY 2017 appropriation by \$3,099,000 and adjust the total appropriation accordingly.

On page 180, after line 32, insert the following:

"(46) \$3,099,000 of the general fund-state appropriation for fiscal year 2017 is provided solely for the implementation of the recommendations of the education opportunity gap oversight and accountability committee recommendations from its January 2015 report to the legislature which includes: Reduction of the length of time students of color are excluded from school due to suspensions and expulsions and student supports for reengagement plans; enhancement of the cultural competence of current and future educators and classified staff; endorsement requirements for all educators in English language learner and second language acquisition; transitional bilingual instructional program accountability for instructional services provided to English language learner students; deeper disaggregation of student demographic data; and integrated student services and family engagement."

Senators McCoy, Hasegawa, Jayapal and Rolfes spoke in favor of adoption of the amendment.

Senator Dammeier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 676 by Senators McCoy and Hasegawa on page 166, line 9 to Substitute Senate Bill No. 6246.

The motion by Senator McCoy did not carry and amendment no. 676 was not adopted by voice vote.

MOTION

Senator McAuliffe moved that the following amendment no. 677 by Senator McAuliffe be adopted:

On page 181, line 2, increase the General Fund- -State FY 2017 appropriation by \$44,861,000 and adjust the total appropriation accordingly.

On page 193, line 36, increase the General Fund- -State FY 2017 appropriation by \$1,421,000 and adjust the total appropriation accordingly.

On page 197, line 3, increase the General Fund- -State FY 2017 appropriation by \$6,262,000 and adjust the total appropriation accordingly.

On page 216, after line 13, insert the following:

"**NEW SECTION. Sec. 515.** A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows:

The appropriations to the office of superintendent of public instruction in part V of this act shall be expended for the programs and in the amounts specified in this act. However, the office may expend unexpended funds from the grades kindergarten through three class size reduction funds in part V of this act for the purpose of providing one-time beginning teacher salary increases. The resulting compensation shall not exceed a total annual salary of \$40,000 for full-time equivalent certificated instructional staff with zero years of service and a bachelor of arts degree. The surrounding cells of the salary allocation model in LEAP document 1 may be modified so that a reduction in salary does not occur for staff promoting to the next step. The office may modify LEAP document 2 to account for this change only to the

extent that the unexpended funds can support the salary adjustments. Before making modification to the salary allocations, the office will submit a report detailing its proposed adjustments to the appropriate policy and fiscal committees of the legislature and the office of financial management."

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

Senators McAuliffe and Rolfes spoke in favor of adoption of the amendment.

Senator Dammeier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 677 by Senator McAuliffe on page 181, line 2 to Substitute Senate Bill No. 6246.

The motion by Senator McAuliffe did not carry and amendment no. 677 was not adopted by voice vote.

POINT OF INQUIRY

Senator Liias: "Thank you, Mr. President. There have been several floor speeches that have referenced the House budget but have called it the other budget or budgets swirling around the rotunda. Is that permitted under the Senate Rules if we just don't use the word House? Or should we avoid references to the House?"

REPLY BY THE PRESIDENT

President Owen: "A duck by any other name is still the House of Representatives. You can call it whatever you want, it's still the House of Representatives and it's still prohibited. The rule actually references the actions of the other body and how it might influence what you do. That's what's not allowed. You can say the House of Representatives until you turn blue. But when you start referencing the House of Representatives and their actions and how that might influence you, then that is what's prohibited by your rules."

MOTION

Senator Rolfes moved that the following amendment no. 678 by Senator Rolfes be adopted:

On page 181, line 5, increase the Education Legacy Trust Account-State appropriation by \$21,000,000 and adjust the total appropriation accordingly.

On page 187, line 25, after "\$1,294.63)", strike "\$1,286.99", and insert "\$1,523.08".

On page 187, line 28, after "\$1,455.99)", strike "\$1,447.40", and insert "\$1,712.70".

On page 262, after line 10, insert the following:

"**NEW SECTION. Sec. 719.** A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows:

**FOR THE OFFICE OF FINANCIAL MANAGEMENT—
MCCLEARY PENALTY**

General Fund—State Appropriation (FY 2016)
\$21,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for expenditure into the education legacy trust account. This appropriation reflects the \$100,000 per day remedial penalty assessed by the Washington state supreme court in the order issued August 13, 2015, in McCleary, et.al. v. State of Washington."

Senators Rolfes, Liias and Carlyle spoke in favor of adoption of the amendment.

Senators Hill and Dassel spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 678 by Senator Rolfes on page 181, line 5 to Substitute Senate Bill No. 6246.

The motion by Senator Rolfes did not carry and amendment no. 678 was not adopted by voice vote.

MOTION

Senator Rolfes moved that the following amendment no. 679 by Senator Rolfes be adopted:

On page 220, line 5, increase the General Fund--State FY 2016 appropriation by \$6,000,000, on line 7, increase the General Fund--State FY 17 appropriation by \$4,900,000, and adjust the total appropriation accordingly.

On page 223, after line 17, insert the following:

"(14) \$6,000,000 of the general fund--state appropriation for fiscal year 2016 and \$4,900,000 of the general fund--state appropriation for fiscal year 2017 are provided solely for employee compensation and benefits."

Senators Rolfes and Frockt spoke in favor of adoption of the amendment.

Senator Braun spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 679 by Senator Rolfes on page 220, line 5 to Substitute Senate Bill No. 6246.

The motion by Senator Rolfes did not carry and amendment no. 679 was not adopted by voice vote.

MOTION

Senator Carlyle moved that the following amendment no. 680 by Senators Carlyle and Ranker be adopted:

On page 234, line 12, increase the General Fund--State FY 2017 appropriation by \$250,000, and adjust the total appropriation accordingly.

On page 235, after line 17, insert the following:

"(6) \$250,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for the endowment of the Jaffee professorship in Jewish history and holocaust studies."

Senators Carlyle, Ranker, Billig and McCoy spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 680 by Senators Carlyle and Ranker on page 234, line 12 to Substitute Senate Bill No. 6246.

The motion by Senator Carlyle did not carry and amendment no. 680 was not adopted by voice vote.

MOTION

Senator Carlyle moved that the following amendment no. 681 by Senator Carlyle be adopted:

On page 235, line 25, increase the General Fund--State FY 2017 appropriation by \$225,000 and adjust the total appropriation accordingly.

On page 235, line 30, after "limitations:" insert "(1)"

On page 235, after line 33, insert the following:

"(2) \$225,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for the oversight of for-profit postsecondary institutions and private vocational schools. Of the amount provided in this subsection:

(a) \$150,000 is for an ombuds position, to be housed in the student achievement council, to serve students of for-profit degree-granting institutions and private vocational schools; and

(b) \$75,000 is for a study, to be administered by the student achievement council, in partnership with the department of licensing, that objectively analyzes and makes recommendations about systemic overlaps and gaps in jurisdiction regarding for-profit degree-granting institutions and private vocational schools in the state. The council may contract with a neutral third-party research organization to conduct the study. The study must be conducted in two phases, starting with an assessment of perspectives and relevant studies. A second phase, if deemed appropriate by the council, the workforce training and education coordinating board, and other stakeholders, may consist of facilitated discussions among agencies, regulated entities, and stakeholders, to reach agreed-upon recommendations.

(i) The study must include recommendations to improve oversight and accountability of these institutions and schools, and a review of whether, and how, different standards are applied to the institutions and schools by different agencies. Specifically, the study must:

(A) Examine the data collection and reporting practices of for-profit degree-granting institutions and private vocational schools compared to the data collection and reporting of the community and technical colleges. The study must determine if there are inconsistencies and discrepancies in the practices of the for-profit degree-granting institutions and private vocational schools. The study must also make recommendations on the methods of collecting, analyzing, and reporting data, including what measurements to use, to ensure that data from for-profit degree-granting institutions and private vocational schools could be accurately compared to data from the community and technical colleges;

(B) Study the current regulations governing these institutions and schools and recommend necessary changes to achieve consistent regulatory oversight of the entire system;

(C) Recommend ways to implement a cohesive method for guiding and assisting current and prospective students who have questions and concerns; and

(D) Review whether the office of the ombuds serving students of for-profit degree-granting institutions and private vocational schools should remain housed in the council. The study may include recommendations for improving the operation and scope of the office of the ombuds.

(ii) The assessment phase of the study may begin July 1, 2016. The council must issue a final report, including the result of any facilitated agreed-upon recommendations, to the appropriate committees of the legislature by December 1, 2017."

Senators Carlyle, Liias and Frockt spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 681 by Senator Carlyle on page 235, line 25 to Substitute Senate Bill No. 6246.

The motion by Senator Carlyle did not carry and amendment no. 681 was not adopted by voice vote.

MOTION

Senator McAuliffe moved that the following amendment no. 682 by Senator McAuliffe be adopted:

On page 236, line 4, increase the General Fund--State FY 2017 appropriation by \$2,350,000, and adjust the total appropriation accordingly.

On page 240, after line 17, insert the following:

"(13) \$2,350,000 of the general fund—state appropriation for fiscal year 2017 is provided solely for the implementation of Engrossed Second Substitute House Bill No. 2573 (teacher shortage). If the bill is not enacted by June 30, 2016, the amount provided in this subsection shall lapse. Of the amount provided in this subsection:

(a) \$1,071,000 is for the teacher shortage conditional grant program;

(b) \$1,071,000 is for the student teaching residency grant program; and

(c) \$208,000 is for the development and implementation of the teacher shortage conditional grant program and the student teaching residency grant program."

Senator McAuliffe spoke in favor of adoption of the amendment.

Senator Dammeier spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 682 by Senator McAuliffe on page 236, line 4 to Substitute Senate Bill No. 6246.

The motion by Senator McAuliffe did not carry and amendment no. 682 was not adopted by voice vote.

MOTION

Senator Billig moved that the following amendment no. 683 by Senator Billig be adopted:

On page 241, on line 21, increase the amount by \$1,455,000 and adjust the totals accordingly

On page 241, on line 35, strike "\$82,005,000" and insert "\$83,460,000"

On page 242, on line 3, strike "11,691" and insert "((11,691))11,883"

On page 242, on line 6, after "dollars." Insert the following:

"The department must prioritize additional enrollment slots provided for fiscal year 2017 for eligible children who have been homeless."

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

Senators Billig, Takko and Keiser spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 683 by Senator Billig on page 241, line 21 to Engrossed Substitute Senate Bill No. 6246.

The motion by Senator Billig did not carry and amendment no. 683 was not adopted by voice vote.

MOTION

Senator Conway moved that the following amendment no. 684 by Senator Conway be adopted:

On page 261, beginning on line 31, strike all material down through and including line 10 on page 262.

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

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

Senators Conway, Mullet and Roach spoke in favor of adoption of the amendment.

Senator Braun spoke against adoption of the amendment.

MOTION

Senator Liias demanded a roll call vote.

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

The President declared the question before the Senate to be the adoption of the amendment no. 684 by Senator Conway on page 261, line 31, to Substitute Senate Bill No. 6246.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 684 by Senator Conway and the amendment, having failed to receive the required two-thirds majority, was not adopted by the following vote: Yeas, 25; Nays, 22; Absent, 1; Excused, 1.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Pedersen, Ranker, Roach, Rolfes and Takko

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, O'Ban, Padden, Parlette, Pearson, Rivers, Schoesler, Sheldon and Warnick

Absent: Senator Benton

Excused: Senator Habib

MOTION

On motion of Senator Fain, and without objection, Senator Benton was excused.

MOTION

Senator Billig moved that the following amendment no. 685 by Senators Rolfes and Billig be adopted:

On page 262, after line 10, insert the following:

"**NEW SECTION. Sec. 719.** A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT-LOCAL EFFORT ASSISTANCE TRANSITION

General Fund—State Appropriation (FY 2016)
\$90,557,000

The appropriation in this section is subject to the following conditions and limitations:

The appropriation in this section is provided solely for expenditure into the local effort assistance transition account. This appropriation reflects the estimated local effort assistance state costs associated with the extension of the levy lid limitations during the 2017-2019 fiscal biennium as the state transitions to full funding of its statutory program of basic education."

On page 325, after line 8, insert the following:

"**NEW SECTION. Sec. 949.** A new section is added to chapter 43.79 RCW to read as follows:

The local effort assistance transition account is created in the state treasury. Expenditures from the account may be made only for the costs associated with the extension of the levy lid limitations of the local effort assistance program during the 2017-2019 fiscal biennium as the state transitions to full funding of its statutory program of basic education. Moneys in the account maybe spent only pursuant to appropriation."

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

Senators Billig, Rolfes, Ranker, Carlyle, Dansel, Frockt and McAuliffe spoke in favor of adoption of the amendment.

Senators Dammeier and Baumgartner spoke against adoption of the amendment.

MOTION

Senator Liias demanded a roll call vote.

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

The President declared the question before the Senate to be the adoption of the amendment no. 685 by Senators Billig and Rolfes on page 262, line 10, to Substitute Senate Bill No. 6246.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 685 by Senators Rolfes and Billig and the amendment, having failed to receive the required two-thirds majority, was not adopted by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Dansel, Darneille, Fraser, Frockt, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rivers, Rolfes and Takko

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

Excused: Senators Benton and Habib

PERSONAL PRIVILEGE

Senator Billig: "A point of personal privilege."

REMARKS BY THE PRESIDENT

President Owen: "Please state your point of personal privilege."

PERSONAL PRIVILEGE

Senator Billig: "Or maybe a point of order, I'm not sure which."

REMARKS BY THE PRESIDENT

President Owen: "We'll sort it out for you."

PERSONAL PRIVILEGE

Senator Billig: "I'll throw it out there and you can let me know. I wanted to explain for the people watching at home that that amendment to prevent the funding cut was voted by a majority of this body, 25 people voted yes of the 49 senators. So a majority of the senators representing a majority of the people of this state voted yes on that amendment. But, because of a rule put in place by the majority of the Senate, a majority putting in the super majority requirement. I think it's important to know because it could be confusing."

Multiple demands for a point of order were made.

RULING BY THE PRESIDENT

President Owen: "There is nothing to make a point of order on at this point that I can tell, unless you can explain it to me. Right now it's a point of personal privilege."

PERSONAL PRIVILEGE

Senator Billig: "Yes, thank you. I just want to say it's a minority of the Senators representing a minority of the state that blocked that because of the super majority requirement that has been put in place. In actuality, and if we were ruled by a simple majority of this body, the citizens of this state, the majority of the citizens of this state, represented by their Senators, would have prevented this funding cut to our school districts and our kids. Thank you."

REMARKS BY THE PRESIDENT

President Owen: "Let me explain: Unless he is impugning your motives, he is not out of order."

PERSONAL PRIVILEGE

Senator Schoesler: "Before we voted, a member stated that this was a two-thirds vote. It was not a two-thirds vote, it's a sixty percent majority in the Senate rules."

PERSONAL PRIVILEGE

Senator Fain: "I like Senator Billig's tie."

EDITORS'S NOTE: Pursuant to Rule 33, any senator may rise to a question of privilege and explain a personal matter but shall not discuss any pending question in such explanations.

PERSONAL PRIVILEGE

Senator Baumgartner: "Just wanted to remind the viewers at home, the majority of this body also voted for a two-thirds requirement on the threshold to raise taxes and that nearly every district in the state supported that super majority, two-thirds. Unfortunately, we were unable to get that majority requirement to hang as a rule here in the Senate, but I do like the fact that we do have super majorities to do things as a basic rule. It's just important for the people back home to know that."

REMARKS BY THE PRESIDENT

President Owen: "You may have been impugning my motives on that one, I'm not sure. (Laughter) I'll take that under consideration."

PERSONAL PRIVILEGE

Senator Frockt: "I would just like to remind the viewers that that two-thirds rule is what it takes when you have a constitutional amendment was put in 100 years ago by the founders of this state in the constitution. So that two-thirds rule that was just referred to is a constitutional requirement. That is far different than what we have on the floor of the Senate."

MOTION

Senator Chase moved that the following amendment no. 686 by Senator Chase be adopted:

On page 267, on line 40, strike "~~(\$36,500,000)~~ \$46,500,000" and insert "\$36,500,000"

On page 268, starting on line 1, strike "~~(\$73,000,000)~~ \$83,000,000" and insert "\$73,000,000"

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

Senators Chase, Takko, Dinsel, Mullet and Carlyle spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

MOTION

Senator Liias demanded a roll call vote.

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

The President declared the question before the Senate to be the adoption of the amendment no. 686 by Senator Chase on page 267, line 40, to Substitute Senate Bill No. 6246.

ROLL CALL

The Secretary called the roll on the adoption of the amendment no. 686 by Senator Chase and the amendment, having failed to receive the required two-thirds majority, was not adopted by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Dinsel, Darneille, Fraser, Frockt, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, Litzow, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rivers, Rolfes and Takko

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

Excused: Senators Benton and Habib

MOTION

Senator Dinsel moved that the following amendment no. 663 by Senator Dinsel be adopted:

On page 325, after line 8, insert the following:

"**NEW SECTION. Sec. 949.** A new section is added to 2015 3rd sp.s. c 4 (uncodified) to read as follows:

Due to lack of state funding support to local governments, during the 2015-17 fiscal biennium the cities and counties of the state are exempt from compliance with the national pollutant discharge elimination system (NPDES) permit requirements of RCW 77.55.161, the shoreline management act under chapter 90.58 RCW, and the growth management act under chapter 36.70A RCW."

Senators Dinsel, Rolfes and Chase spoke in favor of adoption of the amendment.

Senator Hill spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 663 by Senator Dinsel on page 325, after line 8 to Substitute Senate Bill No. 6246.

The motion by Senator Dinsel did not carry and amendment no. 663 was not adopted by voice vote.

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

MOTION

On motion of Senator Hill, the rules were suspended, Engrossed Substitute Senate Bill No. 6246 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill, Dansel, Schoesler, Angel and Baumgartner spoke in favor of passage of the bill.

Senators Hargrove, Ranker, McAuliffe and Liias spoke against passage of the bill.

The President Pro Tempore, Senator Roach, assumed the chair.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6246.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6246 and the bill passed the Senate by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 2.

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

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

Excused: Senators Benton and Habib

ENGROSSED SUBSTITUTE SENATE BILL NO. 6246, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 26, 2016

SHB 1111 Prime Sponsor, Committee on Judiciary: Concerning court transcripts. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 1130 Prime Sponsor, Committee on Environment: Concerning water power license fees. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Cleveland; Habib and Ranker.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ericksen, Chair and Brown.

Passed to Committee on Rules for second reading.

February 26, 2016

E2SHB 1390 Prime Sponsor, Committee on Appropriations: Concerning legal financial obligations. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

February 25, 2016

EHB 1409 Prime Sponsor, Representative Walkinshaw: Concerning the disclosure of vessel owner information. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

2SHB 1448 Prime Sponsor, Committee on Judiciary: Providing procedures for responding to reports of threatened or attempted suicide. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 26, 2016

3SHB 1499 Prime Sponsor, Committee on Public Safety: Concerning vulnerable adults. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 26, 2016

2ESHB 1553 Prime Sponsor, Committee on Public Safety: Encouraging certificates of restoration of opportunity. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 1560 Prime Sponsor, Representative Hudgins: Recognizing the thirty-first of March as Cesar Chavez Day. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 26, 2016

SHB 1632 Prime Sponsor, Committee on Public Safety: Concerning domestic violence. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 25, 2016

E3SHB 1713 Prime Sponsor, Committee on Appropriations: Integrating the treatment systems for mental health and chemical dependency. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 26, 2016

E2SHB 1763 Prime Sponsor, Committee on General Government & Information Technology: Regulating music licensing agencies. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass as amended. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 1830 Prime Sponsor, Committee on Transportation: Creating Washington state wrestling special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Cleveland; Litzow; Miloscia; Rivers; Sheldon and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Liias, Assistant Ranking Minority Member; Carlyle and Jayapal.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 1875 Prime Sponsor, Committee on Appropriations: Concerning the definition of work activity for the purposes of the WorkFirst program. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 25, 2016

EHB 1918 Prime Sponsor, Representative Shea: Modifying provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Litzow; Miloscia; Rivers; Sheldon and Takko.

MINORITY recommendation: Do not pass. Signed by Senators Liias, Assistant Ranking Minority Member and Jayapal.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle and Cleveland.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 1949 Prime Sponsor, Committee on Higher Education: Regulating the institutions of higher education, including for-profit institutions and private vocational schools, to protect students from unfair business practices. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Ways & Means.

February 25, 2016

SHB 2017 Prime Sponsor, Committee on Transportation: Creating Washington farmers and ranchers special license plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs,

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

may be present at the scene of an emergency. Reported by Committee on Human Services, Mental Health & Housing

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

February 25, 2016

Passed to Committee on Ways & Means.

E2SHB 2061 Prime Sponsor, Committee on Environment: Authorizing county legislative authorities to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards. Reported by Committee on Energy, Environment & Telecommunications

February 25, 2016

SHB 2300 Prime Sponsor, Committee on State Government: Protecting the personal information of a person acting as a guardian ad litem. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Cleveland; Habib and Ranker.

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

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 25, 2016

February 25, 2016

HB 2262 Prime Sponsor, Representative Bergquist: Creating Washington tennis special license plates. Reported by Committee on Transportation

HB 2317 Prime Sponsor, Representative Van De Wege: Expanding the use of neighborhood and medium-speed electric vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 25, 2016

February 25, 2016

ESHB 2274 Prime Sponsor, Committee on Transportation: Concerning the filing of vehicle reports of sale. Reported by Committee on Transportation

HB 2322 Prime Sponsor, Representative Zeiger: Concerning the vehicle license cost recovery fee charged for certain rental car transactions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 26, 2016

February 25, 2016

HB 2280 Prime Sponsor, Representative Klippert: Making felony driving under the influence of intoxicating liquor, marijuana, or any drug a class B felony. Reported by Committee on Law & Justice

HB 2326 Prime Sponsor, Representative Moeller: Transferring regulatory authority over independent review organizations to the insurance commissioner. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Cleveland, Ranking Minority Member; Angel; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dammeier, Vice Chair; Bailey and Brown.

February 25, 2016

SHB 2287 Prime Sponsor, Committee on Judiciary: Providing notice to first responders that a person with a disability

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2332 Prime Sponsor, Representative Kirby: Removing an expiration date concerning the filing and public disclosure of health care provider compensation. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 25, 2016

2SHB 2335 Prime Sponsor, Committee on General Government & Information Technology: Addressing health care provider credentialing. Reported by Committee on Health Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Keiser; Parlette and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway and Frockt.

Passed to Committee on Rules for second reading.

February 25, 2016

2ESHB 2340 Prime Sponsor, Committee on Health Care & Wellness: Addressing the Washington state health insurance pool. Reported by Committee on Health Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 25, 2016

E2SHB 2346 Prime Sponsor, Committee on Appropriations: Promoting a sustainable, local renewable energy industry through modifying renewable energy system tax incentives and providing guidance for renewable energy system component recycling. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass as amended. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown; Honeyford and Ranker.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Cleveland and Habib.

Passed to Committee on Ways & Means.

February 25, 2016

HB 2350 Prime Sponsor, Representative Cody: Defining the administration of medication by medical assistants. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Keiser; Parlette and Rivers.

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

Passed to Committee on Rules for second reading.

February 26, 2016

EHB 2362 Prime Sponsor, Representative Hansen: Concerning video and/or sound recordings made by law enforcement or corrections officers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 26, 2016

HB 2371 Prime Sponsor, Representative Kuderer: Requiring a court that consults the judicial information system in order to render a decision to file a copy of the information used in the court file upon request of a party. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 26, 2016

E2SHB 2375 Prime Sponsor, Committee on General Government & Information Technology: Concerning cybercrime. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 26, 2016

HB 2384 Prime Sponsor, Representative Buys: Clarifying the meaning of mobile telecommunications service provider. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

February 26, 2016

HB 2388 Prime Sponsor, Representative Hudgins: Concerning theatrical wrestling. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass as amended. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2394 Prime Sponsor, Representative Walsh: Creating the parent to parent program for individuals with developmental disabilities. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 26, 2016

HB 2399 Prime Sponsor, Representative Holy: Prohibiting the consideration of the number of citations for traffic infractions issued by a law enforcement officer in the performance review of the officer. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Transportation.

February 25, 2016

HB 2403 Prime Sponsor, Representative Kochmar: Concerning Down syndrome resources. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 26, 2016

SHB 2410 Prime Sponsor, Committee on Judiciary: Requiring information about certain criminal defendants be included in the felony firearm offense conviction database. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2413 Prime Sponsor, Committee on Transportation: Concerning aircraft registration simplification and fairness. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2427 Prime Sponsor, Committee on Local Government: Concerning local government modernization. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass as amended. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2432 Prime Sponsor, Representative Riccelli: Concerning substance abuse monitoring for licensed veterinarians, osteopathic physicians and surgeons, and osteopathic physician assistants. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2435 Prime Sponsor, Committee on General Government & Information Technology: Enhancing election reconciliation reports. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

E2SHB 2439 Prime Sponsor, Committee on Appropriations: Increasing access to adequate and appropriate mental health services for children and youth. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

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

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2440 Prime Sponsor, Committee on Early Learning & Human Services: Concerning host home programs for youth. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2448 Prime Sponsor, Committee on Health Care & Wellness: Concerning the practice of certain East Asian medicine therapies. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 25, 2016

2SHB 2449 Prime Sponsor, Committee on Appropriations: Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2452 Prime Sponsor, Committee on Health Care & Wellness: Creating the interstate medical licensure compact. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Cleveland, Ranking Minority Member; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dammeier, Vice Chair and Angel.

Passed to Committee on Ways & Means.

February 25, 2016

ESHB 2458 Prime Sponsor, Committee on Health Care & Wellness: Concerning participation in the prescription drug donation program. Reported by Committee on Health Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2465 Prime Sponsor, Committee on Health Care & Wellness: Requiring private health insurers and the medicaid program to reimburse for a twelve-month supply of contraceptive drugs. Reported by Committee on Health Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser and Rivers.

Passed to Committee on Rules for second reading.

February 26, 2016

SHB 2496 Prime Sponsor, Committee on Judiciary: Concerning pro bono legal services for military service members, veterans, and their families. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

February 25, 2016

SHB 2498 Prime Sponsor, Committee on Health Care & Wellness: Concerning prior authorization for dental services and supplies in medical assistance programs. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 26, 2016

HB 2507 Prime Sponsor, Representative Klippert: Clarifying reimbursement for employees who are victims of offender assaults. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2512 Prime Sponsor, Representative Clibborn: Concerning the retention and maintenance of auto dealer and repair facility records. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2518 Prime Sponsor, Committee on Early Learning & Human Services: Promoting the reduction of intergenerational poverty. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

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

Passed to Committee on Ways & Means.

February 26, 2016

2SHB 2530 Prime Sponsor, Committee on Appropriations: Protecting victims of sex crimes. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

February 25, 2016

SHB 2541 Prime Sponsor, Committee on Judiciary: Providing for less restrictive involuntary treatment orders. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2545 Prime Sponsor, Committee on Health Care & Wellness: Reducing public health threats that particularly impact highly exposed populations, including children and firefighters, by establishing a process for the department of health to restrict the use of toxic flame retardant chemicals in certain types of consumer products. Reported by Committee on Health Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Becker, Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dammeier, Vice Chair; Baumgartner and Brown.

Passed to Committee on Ways & Means.

February 25, 2016

SHB 2575 Prime Sponsor, Committee on Environment: Continuing state efforts to increase oil transportation safety. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Ways & Means.

February 26, 2016

HB 2578 Prime Sponsor, Representative Jinkins: Addressing job search requirements for unemployment compensation claimants. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass as amended. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Conway and Keiser.

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

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2580 Prime Sponsor, Committee on Health Care & Wellness: Establishing a public registry for the transparency of blood establishments. Reported by Committee on Health Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2591 Prime Sponsor, Committee on Early Learning & Human Services: Notifying foster parents of dependency hearings and their opportunity to be heard in those hearings. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2598 Prime Sponsor, Committee on Transportation: Authorizing the use of certain cargo extensions that connect to a motor home or travel trailer frame. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2599 Prime Sponsor, Representative Orcutt: Authorizing the freight mobility strategic investment board to remove funding allocation for projects after a certain number of years without construction occurring. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2604 Prime Sponsor, Committee on State Government: Concerning disclosure of financial, commercial, and proprietary information of employees of private cloud service providers. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2637 Prime Sponsor, Representative Manweller: Creating the Washington state historic cemetery preservation capital grant program. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Ways & Means.

February 26, 2016

SHB 2644 Prime Sponsor, Committee on Judiciary: Concerning animal forfeiture in animal cruelty cases. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2648 Prime Sponsor, Representative Fey: Providing for an exemption from disclosure of certain financial, commercial, and proprietary information held by a city retirement board on behalf of its employees' retirement system. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2651 Prime Sponsor, Representative Rossetti: Concerning vehicle maximum gross weight values. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2675 Prime Sponsor, Representative Sells: Updating workforce investment act references and making no substantive changes. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 25, 2016

2SHB 2681 Prime Sponsor, Committee on Appropriations: Authorizing pharmacists to prescribe and dispense contraceptives. (REVISED FOR PASSED LEGISLATURE: Concerning contraceptives in pharmacies.) Reported by Committee on Health Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Keiser; Parlette and Rivers.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Frockt and Jayapal.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2694 Prime Sponsor, Representative DeBolt: Concerning background checks in emergency placement situations requested by tribes. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2700 Prime Sponsor, Committee on Public Safety: Concerning impaired driving. Reported by Committee on Transportation

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

MAJORITY recommendation: Do pass as amended. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Lias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2708 Prime Sponsor, Committee on Local Government: Providing for fire protection district formation by the legislative authority of a city or town subject to voter approval. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass as amended. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2711 Prime Sponsor, Committee on Health Care & Wellness: Increasing the availability of sexual assault nurse examiners. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 25, 2016

2SHB 2726 Prime Sponsor, Committee on Appropriations: Concerning the regulation of continuing care retirement communities. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 25, 2016

EHB 2745 Prime Sponsor, Representative Fitzgibbon: Modifying the authority to appoint members to a certain ferry advisory committee. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Lias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2746 Prime Sponsor, Committee on Early Learning & Human Services: Concerning mental health and chemical

dependency treatment for juvenile offenders. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 26, 2016

SHB 2765 Prime Sponsor, Committee on Public Safety: Clarifying the limited authority of park rangers. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2767 Prime Sponsor, Committee on Early Learning & Human Services: Defining and using the term center-based services for individuals with developmental disabilities. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2768 Prime Sponsor, Representative Schmick: Addressing taxes and service charges on certain qualified stand-alone dental plans offered in the individual or small group markets. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Cleveland, Ranking Minority Member; Angel; Bailey; Brown; Conway; Frockt; Jayapal; Keiser; Parlette and Rivers.

Passed to Committee on Ways & Means.

February 25, 2016

HB 2771 Prime Sponsor, Representative Bergquist: Concerning public hospital district contracts for material and work. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Habib and Takko.

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

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2785 Prime Sponsor, Committee on Environment: Ensuring that restrictions on the use of solid fuel burning devices

do not prohibit the installation or replacement of solid fuel burning devices or the use of these devices during temporary outages of other sources of heat. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Brown; Habib; Honeyford and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member and Cleveland.

Passed to Committee on Rules for second reading.

February 25, 2016

2SHB 2791 Prime Sponsor, Committee on Appropriations: Creating the Washington statewide reentry council. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

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

Passed to Committee on Ways & Means.

February 25, 2016

E2SHB 2793 Prime Sponsor, Committee on Finance: Providing for suicide awareness and prevention education for safer homes. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Ways & Means.

February 25, 2016

ESHB 2804 Prime Sponsor, Committee on Higher Education: Including highway workers employed on a transportation project by a contractor in the tuition and fee exemption for children and surviving spouses of highway workers. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Ways & Means.

February 25, 2016

HB 2807 Prime Sponsor, Representative Dye: Concerning heavy haul industrial corridors. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2808 Prime Sponsor, Representative Jinkins: Amending the process for a person's immediate family member, guardian, or conservator to petition the court for the person's initial detention under the involuntary treatment act. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2815 Prime Sponsor, Representative Hayes: Modifying the eligibility requirements for certain counties with ferry terminals to form a regional transportation planning organization. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Carlyle; Cleveland; Litzow; Miloscia; Rivers; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2825 Prime Sponsor, Committee on Higher Education: Concerning student services for students with disabilities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 26, 2016

SHB 2831 Prime Sponsor, Committee on Commerce & Gaming: Assisting small businesses licensed to sell liquor in Washington state. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass as amended. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Keiser; King and Warnick.

Passed to Committee on Rules.

February 25, 2016

ESHB 2834 Prime Sponsor, Committee on Early Learning & Human Services: Concerning implementation of the homeless youth prevention and protection act of 2015. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Darneille, Ranking Minority Member and Hargrove.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Miloscia, Vice Chair and Padden.

FORTY SEVENTH DAY, FEBRUARY 26, 2016

2016 REGULAR SESSION

Passed to Committee on Rules for second reading.

February 26, 2016

HB 2838 Prime Sponsor, Representative Klippert: Clarifying the department of corrections' authority to impose conditions prohibiting contact with other persons, even if the offender is not a sex offender. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 26, 2016

HB 2845 Prime Sponsor, Representative Ormsby: Addressing the time period for workers to recover wages under prevailing wage laws. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2847 Prime Sponsor, Committee on Environment: Creating an exemption to the definition of substantial development in chapter 90.58 RCW relating to the retrofitting of existing structures to accommodate physical access by individuals with disabilities. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass as amended. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member and Cleveland.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Habib and Ranker.

Passed to Committee on Rules for second reading.

February 26, 2016

SHB 2849 Prime Sponsor, Committee on Labor & Workplace Standards: Adding certain commissioned court marshals of city police departments to the definition of uniformed personnel for the purpose of public employees' collective bargaining. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Ways & Means.

February 25, 2016

EHB 2883 Prime Sponsor, Representative Senn: Addressing government efficiency by eliminating or revising the requirements for state agency reports. Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

SHB 2884 Prime Sponsor, Committee on Transportation: Modifying the business and occupation tax and public utility tax credits for alternative fuel commercial vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Lias, Assistant Ranking Minority Member; Carlyle; Cleveland; Jayapal; Litzow; Miloscia; Sheldon and Takko.

Passed to Committee on Rules for second reading.

February 26, 2016

HB 2886 Prime Sponsor, Representative Manweller: Concerning electrical scope of practice. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 26, 2016

SHB 2895 Prime Sponsor, Committee on Public Safety: Enhancing crime victim participation in the criminal justice system process. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Ways & Means.

February 26, 2016

SHB 2900 Prime Sponsor, Committee on Public Safety: Prohibiting marijuana, alcohol, or other intoxicant, or a cell phone while confined or incarcerated in a state, county, or local correctional institution. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 25, 2016

ESHB 2906 Prime Sponsor, Committee on Early Learning & Human Services: Strengthening opportunities for the rehabilitation and reintegration of juvenile offenders. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass as amended. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member and Hargrove.

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

Passed to Committee on Ways & Means.

February 26, 2016

ESHB 2908 Prime Sponsor, Committee on Public Safety: Establishing the joint legislative task force on the use of deadly force in community policing. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

February 25, 2016

HB 2929 Prime Sponsor, Representative Parker: Concerning temporary homeless housing by religious organizations. Reported by Committee on Human Services, Mental Health & Housing

MAJORITY recommendation: Do pass. Signed by Senators O'Ban, Chair; Miloscia, Vice Chair; Darneille, Ranking Minority Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 26, 2016

EHB 2959 Prime Sponsor, Representative Lytton: Concerning local business tax and licensing simplification. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Brown, Chair; Braun, Vice Chair; Angel and Ericksen.

MINORITY recommendation: Do not pass. Signed by Senators Chase, Ranking Minority Member and McCoy.

Passed to Committee on Ways & Means.

February 26, 2016

HB 2970 Prime Sponsor, Representative McCabe: Concerning voyeurism. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass as amended. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pedersen, Ranking Minority Member and Darneille.

Passed to Committee on Rules for second reading.

February 25, 2016

HJM 4010 Prime Sponsor, Representative Dunshee: Requesting that state route number 99 be named the "William P. Stewart Memorial Highway." Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators King, Chair; Fain, Vice Chair, Budget; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Cleveland; Jayapal; Litzow; Miloscia; Rivers; Sheldon and Takko.

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

Passed to Committee on Rules for second reading.

February 25, 2016

HCR 4401 Prime Sponsor, Representative Hunt, S.: Renaming "Office Building 2" as the "Human Services Building." Reported by Committee on Government Operations & Security

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Pearson, Vice Chair; McCoy, Ranking Minority Member; Dansel; Habib and Takko.

Passed to Committee on Rules for second reading.

February 25, 2016

SGA 9131 RUSSELL E OLSEN, appointed on May 1, 2013, for the term ending at the governors pleasure, as Director of the Pollution Liability Insurance Program. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib; Honeyford and Ranker.

Passed to Committee on Rules for second reading.

February 25, 2016

SGA 9248 TIA H BENSON TOLLE, appointed on November 9, 2015, for the term ending September 30, 2020, as Member of the Edmonds Community College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 25, 2016

SGA 9254 JAMES H CURTIS, appointed on April 2, 2015, for the term ending September 30, 2019, as Member of the Tacoma Community College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Member; Becker; Carlyle; Liias and Miloscia.

Passed to Committee on Rules for second reading.

February 25, 2016

SGA 9264 RICHARD G. FUKUTAKI, appointed on August 11, 2015, for the term ending September 30, 2019, as Member of the Bellevue College Board of Trustees. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Baumgartner, Vice Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Lias and Miloscia.

Passed to Committee on Rules for second reading.

February 25, 2016

SGA 9273 VANESSA E. KRITZER, appointed on June 3, 2015, for the term ending June 30, 2016, as Member of the University of Washington Board of Regents. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Bailey, Chair; Frockt, Ranking Minority Member; Becker; Carlyle; Lias and Miloscia.

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Supplemental Standing Committee report were referred to the committees as designated with the exceptions of Substitute House Bill No. 2452 which was referred to the Committee on Rules and Substitute House Bill No. 2831 which was referred to the Committee on Ways & Means.

MOTION

At 4:36 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon, Monday, February 29, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTIETH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, February 29, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 25, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2376,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6670 by Senators Fain, Mullet, Litzow and Hobbs

AN ACT Relating to public schools that are not common schools.

Referred to Committee on Ways & Means.

SB 6671 by Senators Hill, Miloscia, Braun and Roach

AN ACT Relating to the review of state and local homelessness prevention, assistance, and housing efforts; amending RCW 43.185C.030, 43.185C.040, 43.185C.160, 36.22.178, 36.22.179, 36.22.1791, 43.185C.060, and 43.185C.061; adding a new section to chapter 43.185C RCW; creating new sections; repealing RCW 43.185C.215; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6672 by Senators Brown and Braun

AN ACT Relating to eliminating a credit against the state sales tax for the local lodging tax authorized under RCW 67.28.180 with respect to sales of lodging in a residential dwelling or a timeshare unit; amending RCW 67.28.1801, 36.100.040, 67.28.181, and 82.14.410; and providing an effective date.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committee as designated.

MOTION

At 12:01 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 9:38 p.m. by the Secretary of the Senate, Hunter G. Goodman presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the first order of business.

REPORTS OF STANDING COMMITTEES

February 29, 2016

E2SHB 1390 Prime Sponsor, Committee on Appropriations: Concerning legal financial obligations. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Law & Justice. Signed by Senators Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Pedersen and Rolfes.

MINORITY recommendation: Do not pass. Signed by Senators Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Becker and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Bailey; Brown; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 29, 2016

2SHB 1448 Prime Sponsor, Committee on Judiciary: Providing procedures for responding to reports of threatened or attempted suicide. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

EHB 1465 Prime Sponsor, Representative MacEwen: Creating a dedicated account for elevators, lifting devices, moving walks, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, and contractor registration and compliance activities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 29, 2016

4SHB 1541 Prime Sponsor, Committee on Appropriations: Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; O'Ban; Pedersen; Rolfes and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Padden; Parlette and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

3SHB 1682 Prime Sponsor, Committee on Appropriations: Improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 29, 2016

2SHB 1737 Prime Sponsor, Committee on Appropriations: Addressing the availability of retired teachers as substitutes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes and Warnick.

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

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

Passed to Committee on Rules for second reading.

February 29, 2016

ESHB 1875 Prime Sponsor, Committee on Appropriations: Concerning the definition of work activity for the purposes of the WorkFirst program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair and Padden.

Passed to Committee on Rules for second reading.

February 29, 2016

4SHB 1999 Prime Sponsor, Committee on Appropriations: Coordinating services and programs for foster youth in order to improve educational outcomes. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

SHB 2287 Prime Sponsor, Committee on Judiciary: Providing notice to first responders that a person with a disability

may be present at the scene of an emergency. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; Padden; Parlette; Pedersen; Rolfes and Schoesler.

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

Passed to Committee on Rules for second reading.

February 29, 2016

HB 2320 Prime Sponsor, Representative Stokesbary: Providing that the horse racing commission operating account is a nonappropriated account. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 29, 2016

ESHB 2323 Prime Sponsor, Committee on Early Learning & Human Services: Creating the Washington achieving a better life experience program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

SHB 2357 Prime Sponsor, Committee on Environment: Concerning the authority of the pollution liability insurance agency. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

HB 2360 Prime Sponsor, Representative Lytton: Eliminating the quality education council. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

2SHB 2530 Prime Sponsor, Committee on Appropriations: Protecting victims of sex crimes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Law & Justice. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

SHB 2539 Prime Sponsor, Committee on Finance: Concerning the inheritance exemption for the real estate excise tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

ESHB 2540 Prime Sponsor, Committee on Finance: Modifying the penalty for taxpayers that do not submit an annual survey or report. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

ESHB 2545 Prime Sponsor, Committee on Health Care & Wellness: Reducing public health threats that particularly impact highly exposed populations, including children and firefighters, by establishing a process for the department of health to restrict the use of toxic flame retardant chemicals in certain types of consumer products. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Hewitt; O'Ban; Padden; Pedersen; Rolfes and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Brown; Conway; Darneille; Nelson; Parlette and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

HB 2565 Prime Sponsor, Representative Vick: Reducing the frequency of local sales and use tax changes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

E2SHB 2573 Prime Sponsor, Committee on Appropriations: Concerning the shortage of public school teachers and substitute teachers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 29, 2016

HB 2637 Prime Sponsor, Representative Manweller: Creating the Washington state historic cemetery preservation capital grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Hasegawa; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig; Darneille; Nelson; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

February 29, 2016

SHB 2711 Prime Sponsor, Committee on Health Care & Wellness: Increasing the availability of sexual assault nurse examiners. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

2SHB 2726 Prime Sponsor, Committee on Appropriations: Concerning the regulation of continuing care retirement communities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

February 29, 2016

HB 2741 Prime Sponsor, Representative Kuderer: Addressing state and local government fiscal agents. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

ESHB 2746 Prime Sponsor, Committee on Early Learning & Human Services: Concerning mental health and chemical dependency treatment for juvenile offenders. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

HB 2768 Prime Sponsor, Representative Schmick: Addressing taxes and service charges on certain qualified stand-alone dental plans offered in the individual or small group markets. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

ESHB 2783 Prime Sponsor, Committee on Finance: Specifying the documentation that must be provided to determine when sales tax applies to the sale of a motor vehicle to an enrolled tribal member. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

2SHB 2791 Prime Sponsor, Committee on Appropriations: Creating the Washington statewide reentry council. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; Parlette; Pedersen; Rolfes and Schoesler.

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

Passed to Committee on Rules for second reading.

February 29, 2016

E2SHB 2793 Prime Sponsor, Committee on Finance: Providing for suicide awareness and prevention education for safer homes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Vice Chair, Capital Budget Chair; Becker; Hewitt; Parlette; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

SHB 2831 Prime Sponsor, Committee on Commerce & Gaming: Assisting small businesses licensed to sell liquor in Washington state. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Hasegawa; Hewitt; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Darneille and Nelson.

Passed to Committee on Rules for second reading.

February 29, 2016

HB 2842 Prime Sponsor, Representative Schmick: Financing of improvements for state-owned lands to be transferred for private development. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Nelson; O'Ban; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Padden.

Passed to Committee on Rules for second reading.

February 29, 2016

HB 2856 Prime Sponsor, Representative DeBolt: Establishing the office of Chehalis river basin flood risk

FIFTIETH DAY, FEBRUARY 29, 2016

2016 REGULAR SESSION

reduction. (REVISED FOR PASSED LEGISLATURE: Establishing the office of Chehalis basin.) Reported by Committee on Ways & Means

Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes and Schoesler.

February 29, 2016

ESHB 2928 Prime Sponsor, Committee on Agriculture & Natural Resources: Ensuring that restrictions on outdoor burning for air quality reasons do not impede measures necessary to ensure forest resiliency to catastrophic fires. Reported by Committee on Ways & Means

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Keiser, Assistant Ranking Member on the Capital Budget.

MAJORITY recommendation: Do pass as amended by Committee on Natural Resources & Parks. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

February 29, 2016

2SHB 2877 Prime Sponsor, Committee on Appropriations: Expanding distribution dates for supplemental nutrition assistance program benefits. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

February 29, 2016

EHB 2959 Prime Sponsor, Representative Lytton: Concerning local business tax and licensing simplification. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

February 29, 2016

SHB 2895 Prime Sponsor, Committee on Public Safety: Enhancing crime victim participation in the criminal justice system process. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Trade & Economic Development. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Hasegawa; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway; Darneille; Nelson and Pedersen.

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

February 29, 2016

EHB 2971 Prime Sponsor, Representative McBride: Addressing real estate as it concerns the local government authority in the use of real estate excise tax revenues and regulating real estate transactions. Reported by Committee on Ways & Means

Passed to Committee on Rules for second reading.

February 29, 2016

ESHB 2906 Prime Sponsor, Committee on Early Learning & Human Services: Strengthening opportunities for the rehabilitation and reintegration of juvenile offenders. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt;

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committees as designated.

PERSONAL PRIVILEGE

Senator Fain: "You seem taller."

MOTION

At 9:39 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Tuesday, March 1, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, March 1, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Hill.

The Sergeant at Arms Color Guard consisting of Pages Miss Olivia Braun, daughter of Senator Braun, and Miss Grace Miller, presented the Colors.

Page Miss Jessica Morris led the Senate in the Pledge of Allegiance.

The prayer was offered by Ms. Susan Johnson, the Pacific Region and Washington State Coordinator for the National Governor's Prayer Team.

MOTION

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

MOTION

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

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

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

2ESHB 2376 by House Committee on Appropriations (originally sponsored by Representatives Dunshee and Chandler)

AN ACT Relating to fiscal matters; amending RCW 19.02.210, 28B.122.050, 38.52.105, 41.80.010, 43.79.201, 43.79.460, 43.350.070, 43.372.070, 46.08.160, 46.08.170, 69.50.530, and 77.12.201; amending 2015 3rd sp.s. c 4 ss 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 601, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 701, 704, 705, 712, 725, 714, 722, 801, 802, 803, 805, and 938 (uncodified); adding a new section to chapter 43.79 RCW; adding new sections to 2015 3rd sp.s. c 4 (uncodified); creating a new section; repealing 2015 3rd sp.s. c 4 s 715

(uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 2524 by House Committee on Transportation (originally sponsored by Representatives Clibborn, Orcutt, Fey and McBride)

AN ACT Relating to transportation funding and appropriations; amending RCW 46.20.202 and 81.53.281; amending 2015 1st sp.s. c 10 ss 101, 102, 103, 105, 106, 201-211, 213-223, 301-311, 401-407, and 601 (uncodified); amending 2015 3rd sp.s. c 43 ss 502 and 606 (uncodified); amending 2015 3rd sp.s. c 4 ss 728-735 (uncodified); adding new sections to 2015 1st sp.s. c 10 (uncodified); repealing 2015 3rd sp.s. c 43 ss 201-207, 301-309, and 401 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency.

HELD AT DESK.

MOTION

On motion of Senator Fain, the measure listed on the Introduction and First Reading report was referred to the committee as designated and Engrossed Substitute House Bill No. 2524 was held at the desk.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Hewitt moved adoption of the following resolution:

SENATE RESOLUTION
8729

By Senators Hewitt, Conway, Pedersen, Warnick, O'Ban, Brown, Nelson, Schoesler, Rivers, Honeyford, Benton, Becker, Litzow, Mullet, Hasegawa, Padden, Fraser, McAuliffe, Billig, Dammeier, and Ericksen

WHEREAS, Dr. Steven VanAusdle worked for over 31 years as the president of Walla Walla Community College and worked tirelessly for the college for more than 45 years; and

WHEREAS, Since 1984, Dr. VanAusdle provided Walla Walla Community College with innovative education programs, tailored to the needs of students, producing groundbreaking levels of success for thousands of students across the region; and

WHEREAS, Dr. VanAusdle's keen ability to combine equal opportunity, academic achievement, and raw instinct supported job growth for his students and for the surrounding communities; and

WHEREAS, Dr. VanAusdle's utilization of economic modeling and data fostered a prosperous environment to match students to the right career paths, improving both the quantity and the quality of the local, regional, and national workforce; and

WHEREAS, Dr. VanAusdle is a natural leader among community college presidents across the country due to his continuous, innovative work for over three decades—proving that community colleges can be a hub of prosperity of economic growth; and

WHEREAS, In 2011, due to abundant examples of his revolutionary work with the college, Dr. VanAusdle was named Champion of Change by the White House for his invaluable help in creating a stronger community, and in turn, creating a stronger nation; and

WHEREAS, Walla Walla Community College and Dr. VanAusdle were named a cwinner of the Aspen Prize for Community College Excellence in 2013, highlighting Walla Walla Community College in national news as the cream of the crop over the 1,200 other community colleges in the country; and

WHEREAS, Dr. VanAusdle made Walla Walla Community College stand out for education programs in water management, wind technology, enology, and viticulture; and

WHEREAS, Dr. VanAusdle spearheaded the college's enology and viticulture programs, which invigorated the local wine industry into an immense source of economic growth, and subsequently implemented a commercial winery, College Cellars, becoming the first community college to do so; and

WHEREAS, Dr. VanAusdle showcases the innate ability to observe opportunities in the Walla Walla region and then translate growing needs into programs that capitalize on maximizing employment opportunities on behalf of his students;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Dr. Steven VanAusdle for his profound transformation of the lives of students and the worthy communities they serve; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Dr. Steven VanAusdle.

Senators Hewitt, Dinsel, Conway and Chase spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8729.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced Dr. Steven VanAusdale, President of Walla Walla Community College; his wife, Ms. Rozanne VanAusdale; Dr. Elizabeth Chen, member of the State Board for Community and Technical Colleges; Mr. Larry Brown, member of the State Board for Community and Technical Colleges; Mr. Marty Brown, Executive Director of the State Board for Community and Technical Colleges; Mr. Earl Hale, former Executive Director of the State Board for Community and Technical Colleges; Ms. Jan Yoshiwara, Deputy Executive Director of the State Board for Community and Technical Colleges; Dr. Ron Langrell, President of Bates Technical College; and Dr. Timothy Stokes, President of South Puget Sound Community College, who were seated in the gallery.

MOTION

Senator Dammeier moved adoption of the following resolution:

SENATE RESOLUTION 8730

By Senators Dammeier, Becker, O'Ban, Conway, Darneille, Keiser, Fraser, McAuliffe, Angel, and Roach

WHEREAS, The annual Daffodil Festival is a favored tradition for the people of Pierce County and the Northwest; and

WHEREAS, 2016 marks the 83rd anniversary of the Daffodil Festival, and the theme of this year's festival is "Fun in the Sun"; and

WHEREAS, The mission of the Daffodil Festival is to focus national and regional attention on our local area as a great place to live and visit, to give the citizens of Pierce County a civic endeavor and to foster civic pride, to give young people and organizations in the local area an opportunity to display their abilities and talents, and to give voice to the citizens' enthusiasm in parades, pageantry, and events; and

WHEREAS, The Daffodil Festival began in 1926 as a modest garden party in Sumner and grew steadily each year until 1934, when the daffodil flowers, which previously had been largely discarded in favor of daffodil bulbs, were used to decorate cars and bicycles for a short parade through Tacoma; and

WHEREAS, The Daffodil Parade is the highlight of the Festival week—the parade travels through the four cities of Tacoma, Puyallup, Sumner, and Orting and consists of over 150 entries, including floats, bands, marching, and mounted units; floats are decorated with thousands of fresh cut daffodils, and the parade is a bridge that links one generation to another; and

WHEREAS, When the Daffodil Parade is over, the Royalty and their float will travel to over two dozen out-of-town parades to represent and celebrate Pierce County; and

WHEREAS, This year's Daffodil Festival Royalty includes Kimberly Agfalvi, Bethel High School; Tiauna Bill, Chief Leschi High School; Shayla Chandler, Fife High School; Faviola Colmenares, Washington High School; Laura Cronin, Curtis High School; Shannon Dooley, Orting High School; Emmalee Ford, Cascade Christian High School; Jaycee Jenkins, Graham-Kapowsin High School; Melissa Kinney, Lakes High School; Chelsea Lopez, Lincoln High School; Mackenzie Macoy, Franklin Pierce High School; Lindsey McClellan, Mount Tahoma High School; Maddie Meyer, White River High School; Skylar Miller, Sumner High School; Jessica Nguyen, Henry Foss High School; Kaitlin Nguyen, Rogers High School; Emily Oliver, Spanaway Lake High School; Kelty Pierce, Puyallup High School; Tabitha Reynolds, Bonney Lake High School; Sammy Roberts, Eatonville High School; Kallie Sherwood, Emerald Ridge High School; Esther Wamagata, Clover Park High School; and Lillie Williams, Stadium High School;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and honor the many contributions made to our state by the Daffodil Festival and its organizers for the past eighty-three years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the 2016 Daffodil Festival Officers and to the members of the 2016 Daffodil Festival Royalty.

Senators Dammeier, Conway, Pedersen, O'Ban, Becker and Roach spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8730.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced members of the 2016 Daffodil Festival Royalty Court: Miss Kimberly Agfalvi, Bethel

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

High School; Miss Tiauna Bill, Chief Leschi School; Miss Shayla Chandler, Fife High School; Miss Faviola Colmenares; Washington High School; Miss Laura Cronin, Curtis High School; Miss Shannon Dooley, Orting High School; Miss Emmalee Ford, Cascade Christian School; Miss Jaycee Jenkins, Graham Kapowsin High School; Miss Melissa Kinney, Lakes High School; Miss Chelsea Lopez, Lincoln High School; Miss Mackenzie Macoy, Franklin Pierce High School; Miss Lindsey McClellan, Mt. Tahoma High School; and Miss Maddie Meyer, White River High School, who were seated in the gallery.

Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Hill

INTRODUCTION OF GUESTS

The President welcomed and introduced fourth grade students from Heritage Christian School, Tacoma, and their advisor Ms. Nancy Lee, guests of Senator O'Ban, who were seated in the gallery.

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

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

MOTION

At 10:38 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:17 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL
APPOINTMENTS

MOTION

Senator Sheldon moved that Harriette Bryant, Gubernatorial Appointment No. 9252, be confirmed as a member of the Olympic College Board of Trustees.

Senators Sheldon, Rolfes and Angel spoke in favor of passage of the motion.

APPOINTMENT OF HARRIETTE BRYANT

The President Pro Tempore declared the question before the Senate to be the confirmation of Harriette Bryant, Gubernatorial Appointment No. 9252, as a member of the Olympic College Board of Trustees.

The Secretary called the roll on the confirmation of Harriette Bryant, Gubernatorial Appointment No. 9252, as a member of the Olympic College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Harriette Bryant, Gubernatorial Appointment No. 9252, having received the constitutional majority was declared confirmed as a member of the Olympic College Board of Trustees.

MOTION

On motion of Senator Fain, and without objection, Senator Hill was excused.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 1752, by Representatives Hawkins and Takko

Addressing the qualifications for chief examiners.

The measure was read the second time.

MOTION

On motion of Senator Pearson, the rules were suspended, Engrossed House Bill No. 1752 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson, McCoy and Ranker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 1752.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1752 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

ENGROSSED HOUSE BILL NO. 1752, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2478, by Representatives Peterson, Stambaugh, Buys, Dent, Gregerson, Riccelli, Orwall, Stanford, Blake, Sawyer, Tharinger, Fitzgibbon, Walkinshaw, Tarleton, McBride, Moscoso, Bergquist, Pollet, S. Hunt, Goodman and Wilcox

Supporting agricultural production, including that of apiarists, through the preservation of forage for pollinators.

The measure was read the second time.

MOTION

Senator Warnick moved that the following committee striking amendment by the Committee on Agriculture, Water & Rural Economic Development be adopted:

Strike everything after the enacting clause and insert the following:

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

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

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

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

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

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

(4) The state noxious weed control board must issue a report to the legislature, consistent with RCW 43.01.036, that outlines the successes and challenges of the pilot project, including the

development of the tools in this subsection. This report must be presented by October 31, 2020, and include:

(a) A description of the following tools:

(i) A list of suitable pollen-rich forage plant alternatives to noxious weeds, taking into account traits such as nectar and pollen quality, bloom succession, growth requirements, and habitat type;

(ii) A list of seed and plant start suppliers that may be able to provide pollen-rich forage plant alternatives to noxious weeds. The list may only include suppliers who are willing to ensure the identity and purity of seed through appropriate testing performed or approved by the Washington state department of agriculture or by any other agency authorized under the laws of any state, territory, or possession that has standards and procedures approved by the United States secretary of agriculture to ensure the identity and purity of seed; and

(iii) A matrix, based on the pilot project, to provide guidelines to landowners and land managers when replacing noxious weeds or creating new pollen-rich forage patches;

(b) An assessment scale that may be used by landowners, land managers, and the apiary industry to rate the usefulness of the tools described in this subsection; and

(c) Any recommendations for extending the pilot project or using the lessons learned as part of Washington's overall noxious weed control strategy.

(5) This section expires June 30, 2021.

Sec. 2. RCW 17.10.145 and 1997 c 353 s 18 are each amended to read as follows:

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

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

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

NEW SECTION. Sec. 3. A new section is added to chapter 43.220 RCW to read as follows:

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

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

The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture, Water & Rural Economic Development to Engrossed House Bill No. 2478.

The motion by Senator Warnick carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Habib, and without objection, Senator Hargrove was excused.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed House Bill No. 2478, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 2478, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2478, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hargrove and Hill

ENGROSSED HOUSE BILL NO. 2478, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Benton: "Thank you. During the 22 years I've been in the Legislature, there's been tremendous debates on this floor from both sides of the aisle. Excellent points made. What many of us may not realize is that those remarks are not always preserved for posterity. This session, so far, there've been two historical debates on the floor. One occurring on February fifth for Senate Gubernatorial Appointment No. 9137 and another one occurring on February twelfth for Senate Joint Resolution no. 8211. Madame President, I move that for posterity that the remarks on the floor during those debates be spread upon the journal."

MOTION

Hearing no objection, the President Pro Tempore declared the motion by Senator Benton that the remarks made February 5, 2016 regarding Senate Gubernatorial Appointment No. 9137, appointing Ms. Lynn Peterson as Secretary of the Department of Transportation and remarks made February 12, 2016 regarding Senate Joint Resolution No. 8211, relating to amending the constitution to require a two-thirds majority vote of the legislature to raise taxes, be spread upon the journal carried, and the remarks were ordered to be spread upon the journal.

SECOND READING

HOUSE BILL NO. 2457, by Representative Young

Concerning recorded interests in easements by an electric utility.

The measure was read the second time.

MOTION

On motion of Senator Angel, the rules were suspended, House Bill No. 2457 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Angel and McCoy spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 2457.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2457 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

HOUSE BILL NO. 2457, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2398, by Representatives Holy, Riccelli, Appleton, Haler, Stokesbary, Ormsby, Parker, Santos and S. Hunt

Clarifying current requirements for public purchases of goods and services from nonprofit agencies for the blind.

The measure was read the second time.

MOTION

On motion of Senator Pearson, the rules were suspended, House Bill No. 2398 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson and Jayapal spoke in favor of passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senator McCoy was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 2398.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2398 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and McCoy

HOUSE BILL NO. 2398, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President of the Senate, Lt. Governor Owen, assumed the chair.

INTRODUCTION OF GUESTS

The President welcomed and introduced The Honorable Gary Locke, former Governor, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Governor Gary Locke to address the Senate.

REMARKS BY GOVERNOR LOCKE

Governor Locke: "Thank you very much. You know, I don't think I've ever stood before the Senate in the Senate Chamber addressing the Senate. We've always had these joint sessions in the House. I've been many times over here in the Senate, sitting in the back as we tried to negotiate budgets when I was the Chairman of the House Appropriations Committee. It's really great to be back and to see a lot of friends, people that I served with when I was in the House and people I worked with when I was Governor. If I had a chance to be in the 'other' Washington, I always referred to this as the 'better' Washington. I've done that even when I was in China. When people think that Washington State is somehow surrounding or nearby Washington, D.C., I would say, 'No, we're on the Pacific Ocean. Washington, D.C. is on the Atlantic Ocean and we are the better Washington.' Having been in D.C. and having been in China, we just simply cannot appreciate enough the liberties, the freedoms, the way of life, our transparency, the rule of law we have here in the United States. In China, the courts are controlled by the government, and the businesses that have the connections with the local government can have their cases decided their way. Americans can be rounded up on a business dispute, put in jail for a year and a half without any investigation, and then, maybe, released in a year and a half. Then say they want to go back to the United States to visit their family and find out that they cannot leave the country until they have settled with their business adversary. We are just so fortunate to have the freedom of the press, rule of law, laws that are transparent in which the little guy can go up against the big guy. I remember as Governor having some of my friends in the legal profession, sue me. But it's because we wanted to perfect the system and to ensure that laws were being followed. So I never took offense at that. I thought that was actually a matter of pride. That we can still be friends, duke it out in court, and then walk away as friends again. I know these are the last few days of the session and you have a lot of things you're trying to wrap up and conference

committees, wrapping up the supplemental budget and I don't want to take you away from your time. But I do want to say that I very much appreciate what you do day in and day out for the people of the state of Washington, trying to set an example for the rest of America and indeed the world. I have great, fond memories of serving here in the Washington State Legislature. George Will, a noted columnist, has always said that local government officials, and I include that as the state legislatures, are the foot soldiers of democracy. The foot soldiers of democracy. Under our federalist system what happens in the states is really a laboratory of innovation and creativity that might be replicated at the national level. There are a lot of things we've done in Washington State that were actually copied in Washington, D.C. Americorps is actually modeled after a program that we have here in the state of Washington. Many other states have copied our Promise Scholarship program. I know that that's been dramatically changed and almost eliminated, but the Promise Scholarship Program has actually been copied in many other states. They actually use the same name. It's where the top twenty percent of every single high school graduating class gets a two year college scholarship to be used at a two-year or four-year public or private institution. It's for students of not just low-income families, but working middle-class families. And so the grandparents and aunts and uncles would tell their little kids, if you do well in school, there's a scholarship waiting for you. And it's available to students of working, middle-class families so that the American dream of a college education is still bright and true in America. You guys have all done great work. Keep it up. I know there's a lot to be done in the next few days. But know that you're serving the people and keep it up. We're all proud of you. Thank you very much."

SECOND READING

HOUSE BILL NO. 1858, by Representatives Shea, S. Hunt, Taylor, G. Hunt, Reykdal, Condotta, Tharinger and McCaslin

Prohibiting the names of county auditors and the secretary of state from being included on ballot envelopes and in voters' pamphlets when running for reelection.

The measure was read the second time.

MOTION

On motion of Senator Benton, the rules were suspended, House Bill No. 1858 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain, Benton and McCoy spoke in favor of passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senator Jayapal was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 1858.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1858 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

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

Excused: Senators Hill and Jayapal

HOUSE BILL NO. 1858, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1578, by Representatives Kirby and Vick

Authorizing insurers to offer customer satisfaction benefits.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Engrossed House Bill No. 1578 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1578.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1578 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Jayapal

ENGROSSED HOUSE BILL NO. 1578, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2400, by Representatives Fitzgibbon and Tarleton

Clarifying that the provisions of chapter 70.95 RCW do not apply to steel slag that is a product of production in the electric arc steel-making process and is managed as an item of commercial value and placed in commerce.

The measure was read the second time.

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed House Bill No. 2400 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2400.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2400 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Jayapal

ENGROSSED HOUSE BILL NO. 2400, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1022, by Representatives Appleton and Goodman

Prohibiting general power of attorney provisions in bail bond agreements.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 1022 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1022.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1022 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen,

Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Hill and Jayapal

HOUSE BILL NO. 1022, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2023, by Representatives Parker, Lytton, Magendanz, Riccelli, Ormsby, Fagan and Santos

Changing the deadline for notices of nonrenewal of contracts for certificated school employees.

The measure was read the second time.

MOTION

On motion of Senator Hargrove, and without objection, Senator Habib was excused.

MOTION

On motion of Senator Dammeier, the rules were suspended, House Bill No. 2023 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Dammeier spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2023.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2023 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Habib, Hill and Jayapal

HOUSE BILL NO. 2023, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2405, by Representatives Muri, Kilduff and Jinkins

Concerning the role of parties in cases related to certain notices and records.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 2405 was advanced to third reading, the

second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2405.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2405 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Jayapal

HOUSE BILL NO. 2405, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2634, by Representatives Buys, Lytton, Dent, Blake, Stanford and McBride

Modifying the powers and duties of the Washington dairy products commission to include research and education related to the economic uses of nutrients produced by dairy farms.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, House Bill No. 2634 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 2634.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2634 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Jayapal

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

HOUSE BILL NO. 2634, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2800, by Representative Haler

Correcting a double amendment concerning county legislative authorities.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2800 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2800.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2800 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Baumgartner

Excused: Senator Hill

HOUSE BILL NO. 2800, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2859, by Representatives S. Hunt, Hudgins and Santos

Concerning credit report security freezes. Revised for 1st Substitute: Concerning credit report security freezes for minors and incapacitated persons.

The measure was read the second time.

MOTION

On motion of Senator Benton, the rules were suspended, Substitute House Bill No. 2859 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2859.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2859 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

SUBSTITUTE HOUSE BILL NO. 2859, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2875, by Representatives Smith, Morris and Magendanz

Establishing the office of data privacy, protection, and access equity. Revised for 1st Substitute: Establishing the office of privacy and data protection.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Substitute House Bill No. 2875 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2875.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2875 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Sheldon, Takko and Warnick

Voting nay: Senators Angel, Brown, Dansel, Ericksen, Honeyford, Padden, Pearson and Schoesler

Excused: Senator Hill

SUBSTITUTE HOUSE BILL NO. 2875, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Pursuant to Rule 37, Senator Baumgartner, having voted on the prevailing side, gave notice of reconsideration of the vote by which Substitute House Bill No. 2875 passed the Senate.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2925, by Representatives Dent, Blake, McCabe, Schmick, Chandler, Short, Griffey, Johnson, Dye, Haler and Springer

Concerning accessing land during a fire suppression response for the purpose of protecting livestock from a wildland fire.

The measure was read the second time.

MOTION

On motion of Senator Pearson, the rules were suspended, Engrossed Substitute House Bill No. 2925 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson and Jayapal spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2925.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2925 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Ranker

Excused: Senator Hill

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2925, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1345, by Representatives Lytton, Magendanz and Bergquist

Adopting a definition and standards of professional learning.

The measure was read the second time.

MOTION

On motion of Senator Litzow, the rules were suspended, House Bill No. 1345 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1345.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1345 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Ericksen and Honeyford

Excused: Senator Hill

HOUSE BILL NO. 1345, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2443, by Representatives Sells and Kilduff

Concerning the compliance of certain conversion vending units and medical units with certain department of labor and industries requirements.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Substitute House Bill No. 2443 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2443.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2443 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

SUBSTITUTE HOUSE BILL NO. 2443, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

FIFTY FIRST DAY, MARCH 1, 2016
 SECOND READING

2016 REGULAR SESSION

HOUSE BILL NO. 2663, by Representatives Springer and Kilduff

Implementing sunshine committee recommendations to repeal obsolete exemptions to public disclosure provisions.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Bill No. 2663 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2663.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2663 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

HOUSE BILL NO. 2663, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2597, by Representatives Orwall, Magendanz, Reykdal, McBride, Lytton, Caldier, Frame, Rossetti, S. Hunt and Pollet

Requiring school districts to include sexual abuse as a topic in plans addressing students' emotional or behavioral distress.

The measure was read the second time.

MOTION

On motion of Senator Litzow, the rules were suspended, House Bill No. 2597 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2597.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2597 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

HOUSE BILL NO. 2597, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2587, by Representatives Rodne, Goodman and Orwall

Concerning the superior court judges' association.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2587 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2587.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2587 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Chase

Excused: Senator Hill

HOUSE BILL NO. 2587, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2521, by Representatives Wylie and Condotta

Allowing for proper disposal of unsellable marijuana by a licensed marijuana retail outlet.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 2521 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2521.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2521 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Ericksen and Hargrove

Excused: Senator Hill

HOUSE BILL NO. 2521, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2557, by Representatives S. Hunt and Reykdal

Addressing the return of unused shared leave.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2557 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2557.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2557 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

HOUSE BILL NO. 2557, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1213, by House Committee on Community Development, Housing & Tribal Affairs (originally sponsored by Representatives Orwall, Klippert, MacEwen, Moeller, Hayes, Moscoso, Ormsby, Muri, Kilduff and Tarleton)

Concerning the definition of veteran for the purposes of the county veterans assistance fund.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Engrossed Substitute House Bill No. 1213 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1213.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1213 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1213, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2623, by Representatives Van Werven, Bergquist, Holy and Muri

Concerning recounts of statewide advisory measures.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2623 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2623.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2623 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

HOUSE BILL NO. 2623, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2624, by Representatives S. Hunt and Bergquist

Concerning election errors involving measures.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2624 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2624.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2624 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

HOUSE BILL NO. 2624, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2781, by Representatives Harris, Cody, Senn and Moeller

Requiring the Washington state board of massage to adopt rules to allow approved massage programs to establish transfer programs.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2781 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senator Ranker was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 2781.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2781 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Ranker

HOUSE BILL NO. 2781, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2516, by Representatives Kirby, Vick, Griffey and Ormsby

Providing that commercial transportation services providers are not commuter ride-sharing arrangements.

The measure was read the second time.

MOTION

On motion of Senator Benton, the rules were suspended, House Bill No. 2516 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2516.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2516 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Ranker

HOUSE BILL NO. 2516, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2444, by Representatives Manweller, Sells and Kilduff

Eliminating the reference to the standard industrial classification system in the worker and community right to know fund.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 2444 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2444.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2444 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Ranker

HOUSE BILL NO. 2444, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1003, by Representatives Hawkins, Lytton, Magendanz, Bergquist, Hayes, Robinson, Parker, Ortiz-Self, Harris, Reykdal, Johnson, Senn, Muri, Farrell, Klippert, Pollet, Nealey, Manweller, Kretz, Hargrove, Appleton, Gregerson, Condotta, Kilduff and Walkinshaw

Concerning the development of a model policy on natural disaster school infrastructure recovery.

The measure was read the second time.

MOTION

Senator Liias moved that the following amendment no. 690 by Senators Liias and Litzow be adopted:

On page 2, line 6, after "disaster;" strike "and"

On page 2, line 9, after "qualified" insert "; and

(e) Include a model continuity of operations plan for use by school districts"

Senators Liias and Litzow spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 690 by Senators Liias and Litzow on page 2, line 6 to Engrossed House Bill No. 1003.

The motion by Senator Liias carried and amendment no. 690 was adopted by voice vote.

MOTION

On motion of Senator Litzow, the rules were suspended, Engrossed House Bill No. 1003, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1003, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1003, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Hill

ENGROSSED HOUSE BILL NO. 1003, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SUBSTITUTE HOUSE BILL NO. 2425, by House Committee on Health Care & Wellness (originally sponsored by Representatives Kuderer, Schmick, S. Hunt, Chandler, Goodman, Rodne, Kilduff, Manweller and Jinkins)

Concerning massage therapists.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2425 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2425.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2425 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 2; Excused, 1.

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

Absent: Senators Ericksen and Sheldon
Excused: Senator Hill

SUBSTITUTE HOUSE BILL NO. 2425, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2772, by Representatives Johnson and Bergquist

Concerning job order contracts by public hospital districts.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2772 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2772.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2772 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

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

Absent: Senator Rivers
Excused: Senator Hill

HOUSE BILL NO. 2772, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2852, by House Committee on State Government (originally sponsored by Representatives Hudgins, S. Hunt and Stanford)

Establishing standards for election data and reporting.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Engrossed Substitute House Bill No. 2852 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2852.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2852 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Baumgartner
Excused: Senator Hill

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2852, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

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

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

MOTION

At 4:09 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 6:12 p.m. by the President of the Senate, Lt. Governor Owen presiding.

SECOND READING

HOUSE BILL NO. 2807, by Representatives Dye, Moscoso, Schmick, Fey and Tarleton

Concerning heavy haul industrial corridors.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2807 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

MOTION

On motion of Senator Fain, and without objection, Senator Padden was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 2807.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2807 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Hasegawa

Excused: Senators Hill and Padden

HOUSE BILL NO. 2807, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2359, by House Committee on Judiciary (originally sponsored by Representatives Goodman and Jinkins)

Updating obsolete provisions and making technical corrections.

The measure was read the second time.

MOTION

Senator Miloscia moved that the following committee striking amendment by the Committee on Accountability & Reform be adopted: Strike everything after the enacting clause and insert the following:

"PART I CORRECTING FORM YEAR DESIGNATIONS

Sec. 1. RCW 6.21.040 and 1987 c 442 s 604 are each amended to read as follows:

The notice of sale shall be printed or typed and shall be in substantially the following form, except that if the sale is not pursuant to a judgment of foreclosure of a mortgage or a statutory lien, the notice shall also contain a statement that the sheriff has been informed that there is not sufficient personal property to satisfy the judgment and that if the judgment debtor or debtors do have sufficient personal property to satisfy the judgment, the judgment debtor or debtors should contact the sheriff's office immediately:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR COUNTY
Plaintiff, } CAUSE NO.
SHERIFF'S NOTICE TO
JUDGMENT DEBTOR OF
SALE OF REAL PROPERTY
vs.
Defendant.

TO: Judgment Debtor
The Superior Court of County has directed the undersigned Sheriff of County to sell the property described below to satisfy a judgment in the above-entitled action. The property to be sold is described on the reverse side of this notice. If developed, the property address is:
The sale of the above-described property is to take place:

Time:
Date:
Place:

The judgment debtor can avoid the sale by paying the judgment amount of \$, together with interest, costs, and fees, before the sale date. For the exact amount, contact the sheriff at the address stated below:

- This property is subject to: (check one)
[] 1. No redemption rights after sale.
[] 2. A redemption period of eight months which will expire at 4:30 p.m. on the day of, ((19---)) (year)
[] 3. A redemption period of one year which will expire at 4:30 p.m. on the day of, ((19---)) (year)

The judgment debtor or debtors or any of them may redeem the above described property at any time up to the end of the redemption period by paying the amount bid at the sheriff's sale plus additional costs, taxes, assessments, certain other amounts, fees, and interest. If you are interested in redeeming the property contact the undersigned sheriff at the address stated below to determine the exact amount necessary to redeem.

IMPORTANT NOTICE: IF THE JUDGMENT DEBTOR OR DEBTORS DO NOT REDEEM THE PROPERTY BY 4:30 p.m. ON THE DAY OF, ((19---)) (year) , THE END OF THE REDEMPTION PERIOD, THE PURCHASER AT THE SHERIFF'S SALE WILL BECOME THE OWNER AND MAY EVICT THE OCCUPANT

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

FROM THE PROPERTY UNLESS THE OCCUPANT IS A TENANT HOLDING UNDER AN UNEXPIRED LEASE. IF THE PROPERTY

TO BE SOLD IS OCCUPIED AS A PRINCIPAL RESIDENCE BY THE JUDGMENT DEBTOR OR DEBTORS AT THE TIME OF SALE, HE, SHE, THEY, OR ANY OF THEM MAY HAVE THE RIGHT TO RETAIN POSSESSION DURING THE REDEMPTION PERIOD, IF ANY, WITHOUT PAYMENT OF ANY RENT OR OCCUPANCY FEE. THE JUDGMENT DEBTOR MAY ALSO HAVE A RIGHT TO RETAIN POSSESSION DURING ANY REDEMPTION PERIOD IF THE PROPERTY IS USED FOR FARMING OR IF THE PROPERTY IS BEING SOLD UNDER A MORTGAGE THAT SO PROVIDES.

..... SHERIFF-DIRECTOR, COUNTY, WASHINGTON.

By, Deputy
Address
City
Washington 9
Phone (...)

Sec. 2. RCW 6.23.030 and 1987 c 442 s 703 are each amended to read as follows:

(1) If the property is subject to a homestead as provided in chapter 6.13 RCW, the purchaser, or the redemptioner if the property has been redeemed, shall send a notice, in the form prescribed in subsection (3) of this section, at least forty but not more than sixty days before the expiration of the judgment debtor's redemption period both by regular mail and by certified mail, return receipt requested, to the judgment debtor or debtors and to each of them separately, if there is more than one judgment debtor, at their last known address or addresses and to "occupant" at the property address. The party who sends the notice shall file a copy of the notice with an affidavit of mailing with the clerk of the court and deliver or mail a copy to the sheriff.

(2) Failure to comply with this section extends the judgment debtor's redemption period six months. If the redemption period is extended, no further notice need be sent. Time for redemption by redemptioners shall not be extended.

(3) The notice and affidavit of mailing required by subsection (1) of this section shall be in substantially the following form:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR COUNTY

Plaintiff, } CAUSE NO.
SHERIFF'S NOTICE TO
vs. } JUDGMENT DEBTOR OF
SALE OF REAL PROPERTY

Defendant.

TO: Judgment Debtor
THIS IS AN IMPORTANT NOTICE AFFECTING YOUR RIGHT TO RETAIN YOUR PROPERTY.

NOTICE IS HEREBY GIVEN that the period for redemption of the following described real property ("the property") is expiring. The property is situated in the County of, State of Washington, to wit:

..... and commonly known as, which was sold by, County Sheriff, in, County, Washington on the day of, ((19---)) (year), under and by virtue of a writ of execution and order of sale issued by the court in the above-entitled action.

THE REDEMPTION PERIOD FOR THE PROPERTY IS MONTHS. THE REDEMPTION PERIOD COMMENCED ON, ((19---)) (year), AND WILL EXPIRE AT 4:30 p.m. ON, ((19---)) (year)

If you intend to redeem the property described above you must give written notice of your intention to the County Sheriff on or before, ((19---)) (year), Following is an itemized account of the amount required to redeem the property to date:

Table with 2 columns: Item, Amount. Rows include Purchase price paid at sale, Interest from date of sale to date of this notice at ... percent per annum, Real estate taxes plus interest, Assessments plus interest, Liens or other costs paid by purchaser or purchaser's successor during redemption period plus interest, Lien of redemptioner, TOTAL REQUIRED TO REDEEM AS OF THE DATE OF THIS NOTICE.

You may redeem the property by 4:30 p.m. on or before the day of, ((19---)) (year), by paying the amount set forth above and such other amounts as may be required by law. Payment must be in the full amount and in cash, certified check, or cashier's check. Because such other amounts as may be required by law to redeem may include presently unknown expenditures required to operate, preserve, protect, or insure the property, or the amount to comply with state or local laws, or the amounts of prior liens, with interest, held by the purchaser or a redemptioner, it will be necessary for you to contact the County Sheriff at the address stated below prior to the time you tender the redemption amount so that you may be informed exactly how much you will have to pay to redeem the property.

..... SHERIFF-DIRECTOR, COUNTY, WASHINGTON.

By, Deputy
Address
City
Washington 9
Phone (...)

IF YOU FAIL TO REDEEM THE PROPERTY BY 4:30 p.m. ON OR BEFORE THE DAY OF, ((19---)) (year), THE DATE UPON WHICH THE REDEMPTION PERIOD WILL EXPIRE, THE PURCHASER OR THE PURCHASER'S SUCCESSOR WILL BE ENTITLED TO POSSESSION OF THE PROPERTY AND MAY BRING AN ACTION TO EVICT YOU FROM POSSESSION OF THE PROPERTY. DATED THIS DAY OF, ((19---)) (year)

Attorneys for
STATE OF WASHINGTON } ss.
COUNTY OF

The undersigned being first duly sworn on oath states: That on this day affiant deposited in the mails of the United States of America a properly stamped and addressed envelope directed to the judgment debtor at the address stated on the face of this document and to "occupant" at the

property address, both by certified mail, return receipt requested, and by first-class mail, all of the mailings containing a copy of the document to which this affidavit is attached.

SIGNED AND SWORN TO BEFORE ME THIS DAY OF, ((19--)) (year), BY (name of person making statement)

Title
My appointment expires
., ((19--)) (year)

Sec. 3. RCW 9.96.020 and 2012 c 117 s 4 are each amended to read as follows:

Whenever the governor shall determine to restore his or her civil rights to any person convicted of an infamous crime in any superior court of this state, he or she shall execute and file in the office of the secretary of state an instrument in writing in substantially the following form:

"To the People of the State of Washington

Greeting:

I, the undersigned Governor of the State of Washington, by virtue of the power vested in my office by the constitution and laws of the State of Washington, do by these presents restore to his or her civil rights forfeited by him (or her) by reason of his (or her) conviction of the crime of (naming it) in the Superior Court for the County of, on to-wit:

The day of, ((19--)) (year)

Dated the day of, ((19--)) (year)

(Signed)

Governor of Washington."

Sec. 4. RCW 10.14.085 and 1992 c 143 s 12 are each amended to read as follows:

(1) If the respondent was not personally served with the petition, notice of hearing, and ex parte order before the hearing, the court shall reset the hearing for twenty-four days from the date of entry of the order and may order service by publication instead of personal service under the following circumstances:

(a) The sheriff or municipal officer files an affidavit stating that the officer was unable to complete personal service upon the respondent. The affidavit must describe the number and types of attempts the officer made to complete service;

(b) The petitioner files an affidavit stating that the petitioner believes that the respondent is hiding from the server to avoid service. The petitioner's affidavit must state the reasons for the belief that the ((petitioner)) respondent is avoiding service;

(c) The server has deposited a copy of the summons, in substantially the form prescribed in subsection (3) of this section, notice of hearing, and the ex parte order of protection in the post office, directed to the respondent at the respondent's last known address, unless the server states that the server does not know the respondent's address; and

(d) The court finds reasonable grounds exist to believe that the respondent is concealing himself or herself to avoid service, and that further attempts to personally serve the respondent would be futile or unduly burdensome.

(2) The court shall reissue the temporary order of protection not to exceed another twenty-four days from the date of reissuing the ex parte protection order and order to provide service by publication.

(3) The publication shall be made in a newspaper of general circulation in the county where the petition was brought and in the county of the last known address of the respondent once a week for three consecutive weeks. The newspaper selected must be one of the three most widely circulated papers in the county. The publication of summons shall not be made until the court orders service by publication under this section. Service of the summons shall be considered complete when the publication has been made for three consecutive weeks. The summons must be signed by the petitioner. The summons shall contain the date of the first publication, and shall require the respondent upon whom service by publication is desired, to appear and answer the petition on the date set for the hearing. The summons shall also contain a brief statement of the reason for the petition and a summary of the provisions under the ex parte order. The summons shall be essentially in the following form:

In the court of the state of Washington for the county of

., Petitioner

vs.

No.

., Respondent

The state of Washington to (respondent):
You are hereby summoned to appear on the day of, ((19--)) (year), at a.m./p.m., and respond to the petition. If you fail to respond, an order of protection will be issued against you pursuant to the provisions of chapter 10.14 RCW, for a minimum of one year from the date you are required to appear. A temporary order of protection has been issued against you, restraining you from the following: (Insert a brief statement of the provisions of the ex parte order). A copy of the petition, notice of hearing, and ex parte order has been filed with the clerk of this court.

.....

Petitioner

Sec. 5. RCW 10.37.040 and 2010 c 8 s 1036 are each amended to read as follows:

The indictment may be substantially in the following form:

State of Washington
v. } Superior Court of
Washington for the
County of
A. B.

A. B. is accused by the grand jury of the, by this indictment, of the crime of here insert the name of the crime, if it have one, such as treason, murder, arson, manslaughter, or the like; or if it be a crime having no general name, such as libel, assault and battery, and the like, insert a brief description of it as given by law here insert the name of the crime, if it have one, such as treason, murder, arson, manslaughter, or the like; or if it be a crime having no general name, such as libel, assault and battery, and the like, insert a brief description of it as given by law was, committed as follows:

The said A. B. on the day of, ((19--)) (year), in the county of, aforesaid, here set forth the act charged as a crime.

Dated at, in the county aforesaid, the day of, A.D. ((19--)) (year)

(Signed) C. D., Prosecuting Attorney.

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

(Indorsed) A true bill.

(Signed) E. F., Foreperson of the Grand Jury.

Sec. 6. RCW 11.28.090 and 2009 c 549 s 1004 are each amended to read as follows:

Letters testamentary to be issued to executors under the provisions of this chapter shall be signed by the clerk, and issued under the seal of the court, and may be in the following form:

State of Washington, county of

In the superior court of the county of

Whereas, the last will of A B, deceased, was, on the day of A.D.((~~19---~~)) (year) , duly exhibited, proven, and recorded in our said superior court; and whereas, it appears in and by said will that C D is appointed executor thereon, and, whereas, said C D has duly qualified, now, therefore, know all persons by these presents, that we do hereby authorize the said C D to execute said will according to law.

Witness my hand and the seal of said court this day of A.D.((~~19---~~)) (year)

Sec. 7. RCW 11.28.140 and 2009 c 549 s 1005 are each amended to read as follows:

Letters of administration shall be signed by the clerk, and be under the seal of the court, and may be substantially in the following form:

State of Washington, County of

Whereas, A.B., late of on or about the day of A.D.((~~19---~~)) (year) died intestate, leaving at the time of his or her death, property in this state subject to administration: Now, therefore, know all persons by these presents, that we do hereby appoint administrator upon said estate, and whereas said administrator has duly qualified, hereby authorize him or her to administer the same according to law.

Witness my hand and the seal of said court this day of A.D.((~~19---~~)) (year)

Sec. 8. RCW 11.68.110 and 1998 c 292 s 202 are each amended to read as follows:

(1) If a personal representative who has acquired nonintervention powers does not apply to the court for either of the final decrees provided for in RCW 11.68.100 as now or hereafter amended, the personal representative shall, when the administration of the estate has been completed, file a declaration that must state as follows:

(a) The date of the decedent's death and the decedent's residence at the time of death;

(b) Whether or not the decedent died testate or intestate;

(c) If the decedent died testate, the date of the decedent's last will and testament and the date of the order probating the will;

(d) That each creditor's claim which was justly due and properly presented as required by law has been paid or otherwise disposed of by agreement with the creditor, and that the amount of estate taxes due as the result of the decedent's death has been determined, settled, and paid;

(e) That the personal representative has completed the administration of the decedent's estate without court intervention, and the estate is ready to be closed;

(f) If the decedent died intestate, the names, addresses (if known), and relationship of each heir of the decedent, together with the distributive share of each heir; and

(g) The amount of fees paid or to be paid to each of the following: (i) Personal representative or representatives; (ii) lawyer or lawyers; (iii) appraiser or appraisers; and (iv) accountant or accountants; and that the personal representative believes the fees to be reasonable and does not intend to obtain

court approval of the amount of the fees or to submit an estate accounting to the court for approval.

(2) Subject to the requirement of notice as provided in this section, unless an heir, devisee, or legatee of a decedent petitions the court either for an order requiring the personal representative to obtain court approval of the amount of fees paid or to be paid to the personal representative, lawyers, appraisers, or accountants, or for an order requiring an accounting, or both, within thirty days from the date of filing a declaration of completion of probate, the personal representative will be automatically discharged without further order of the court and the representative's powers will cease thirty days after the filing of the declaration of completion of probate, and the declaration of completion of probate shall, at that time, be the equivalent of the entry of a decree of distribution in accordance with chapter 11.76 RCW for all legal intents and purposes.

(3) Within five days of the date of the filing of the declaration of completion, the personal representative or the personal representative's lawyer shall mail a copy of the declaration of completion to each heir, legatee, or devisee of the decedent, who: (a) Has not waived notice of the filing, in writing, filed in the cause; and (b) either has not received the full amount of the distribution to which the heir, legatee, or devisee is entitled or has a property right that might be affected adversely by the discharge of the personal representative under this section, together with a notice which shall be substantially as follows:

CAPTION NOTICE OF FILING OF DECLARATION OF COMPLETION OF PROBATE

NOTICE IS GIVEN that the attached Declaration of Completion of Probate was filed by the undersigned in the above-entitled court on the day of ((~~19---~~)) (year) ; unless you shall file a petition in the above-entitled court requesting the court to approve the reasonableness of the fees, or for an accounting, or both, and serve a copy thereof upon the personal representative or the personal representative's lawyer, within thirty days after the date of the filing, the amount of fees paid or to be paid will be deemed reasonable, the acts of the personal representative will be deemed approved, the personal representative will be automatically discharged without further order of the court, and the Declaration of Completion of Probate will be final and deemed the equivalent of a Decree of Distribution entered under chapter 11.76 RCW.

If you file and serve a petition within the period specified, the undersigned will request the court to fix a time and place for the hearing of your petition, and you will be notified of the time and place thereof, by mail, or personal service, not less than ten days before the hearing on the petition.

Dated this day of ((~~19---~~)) (year)

Personal Representative

(4) If all heirs, devisees, and legatees of the decedent entitled to notice under this section waive, in writing, the notice required by this section, the personal representative will be automatically discharged without further order of the court and the declaration of completion of probate will become effective as a decree of distribution upon the date of filing thereof. In those instances where the personal representative has been required to furnish bond, and a declaration of completion is filed pursuant to this section, any bond furnished by the personal representative shall

be automatically discharged upon the discharge of the personal representative.

Sec. 9. RCW 11.88.140 and 2011 c 329 s 7 are each amended to read as follows:

(1) **TERMINATION WITHOUT COURT ORDER.** A guardianship or limited guardianship is terminated:

(a) Upon the attainment of full and legal age, as defined in RCW 26.28.010 as now or hereafter amended, of any person defined as an incapacitated person pursuant to RCW 11.88.010 as now or hereafter amended solely by reason of youth, RCW 26.28.020 to the contrary notwithstanding, subject to subsection (2) of this section;

(b) By an adjudication of capacity or an adjudication of termination of incapacity;

(c) By the death of the incapacitated person;

(d) By expiration of the term of limited guardianship specified in the order appointing the limited guardian, unless prior to such expiration a petition has been filed and served, as provided in RCW 11.88.040 as now or hereafter amended, seeking an extension of such term.

(2) **TERMINATION OF GUARDIANSHIP FOR A MINOR BY DECLARATION OF COMPLETION.** A guardianship for the benefit of a minor may be terminated upon the minor's attainment of legal age, as defined in RCW 26.28.010 as now or hereafter amended, by the guardian filing a declaration that states:

(a) The date the minor attained legal age;

(b) That the guardian has paid all of the minor's funds in the guardian's possession to the minor, who has signed a receipt for the funds, and that the receipt has been filed with the court;

(c) That the guardian has completed the administration of the minor's estate and the guardianship is ready to be closed; and

(d) The amount of fees paid or to be paid to each of the following: (i) The guardian, (ii) lawyer or lawyers, (iii) accountant or accountants; and that the guardian believes the fees are reasonable and does not intend to obtain court approval of the amount of the fees or to submit a guardianship accounting to the court for approval. Subject to the requirement of notice as provided in this section, unless the minor petitions the court either for an order requiring the guardian to obtain court approval of the amount of fees paid or to be paid to the guardian, lawyers, or accountants, or for an order requiring an accounting, or both, within thirty days from the filing of the declaration of completion of guardianship, the guardian shall be automatically discharged without further order of the court. The guardian's powers will cease thirty days after filing the declaration of completion of guardianship. The declaration of completion of guardianship shall, at the time, be the equivalent of an entry of a decree terminating the guardianship, distributing the assets, and discharging the guardian for all legal intents and purposes.

Within five days of the date of filing the declaration of completion of guardianship, the guardian or the guardian's lawyer shall mail a copy of the declaration of completion to the minor together with a notice that shall be substantially as follows:

CAPTION OF CASE NOTICE OF FILING A DECLARATION OF COMPLETION OF GUARDIANSHIP

NOTICE IS GIVEN that the attached Declaration of Completion of Guardianship was filed by the undersigned in the above-entitled court on the day of, ((19---)) (year); unless you file a petition in the above entitled court requesting the court to review the reasonableness of the fees, or for an accounting, or both, and serve a copy of the petition on the guardian or the guardian's lawyer, within thirty days after the filing date, the amount of fees paid or to be paid will be deemed

reasonable, the acts of the guardian will be deemed approved, the guardian will be automatically discharged without further order of the court and the Declaration of Completion of Guardianship will be final and deemed the equivalent of an order terminating the guardianship, discharging the guardian and decreeing the distribution of the guardianship assets.

If you file and serve a petition within the period specified, the undersigned will request the court to fix a time and place for the hearing of your petition, and you will be notified of the time and place of the hearing, by mail, or by personal service, not less than ten days before the hearing on the petition.

DATED this day of, ((19---)) (year)

Guardian

If the minor, after reaching legal age, waives in writing the notice required by this section, the guardian will be automatically discharged without further order of the court and the declaration of completion of guardianship will be effective as an order terminating the guardianship without an accounting upon filing the declaration. If the guardian has been required to furnish a bond, and a declaration of completion of guardianship is filed according to this section, any bond furnished by the guardian shall be automatically discharged upon the discharge of the guardian.

(3) **TERMINATION ON COURT ORDER.** A guardianship or limited guardianship may be terminated by court order after such notice as the court may require if the guardianship or limited guardianship is no longer necessary.

The guardian or limited guardian shall, within ninety days of the date of termination of the guardianship, unless the court orders a different deadline for good cause, prepare and file with the court a final verified account of administration. The final verified account of administration shall contain the same information as required for (a) an intermediate verified account of administration of the estate under RCW 11.92.040(2) and (b) an intermediate personal care status report under RCW 11.92.043(2).

(4) **EFFECT OF TERMINATION.** When a guardianship or limited guardianship terminates other than by the death of the incapacitated person, the powers of the guardian or limited guardian cease, except that a guardian or limited guardian of the estate may make disbursements for claims that are or may be allowed by the court, for liabilities already properly incurred for the estate or for the incapacitated person, and for expenses of administration. When a guardianship or limited guardianship terminates by death of the incapacitated person, the guardian or limited guardian of the estate may proceed under RCW 11.88.150 as now or hereafter amended, but the rights of all creditors against the incapacitated person's estate shall be determined by the law of decedents' estates.

Sec. 10. RCW 12.04.020 and 2010 c 8 s 3001 are each amended to read as follows:

A party desiring to commence an action before a justice of the peace, for the recovery of a debt by summons, shall file his or her claim with the justice of the peace, verified by his or her own oath, or that of his or her agent or attorney, and thereupon the justice of the peace shall, on payment of his or her fees, if demanded, issue a summons to the opposite party, which summons shall be in the following form, or as nearly as the case will admit, viz:

The State of Washington, } ss.

. County.

To the sheriff or any constable of said county:

In the name of the state of Washington, you are hereby commanded to summon if he or she (or they) be found in your county to be and appear before me at on day of at o'clock p.m. or a.m., to

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

answer the complaint of for a failure to pay him or her a certain demand, amounting to dollars and cents, upon (here state briefly the nature of the claim) and of this writ make due service and return.

Given under my hand this day of ((19--)) (year)

., Justice of the Peace.

And the summons shall specify a certain place, day and hour for the appearance and answer of the defendant, not less than six nor more than twenty days from the date of filing plaintiff's claim with the justice, which summons shall be served at least five days before the time of trial mentioned therein, and shall be served by the officer delivering to the defendant, or leaving at his or her place of abode with some person over twelve years of age, a true copy of such summons, certified by the officer to be such.

Sec. 11. RCW 12.04.030 and 2010 c 8 s 3002 are each amended to read as follows:

Any person desiring to commence an action before a justice of the peace, by the service of a complaint and notice, can do so by filing his or her complaint verified by his or her own oath or that of his or her agent or attorney with the justice, and when such complaint is so filed, upon payment of his or her fees if demanded, the justice shall attach thereto a notice, which shall be substantially as follows:

The State of Washington, } ss.

. County.

To

You are hereby notified to be and appear at my office in on the day of, ((19 . . .)) (year), at the hour of M., to answer to the foregoing complaint or judgment will be taken against you as confessed and the prayer of the plaintiff granted.

Dated, ((19 . . .)) (year)

Sec. 12. RCW 12.04.100 and 1985 c 469 s 6 are each amended to read as follows:

In case personal service cannot be had by reason of the absence of the defendant from the county in which the action is sought to be commenced, it shall be proper to publish the summons or notice with a brief statement of the object and prayer of the claim or complaint, in some newspaper of general circulation in the county wherein the action is commenced, which notice shall be published not less than once a week for three weeks prior to the time fixed for the hearing of the cause, which shall not be less than four weeks from the first publication of the notice.

The notice may be substantially as follows:

The State of Washington, } ss.

County of

In justice's court, justice.

To

You are hereby notified that has filed a complaint (or claim as the case may be) against you in said court which will come on to be heard at my office in, in county, state of Washington, on the day of, A.D. ((19--)) (year), at the hour of o'clockm., and unless you appear and then there answer, the same will be taken as confessed and the demand of the plaintiff granted. The object and demand of said claim (or complaint, as the case may be) is (here insert a brief statement).

Complaint filed, A.D. ((19--)) (year)

Sec. 13. RCW 12.04.201 and 2010 c 8 s 3014 are each amended to read as follows:

FORM OF SUBPOENA

State of Washington, } ss.
County of

To:

In the name of the state of Washington, you are hereby required to appear before the undersigned, one of the justices of the peace in and for said county, on the day of, ((19--)) (year), at o'clock in the noon, at his or her office in, to give evidence in a certain cause, then and there to be tried, between A B, plaintiff, and C D, defendant, on the part of (the plaintiff, or defendant as the case may be).

Given under my hand this day of, ((19--)) (year)

J. P., Justice of the Peace.

Sec. 14. RCW 12.04.203 and 2010 c 8 s 3015 are each amended to read as follows:

FORM OF EXECUTION

State of Washington, } ss.
County of

To the sheriff or any constable of said county:

Whereas, judgment against C D, for the sum of dollars, and dollars cost of suit, was recovered on the day of, ((19--)) (year), before the undersigned, one of the justices of the peace in and for said county, at the suit of A B. These are, therefore, in the name of the state of Washington, to command you to levy on the goods and chattels of the said C D (excepting such as the law exempts), and make sale thereof according to law, to the amount of said sum and costs upon this writ, and the same return to me within thirty days, to be rendered to the said A B, for his or her debt, interests and costs.

Given under my hand this day of, ((19--)) (year)

J. P., Justice of the Peace.

FORM OF EXECUTION AGAINST PRINCIPAL AND SURETY, AFTER EXPIRATION OF STAY OF EXECUTION

State of Washington, } ss.
County of

To the sheriff or any constable of said county:

Whereas, judgment against C D for the sum of dollars, and for dollars, costs of suit, was recovered on the day of, ((19--)) (year), before the undersigned, one of the justices of the peace in and for said county, at the suit of A B; and whereas, on the day of, ((19--)) (year), E F became surety to pay said judgment and costs, in month from the date of the judgment aforesaid, agreeably to law, in the payment of which said C D and E F have failed; these are, therefore, in the name, etc., as in the common form.

Sec. 15. RCW 12.04.204 and 1957 c 89 s 6 are each amended to read as follows:

FORM OF ORDER IN REPLEVIN

State of Washington, }
 } ss.
 County of
 To the sheriff or any constable of said county:
 In the name of the state of Washington, you are hereby
 commanded to take the personal property mentioned and
 described in the within affidavit, and deliver the same to the
 plaintiff, upon receiving a proper undertaking, unless before
 such delivery, the defendant enter into a sufficient
 undertaking for the delivery thereof to the plaintiff, if
 delivery be adjudged.
 Given under my hand this day of,
 ((19--)) (year)....
 J. P., Justice of the Peace.

Sec. 16. RCW 12.04.205 and 1957 c 89 s 7 are each
 amended to read as follows:

FORM OF A WRIT OF ATTACHMENT

State of Washington, }
 } ss.
 County of
 To the sheriff or any constable of said county:
 In the name of the state of Washington, you are commanded
 to attach, and safely keep, the goods and chattels, moneys,
 effects and credits of C D, (excepting such as the law
 exempts), or so much thereof as shall satisfy the sum
 of dollars, with interest and cost
 of suit, in whosoever hands or possession the same may
 be found in your county, and to provide that the goods and
 chattels so attached may be subject to further proceeding
 thereon, as the law requires; and of this writ make legal
 service and due return.
 Given under my hand this day of,
 ((19--)) (year)....
 J. P., Justice of the Peace.

Sec. 17. RCW 12.04.206 and 2010 c 8 s 3016 are each
 amended to read as follows:

FORM OF UNDERTAKING IN REPLEVIN

Whereas, A B, plaintiff, has commenced an action before J P,
 one of the justices of the peace in and for county,
 against C D, defendant, for the recovery of certain personal
 property, mentioned and described in the affidavit of the
 plaintiff, to wit: here set forth the property claimed. Now,
 therefore we, A B, plaintiff, E F and G H, acknowledge
 ourselves bound unto C D in the sum of dollars for the
 prosecution of the action for the return of the property to the
 defendant, if return thereof be adjudged, and for the payment
 to him or her of such sum as may for any cause be recovered
 against the plaintiff.
 Dated the day of, ((19--)) (year).... A B, E F,
 G H.

Sec. 18. RCW 12.04.207 and 2010 c 8 s 3017 are each
 amended to read as follows:

FORM OF UNDERTAKING IN ATTACHMENT

Whereas, an application has been made by A B, plaintiff, to J
 P, one of the justices of the peace in and for county,
 for a writ of attachment against the personal property of C D,
 defendant; Now, therefore, we, A B, plaintiff, and E F,
 acknowledge ourselves bound to C D in the sum of
 dollars, that if the defendant recover judgment in this action,
 the plaintiff will pay all costs that may be awarded to the
 defendant, and all damages which he or she may sustain by

reason of the said attachment and not exceeding the sum of . .
 . . . dollars.
 Dated the day of, ((19--)) (year).... A B, E F.

**FORM OF UNDERTAKING
 TO DISCHARGE ATTACHMENT**

Whereas, a writ of attachment has been issued by J P, one of
 the justices of the peace in and for county, against the
 personal property of C D, defendant, in an action in which A
 B is plaintiff; Now, therefore, we C D, defendant, E F, and G
 H, acknowledge ourselves bound unto J K, constable, in the
 sum of dollars, double the value of the property. was
 here set forth a list of articles attached, or pay the value
 thereof to the sheriff or constable, to whom the execution
 upon a judgment obtained by plaintiff in the aforesaid action
 may be issued.

Dated this day of, ((19--)) (year).... C D, E
 F, G H.

Sec. 19. RCW 12.40.110 and 1998 c 52 s 6 are each
 amended to read as follows:

(1) If the losing party fails to pay the judgment according to
 the terms and conditions thereof within thirty days or is in arrears
 on any payment plan, and the prevailing party so notifies the
 court, the court shall certify the judgment in substantially the
 following form:

Washington.

In the District Court of County.
 Plaintiff,
 vs.
 Defendant.

In the Small Claims Department.

This is to certify that: (1) In a certain action on the day
 of ((19--)) (year)...., wherein was
 plaintiff and defendant, jurisdiction of said
 defendant having been had by personal service (or
 otherwise) as provided by law, judgment was entered
 against in the sum of dollars; (2) the
 judgment has not been paid within ((twenty)) thirty days or
 the period otherwise ordered by the court; and (3) pursuant
 to RCW 12.40.105, the amount of the judgment is hereby
 increased by any costs of certification under this section and
 the amount specified in RCW 36.18.012(2).

Witness my hand this day of, ((19--))
 (year)....

.....
 Clerk of the Small Claims Department.

(2) The clerk shall forthwith enter the judgment transcript on
 the judgment docket of the district court; and thereafter
 garnishment, execution, and other process on execution provided
 by law may issue thereon, as in other judgments of district courts.

(3) Transcripts of such judgments may be filed and entered in
 judgment lien dockets in superior courts with like effect as in
 other cases.

Sec. 20. RCW 17.28.090 and 2011 c 336 s 464 are each
 amended to read as follows:

If, from the testimony given before the county
 commissioners, it appears to that board that the public necessity
 or welfare requires the formation of the district, it shall, by an
 order entered on its minutes, declare that to be its finding, and
 shall further declare and order that the territory within the
 boundaries so fixed and determined be organized as a district,

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

under an appropriate name to be selected by the county commissioners, subject to approval of the voters of the district as hereinafter provided. The name shall contain the words "mosquito control district."

At the time of the declaration establishing and naming the district, the county commissioners shall by resolution call a special election to be held not less than thirty days and not more than sixty days from the date thereof, and shall cause to be published a notice of such election at least once a week for three consecutive weeks in a newspaper of general circulation in the county, setting forth the hours during which the polls will be open, the boundaries of the proposed district as finally adopted, and the object of the election. If any portion of the proposed district lies in another county, a notice of such election shall likewise be published in that county.

The election on the formation of the mosquito control district shall be conducted by the auditor of the county in which the greater area of the proposed district is located in accordance with the general election laws of the state and the results thereof shall be canvassed by that county's canvassing board. For the purpose of conducting an election under this section, the auditor of the county in which the greater area of the proposed district is located may appoint the auditor of any county or the city clerk of any city lying wholly or partially within the proposed district as his or her deputies. No person shall be entitled to vote at such election unless he or she is a qualified voter under the laws of the state in effect at the time of such election and has resided within the mosquito control district for at least thirty days preceding the date of the election. The ballot proposition shall be in substantially the following form:

"Shall a mosquito control district be established for the area described in a resolution of the board of commissioners of county adopted on the day of, (~~19---~~) (year) ...? "

YES.....
NO.....

If a majority of the persons voting on the proposition shall vote in favor thereof, the mosquito control district shall thereupon be established and the county commissioners of the county in which the greater area of the district is situated shall immediately file for record in the office of the county auditor of each county in which any portion of the land embraced in the district is situated, and shall also forward to the county commissioners of each of the other counties, if any, in which any portion of the district is situated, and also shall file with the secretary of state, a certified copy of the order of the county commissioners. From and after the date of the filing of the certified copy with the secretary of state, the district named therein is organized as a district, with all the rights, privileges, and powers set forth in this chapter, or necessarily incident thereto.

If a majority of the persons voting on the proposition shall vote in favor thereof, all expenses of the election shall be paid by the mosquito control district when organized. If the proposition fails to receive a majority of votes in favor, the expenses of the election shall be borne by the respective counties in which the district is located in proportion to the number of votes cast in said counties.

Sec. 21. RCW 18.44.251 and 2011 1st sp.s. c 21 s 47 are each amended to read as follows:

A request for a waiver of the required errors and omissions policy may be accomplished under the statute by submitting to the director an affidavit that substantially addresses the following:

REQUEST FOR WAIVER OF ERRORS AND OMISSIONS POLICY

I,, residing at, City of, County of, State of Washington, declare the following:

- (1) An errors and omissions policy is not reasonably available to a substantial number of licensed escrow officers; and
(2) Purchasing an errors and omissions policy is cost-prohibitive at this time; and
(3) I have not engaged in any conduct that resulted in the termination of my escrow certificate; and
(4) I have not paid, directly or through an errors and omissions policy, claims in excess of ten thousand dollars, exclusive of costs and attorneys' fees, during the calendar year preceding submission of this affidavit; and
(5) I have not paid, directly or through an errors and omissions policy, claims, exclusive of costs and attorneys' fees, totaling in excess of twenty thousand dollars in the three calendar years immediately preceding submission of this affidavit; and
(6) I have not been convicted of a crime involving honesty or moral turpitude during the calendar year preceding submission of this application.

THEREFORE, in consideration of the above, I,, respectfully request that the director of financial institutions grant this request for a waiver of the requirement that I purchase and maintain an errors and omissions policy covering my activities as an escrow agent licensed by the state of Washington for the period from, (~~19---~~) (year), to, (~~19---~~) (year)

Submitted this day of day of, (~~19---~~) (year)

(signature)

State of Washington, }
County of ss.

I certify that I know or have satisfactory evidence that, signed this instrument and acknowledged it to be free and voluntary act for the uses and purposes mentioned in the instrument.

Dated.....

Signature of Notary Public.....

(Seal or stamp) Title.....

My appointment expires.....

Sec. 22. RCW 19.120.040 and 1986 c 320 s 5 are each amended to read as follows:

Notwithstanding the terms of any motor fuel franchise, the interest of a motor fuel retailer under such an agreement shall be considered personal property and shall devolve on the death of the motor fuel retailer to a designated successor in interest of the retailer, limited to the retailer's spouse, adult child, or adult stepchild or, if no successor in interest is designated, to the retailer's spouse, if any. The designation shall be made, witnessed in writing by at least two persons, and delivered to the motor fuel refiner-supplier during the term of the franchise. The designation

may be revised at any time by the motor fuel retailer and shall be substantially in the following form:

"I (motor fuel retailer name) at the service station located at, in the City of, Washington, designate as my successor in interest under RCW 19.120.030 and as my alternate successor if the originally designated successor is unable or unwilling so to act.

I so specify this day of, (~~19---~~) (year)"

The motor fuel refiner-supplier shall assist the designated successor in interest temporarily in the day-to-day operation of the service station to insure continued operation of the service station.

Sec. 23. RCW 26.04.090 and 1967 c 26 s 4 are each amended to read as follows:

A person solemnizing a marriage shall, within thirty days thereafter, make and deliver to the county auditor of the county wherein the license was issued a certificate for the files of the county auditor, and a certificate for the files of the state registrar of vital statistics. The certificate for the files of the county auditor shall be substantially as follows:

STATE OF WASHINGTON)
COUNTY OF.....

This is to certify that the undersigned, a, by authority of a license bearing date the day of A.D.(, 19. . .) (year), and issued by the County auditor of the county of, did, on the day of A.D.(, 19. . .) (year), at in this county and state, join in lawful wedlock A.B. of the county of, state of and C.D. of the county of, state of, with their mutual assent, in the presence of F H and E G, witnesses.

In Testimony Whereof, witness the signatures of the parties to said ceremony, the witnesses and myself, this day of, A.D.(, ~~19---~~) (year)

The certificate for the files of the state registrar of vital statistics shall be in accordance with RCW 70.58.200. The certificate forms for the files of the county auditor and for the files of the state registrar of vital statistics shall be provided by the state registrar of vital statistics.

Sec. 24. RCW 26.18.100 and 2008 c 6 s 1033 are each amended to read as follows:

The wage assignment order shall be substantially in the following form:

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON IN AND FOR THE
COUNTY OF

.....,
Obligee No.
vs.
..... WAGE ASSIGNMENT
Obligor ORDER
.....
Employer

THE STATE OF WASHINGTON TO:.....

Employer

AND TO:.....

The above-named obligee claims that the above-named obligor is subject to a support order requiring immediate income withholding or is more than fifteen days past due in either child

support or maintenance payments, or both, in an amount equal to or greater than the child support or maintenance payable for one month. The amount of the accrued child support or maintenance debt as of this date is dollars, the amount of arrearage payments specified in the support or maintenance order (if applicable) is dollars per, and the amount of the current and continuing support or maintenance obligation under the order is dollars per

You are hereby commanded to answer this order by filling in the attached form according to the instructions, and you must mail or deliver the original of the answer to the court, one copy to the Washington state support registry, one copy to the obligee or obligee's attorney, and one copy to the obligor within twenty days after service of this wage assignment order upon you.

If you possess any earnings or other remuneration for employment due and owing to the obligor, then you shall do as follows:

(1) Withhold from the obligor's earnings or remuneration each month, or from each regular earnings disbursement, the lesser of:

(a) The sum of the accrued support or maintenance debt and the current support or maintenance obligation;

(b) The sum of the specified arrearage payment amount and the current support or maintenance obligation; or

(c) Fifty percent of the disposable earnings or remuneration of the obligor.

(2) The total amount withheld above is subject to the wage assignment order, and all other sums may be disbursed to the obligor.

(3) Upon receipt of this wage assignment order you shall make immediate deductions from the obligor's earnings or remuneration and remit to the Washington state support registry or other address specified below the proper amounts within five working days of each regular pay interval.

You shall continue to withhold the ordered amounts from nonexempt earnings or remuneration of the obligor until notified by:

(a) The court that the wage assignment has been modified or terminated; or

(b) The addressee specified in the wage assignment order under this section that the accrued child support or maintenance debt has been paid.

You shall promptly notify the court and the addressee specified in the wage assignment order under this section if and when the employee is no longer employed by you, or if the obligor no longer receives earnings or remuneration from you. If you no longer employ the employee, the wage assignment order shall remain in effect until you are no longer in possession of any earnings or remuneration owed to the employee.

You shall deliver the withheld earnings or remuneration to the Washington state support registry or other address stated below within five working days of each regular pay interval.

You shall deliver a copy of this order to the obligor as soon as is reasonably possible. This wage assignment order has priority over any other wage assignment or garnishment, except for another wage assignment or garnishment for child support or maintenance, or order to withhold or deliver under chapter 74.20A RCW.

WHETHER OR NOT YOU OWE ANYTHING TO THE OBLIGOR, YOUR FAILURE TO ANSWER AS REQUIRED MAY MAKE YOU LIABLE FOR THE AMOUNT OF SUPPORT MONEYS THAT SHOULD HAVE BEEN WITHHELD FROM THE OBLIGOR'S EARNINGS OR SUBJECT TO CONTEMPT OF COURT.

NOTICE TO OBLIGOR: YOU HAVE A RIGHT TO REQUEST A HEARING IN THE SUPERIOR COURT THAT

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

ISSUED THIS WAGE ASSIGNMENT ORDER, TO REQUEST THAT THE COURT QUASH, MODIFY, OR TERMINATE THE WAGE ASSIGNMENT ORDER. REGARDLESS OF THE FACT THAT YOUR WAGES ARE BEING WITHHELD PURSUANT TO THIS ORDER, YOU MAY HAVE SUSPENDED OR NOT RENEWED A PROFESSIONAL, DRIVER'S, OR OTHER LICENSE IF YOU ACCRUE CHILD SUPPORT ARREARAGES TOTALING MORE THAN SIX MONTHS OF CHILD SUPPORT PAYMENTS OR FAIL TO MAKE PAYMENTS TOWARDS A SUPPORT ARREARAGE IN AN AMOUNT THAT EXCEEDS SIX MONTHS OF PAYMENTS.

DATED THIS day of , ((19--)) (year)

Obligee, or obligee's attorney Send withheld payments to:

Judge/Court Commissioner

Sec. 25. RCW 26.50.085 and 1992 c 143 s 4 are each amended to read as follows:

(1) If the respondent was not personally served with the petition, notice of hearing, and ex parte order before the hearing, the court shall reset the hearing for twenty-four days from the date of entry of the order and may order service by publication instead of personal service under the following circumstances:

(a) The sheriff or municipal officer files an affidavit stating that the officer was unable to complete personal service upon the respondent. The affidavit must describe the number and types of attempts the officer made to complete service;

(b) The petitioner files an affidavit stating that the petitioner believes that the respondent is hiding from the server to avoid service. The petitioner's affidavit must state the reasons for the belief that the ((petitioner)) respondent is avoiding service;

(c) The server has deposited a copy of the summons, in substantially the form prescribed in subsection (3) of this section, notice of hearing, and the ex parte order of protection in the post office, directed to the respondent at the respondent's last known address, unless the server states that the server does not know the respondent's address; and

(d) The court finds reasonable grounds exist to believe that the respondent is concealing himself or herself to avoid service, and that further attempts to personally serve the respondent would be futile or unduly burdensome.

(2) The court shall reissue the temporary order of protection not to exceed another twenty-four days from the date of reissuing the ex parte protection order and order to provide service by publication.

(3) The publication shall be made in a newspaper of general circulation in the county where the petition was brought and in the county of the last known address of the respondent once a week for three consecutive weeks. The newspaper selected must be one of the three most widely circulated papers in the county. The publication of summons shall not be made until the court orders service by publication under this section. Service of the summons shall be considered complete when the publication has been made for three consecutive weeks. The summons must be signed by the petitioner. The summons shall contain the date of the first publication, and shall require the respondent upon whom service by publication is desired, to appear and answer the petition on the date set for the hearing. The summons shall also contain a brief statement of the reason for the petition and a

summary of the provisions under the ex parte order. The summons shall be essentially in the following form:

In the court of the state of Washington for the county of vs. Petitioner No. Respondent

The state of Washington to (respondent):

You are hereby summoned to appear on the day of , ((19--)) (year) , at a.m./p.m., and respond to the petition. If you fail to respond, an order of protection will be issued against you pursuant to the provisions of the domestic violence protection act, chapter 26.50 RCW, for a minimum of one year from the date you are required to appear. A temporary order of protection has been issued against you, restraining you from the following: (Insert a brief statement of the provisions of the ex parte order). A copy of the petition, notice of hearing, and ex parte order has been filed with the clerk of this court.

Petitioner.

Sec. 26. RCW 35.22.110 and 1965 ex.s. c 47 s 10 are each amended to read as follows:

The authentication of the charter shall be by certificate of the mayor in substance as follows:

"I , mayor of the city of do hereby certify that in accordance with the provisions of the Constitution and statutes of the State of Washington, the city of caused fifteen freeholders to be elected on the day of ((19--)) (year) to prepare a charter for the city; that due notice of that election was given in the manner provided by law and that the following persons were declared elected to prepare and propose a charter for the city, to wit:

That thereafter on the day of ((19--)) (year) the board of freeholders returned a proposed charter for the city of signed by the following members thereof:

That thereafter the proposed charter was published in (Indicate name of newspaper in which published) for at least once each week for four weeks next preceding the day of submitting the same to the electors for their approval. (Indicate dates of publication)

That thereafter on the day of ((19--)) (year) at an election duly called and held, the proposed charter was submitted to the qualified electors thereof, and the returns canvassed resulting as follows: For the proposed charter, votes; against the proposed charter, votes; majority for the proposed charter, votes; whereupon the charter was declared adopted by a majority of the qualified electors voting at the election.

I further certify that the foregoing is a full, true and complete copy of the proposed charter so voted upon and adopted as aforesaid.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the corporate seal of said city at my office this day of ((19--)) (year)

Attest:

Mayor of the city of

Clerk of the city of (Corporate Seal)."

Immediately after authentication, the authenticated charter shall be recorded by the city clerk in a book provided for that purpose known as the charter book of the city of and when so recorded shall be attested by the clerk and mayor under the corporate seal of the city. All amendments shall be in like manner recorded and attested.

All courts shall take judicial notice of a charter and all amendments thereto when recorded and attested as required in this section.

Sec. 27. RCW 35.58.090 and 1993 c 240 s 3 are each amended to read as follows:

The election on the formation of the metropolitan municipal corporation shall be conducted by the auditor of the central county in accordance with the general election laws of the state and the results thereof shall be canvassed by the county canvassing board of the central county, which shall certify the result of the election to the county legislative authority of the central county, and shall cause a certified copy of such canvass to be filed in the office of the secretary of state. Notice of the election shall be published in one or more newspapers of general circulation in each component county in the manner provided in the general election laws. No person shall be entitled to vote at such election unless that person is a qualified voter under the laws of the state in effect at the time of such election and has resided within the metropolitan area for at least thirty days preceding the date of the election. The ballot proposition shall be in substantially the following form:

"FORMATION OF METROPOLITAN MUNICIPAL CORPORATION

Shall a metropolitan municipal corporation be established for the area described in a resolution of the county legislative authority of county adopted on the day of, ((19--)) (year), to perform the metropolitan functions of (here insert the title of each of the functions to be authorized as set forth in the petition or initial resolution).

YES
NO "

If a majority of the persons voting on the proposition residing within the central city shall vote in favor thereof and a majority of the persons voting on the proposition residing in the metropolitan area outside of the central city shall vote in favor thereof, the metropolitan municipal corporation shall thereupon be established and the county legislative authority of the central county shall adopt a resolution setting a time and place for the first meeting of the metropolitan council which shall be held not later than sixty days after the date of such election. A copy of such resolution shall be transmitted to the legislative body of each component city and county and of each special district which shall be affected by the particular metropolitan functions authorized.

At the same election there shall be submitted to the voters residing within the metropolitan area, for their approval or rejection, a proposition authorizing the metropolitan municipal corporation, if formed, to levy at the earliest time permitted by law on all taxable property located within the metropolitan municipal corporation a general tax, for one year, of twenty-five cents per thousand dollars of assessed value in excess of any constitutional or statutory limitation for authorized purposes of the metropolitan municipal corporation. The proposition shall be expressed on the ballots in substantially the following form:

"ONE YEAR TWENTY-FIVE CENTS PER THOUSAND DOLLARS OF ASSESSED VALUE LEVY

Shall the metropolitan municipal corporation, if formed, levy a general tax of twenty-five cents per thousand dollars of assessed value for one year upon all the taxable property within said corporation in excess of the constitutional and/or statutory tax limits for authorized purposes of the corporation?

YES
NO "

Such proposition to be effective must be approved by a majority of at least three-fifths of the persons voting on the proposition to levy such tax, with a forty percent validation requirement, in the manner set forth in Article VII, section 2(a) of the Constitution of this state.

Sec. 28. RCW 35A.08.120 and 1967 ex.s. c 119 s 35A.08.120 are each amended to read as follows:

The authentication of the charter shall be by certificate of the mayor in substance as follows:

"I,, mayor of the city of, do hereby certify that in accordance with the provisions of the Constitution and statutes of the state of Washington, the city of caused fifteen freeholders to be elected on the day of, ((19--)) (year) as a charter commission to prepare a charter for the city; that due notice of that election was given in the manner provided by law and that the following persons were declared elected to prepare and propose a charter for the city, to wit:

That thereafter on the day of, ((19--)) (year) the charter commission returned a proposed charter for the city of signed by the following members thereof:

That thereafter the proposed charter was published in (indicate name of newspaper in which published), for at least once each week for four weeks next preceding the day of submitting the same to the electors for their approval.

(Indicate dates of publication.)

That thereafter on the day of, ((19--)) (year), at an election duly called and held, the proposed charter was submitted to the qualified electors thereof, and the returns canvassed resulting as follows: For the proposed charter votes; against the proposed charter, votes; majority for the proposed charter, votes; whereupon the charter was declared adopted by a majority of the qualified electors voting at the election.

I further certify that the foregoing is a full, true and complete copy of the proposed charter so voted upon and adopted as aforesaid.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the corporate seal of the said city at my office this day of, ((19--)) (year)

.....

Mayor of the city of

Attest:

.....
Clerk of the city of (corporate seal)."

Immediately after authentication, the authenticated charter shall be recorded by the city clerk in a book provided for that purpose known as the charter book of the city of and when so recorded shall be attested by the clerk and mayor under the corporate seal of the city. All amendments shall be in like manner recorded and attested.

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

All courts shall take judicial notice of a charter and all amendments thereto when recorded and attested as required in this section.

Sec. 29. RCW 36.24.110 and 2009 c 549 s 4037 are each amended to read as follows:

The coroner's warrant shall be in substantially the following form:

State of Washington, }
County of
To any sheriff or constable of the county.

An inquisition having been this day found by the coroner's jury, before me, stating that A B has come to his or her death by the act of C D, by criminal means (or as the case may be, as found by the inquisition), you are therefore commanded, in the name of the state of Washington, forthwith to arrest the above named C D, and take him or her before the nearest or most accessible magistrate in this county.

Given under my hand this day of, A.D. ((19--)) (year)
E F, coroner of the county of

Sec. 30. RCW 36.60.020 and 1983 c 303 s 9 are each amended to read as follows:

(1) A county legislative authority proposing to establish a county rail district, or to modify the boundaries of an existing county rail district, or to dissolve an existing county rail district, shall conduct a hearing at the time and place specified in a notice published at least once, not less than ten days prior to the hearing, in a newspaper of general circulation within the proposed county rail district. This notice shall be in addition to any other notice required by law to be published. Additional notice of the hearing may be given by mail, posting within the proposed county rail district, or in any manner the county legislative authority deems necessary to notify affected persons. All hearings shall be public and the county legislative authority shall hear objections from any person affected by the formation, modification of the boundaries, or dissolution of the county rail district.

(2) Following the hearing held under subsection (1) of this section, the county legislative authority may adopt a resolution providing for the submission of a proposal to establish a county rail district, modify the boundaries of an existing county rail district, or dissolve an existing county rail district, if the county legislative authority finds the proposal to be in the public interest. The resolution shall contain the boundaries of the district if applicable.

A proposition to create a county rail district, modify the boundaries of an existing county rail district, or dissolve an existing rail district shall be submitted to the affected voters at the next general election held sixty or more days after the adoption of the resolution providing for the submittal by the county legislative authority. The resolution shall establish the boundaries of the district and include a finding that the creation of the district is in the public interest and that the area included within the district can reasonably be expected to benefit from its creation. No portion of a city may be included in such a district unless the entire city is included.

The district shall be created upon approval of the proposition by simple majority vote. The ballot proposition submitted to the voters shall be in substantially the following form:

FORMATION OF COUNTY RAIL DISTRICT

Shall a county rail district be established for the area described in a resolution of the legislative authority of county, adopted on the day of, ((19--)) (year) ?

Yes
No

Sec. 31. RCW 36.68.470 and 1981 c 210 s 6 are each amended to read as follows:

(1) Upon making findings under the provisions of RCW 36.68.460, the county legislative authority shall, by resolution, order an election of the voters of the proposed park and recreation service area to determine if the service area shall be formed. The county legislative authority shall in their resolution direct the county auditor to set the election to be held at the next general election or at a special election held for such purpose; describe the purposes of the proposed service area; set forth the estimated cost of any initial improvements or services to be financed by the service area should it be formed; describe the method of financing the initial improvements or services described in the resolution or petition; and order that notice of election be published in a newspaper of general circulation in the county at least twice prior to the election date.

(2) A proposition to form a park and recreation service area shall be submitted to the voters of the proposed service area. Upon approval by a majority of the voters voting on the proposition, a park and recreation service area shall be established. The proposition submitted to the voters by the county auditor on the ballot shall be in substantially the following form:

FORMATION OF PARK AND RECREATION SERVICE AREA

Shall a park and recreation service area be established for the area described in a resolution of the legislative authority of county, adopted on the day of ((19--)) (year) , to provide financing for neighborhood park facilities, improvements, and services?

Yes No

Sec. 32. RCW 41.50.590 and 1991 c 365 s 8 are each amended to read as follows:

The mandatory benefits assignment order shall be in the following form:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF

....., Oblige vs. No.
MANDATORY BENEFITS ASSIGNMENT ORDER

The Department of Retirement Systems of the State of Washington THE STATE OF WASHINGTON TO: The Department of Retirement Systems AND TO: Obligor

The above-named obligee claims that the above-named obligor is more than fifteen days past due in spousal maintenance payments and that the total amount of such past due payments is equal to or greater than one hundred dollars or that the obligor has requested a withdrawal of accumulated contributions from the

department of retirement systems. The amount of the accrued past due spousal maintenance debt as of this date is dollars. If the obligor is receiving periodic retirement payments from the department, the amount to be withheld from the obligor's benefits to satisfy such accrued spousal maintenance is dollars per month and the amount to be withheld from the obligor's benefits to satisfy current and continuing spousal maintenance is per month. Upon satisfaction of the accrued past due spousal maintenance debt, the department shall withhold only dollars, the amount necessary to satisfy current and continuing spousal maintenance from the obligor's benefits. If the obligor has requested a withdrawal of accumulated contributions from the department, the amount to be withheld from the obligor's benefits to satisfy such accrued spousal maintenance is dollars.

You are hereby commanded to answer this order by filling in the attached form according to the instructions, and you must mail or deliver the original of the answer to the court, one copy to the obligee or obligee's attorney, and one copy to the obligor within twenty days after service of this benefits assignment order upon you.

(1) If you are currently paying periodic retirement payments to the obligor, then you shall do as follows:

(a) Withhold from the obligor's retirement payments each month the lesser of:

- (i) The sum of the specified arrearage payment amount plus the specified current spousal maintenance amount; or
- (ii) Fifty percent of the disposable benefits of the obligor.

(b) The total amount withheld above is subject to the mandatory benefits assignment order, and all other sums may be disbursed to the obligor.

You shall continue to withhold the ordered amounts from nonexempt benefits of the obligor until notified by a court order that the mandatory benefits assignment order has been modified or terminated. You shall promptly notify the court if and when the obligor is no longer receiving periodic retirement payments from the department of retirement systems.

You shall deliver the withheld benefits to the clerk of the court that issued this mandatory benefits assignment order each month, but the first delivery shall occur no sooner than twenty days after your receipt of this mandatory benefits assignment order.

(2) If you are not currently paying periodic retirement payments to the obligor but the obligor has requested a withdrawal of accumulated contributions, then you shall do as follows:

(a) Withhold from the obligor's benefits the sum of the specified arrearage payment amount plus the specified interest amount, up to one hundred percent of the disposable benefits of the obligor.

(b) The total amount withheld above is subject to the mandatory benefits assignment order, and all other sums may be disbursed to the obligor.

You shall mail a copy of this order and a copy of your answer to the obligor at the mailing address in the department's files as soon as is reasonably possible. This mandatory benefits assignment order has priority over any assignment or order of execution, garnishment, attachment, levy, or similar legal process authorized by Washington law, except for a wage assignment order for child support under chapter 26.18 RCW or order to withhold or deliver under chapter 74.20A RCW.

NOTICE TO OBLIGOR: YOU HAVE A RIGHT TO REQUEST A HEARING IN THE SUPERIOR COURT THAT ISSUED THIS MANDATORY BENEFITS ASSIGNMENT ORDER, TO REQUEST THAT THE COURT QUASH,

MODIFY, OR TERMINATE THE MANDATORY BENEFITS ASSIGNMENT ORDER.

DATED THIS day of , (~~19--~~) (year)

Obligee, Judge/Court Commissioner
or obligee's attorney

Sec. 33. RCW 43.20B.040 and 1990 c 100 s 3 are each amended to read as follows:

The form of the lien in RCW 43.20B.060 shall be substantially as follows:

STATEMENT OF LIEN

Notice is hereby given that the State of Washington, Department of Social and Health Services, has rendered assistance or provided residential care to , a person who was injured on or about the day of in the county of state of , and the said department hereby asserts a lien, to the extent provided in RCW 43.20B.060, for the amount of such assistance or residential care, upon any sum due and owing (name of injured person) from , alleged to have caused the injury, and/or his or her insurer and from any other person or insurer liable for the injury or obligated to compensate the injured person on account of such injuries by contract or otherwise.

STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES
By: (Title)

State of Washington, }
County of } ss.

I, , being first duly sworn, on oath state: That I am (title); that I have read the foregoing Statement of Lien, know the contents thereof, and believe the same to be true.

Signed and sworn to or affirmed before me this day of , (~~19--~~) (year)

by
(name of person making statement).

(Seal or stamp)

.....
Notary Public in and for the State of Washington
My appointment expires:

Sec. 34. RCW 58.09.080 and 1973 c 50 s 8 are each amended to read as follows:

Certificates shall appear on the record of survey map as follows:

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of in , (~~19--~~) (year)

Name of Person
(Signed and Sealed)
Certificate No.

AUDITOR'S CERTIFICATE

Filed for record this day of, ((19--)) (year)
atM. in book of at page at the request of . . .
.

(Signed)
County Auditor

Sec. 35. RCW 60.08.020 and 2012 c 117 s 131 are each amended to read as follows:

In order to make such lien effectual, the lien claimant shall, within ninety days from the date of delivery of such chattel to the owner, file in the office of the auditor of the county in which such chattel is kept, a lien notice, which notice shall state the name of the claimant, the name of the owner, a description of the chattel upon which the claimant has performed labor or furnished material, the amount for which a lien is claimed, and the date upon which such expenditure of labor or material was completed, which notice shall be signed by the claimant or someone on his or her behalf, and may be in substantially the following form:

CHATTEL LIEN NOTICE.

..... Claimant,
}
against
..... Owner.

Notice is hereby given that has and claims a lien upon (here insert description of chattel), owned by for the sum of dollars, for and on account of labor, skill and material expended upon said which was completed upon the day of, ((19--)) (year)

.....
Claimant.

Sec. 36. RCW 61.12.020 and 1929 c 33 s 12 are each amended to read as follows:

Mortgages of land may be made in substantially the following form: The mortgagor (here insert name or names) mortgages to (here insert name or names) to secure the payment of (here insert the nature and amount of indebtedness, showing when due, rate of interest, and whether evidenced by note, bond or other instrument or not) the following described real estate (here insert description) situated in the county of, state of Washington.

Dated this day of, ((19--)) (year)

Every such mortgage, when otherwise properly executed, shall be deemed and held a good and sufficient conveyance and mortgage to secure the payment of the money therein specified. The parties may insert in such mortgage any lawful agreement or condition.

Sec. 37. RCW 64.04.030 and 2012 c 117 s 186 are each amended to read as follows:

Warranty deeds for the conveyance of land may be substantially in the following form, without express covenants:

The grantor (here insert the name or names and place or residence) for and in consideration of (here insert consideration) in hand paid, conveys and warrants to (here insert the grantee's name or names) the following described real estate (here insert description), situated in the county of, state of Washington. Dated this day of, ((19--)) (year)

Every deed in substance in the above form, when otherwise duly executed, shall be deemed and held a conveyance in fee simple to the grantee, his or her heirs and assigns, with covenants on the part of the grantor: (1) That at the time of the making and delivery of such deed he or she was lawfully seized of an

indefeasible estate in fee simple, in and to the premises therein described, and had good right and full power to convey the same; (2) that the same were then free from all encumbrances; and (3) that he or she warrants to the grantee, his or her heirs and assigns, the quiet and peaceable possession of such premises, and will defend the title thereto against all persons who may lawfully claim the same, and such covenants shall be obligatory upon any grantor, his or her heirs and personal representatives, as fully and with like effect as if written at full length in such deed.

Sec. 38. RCW 64.04.040 and 2012 c 117 s 187 are each amended to read as follows:

Bargain and sale deeds for the conveyance of land may be substantially in the following form, without express covenants:

The grantor (here insert name or names and place of residence), for and in consideration of (here insert consideration) in hand paid, bargains, sells, and conveys to (here insert the grantee's name or names) the following described real estate (here insert description) situated in the county of, state of Washington. Dated this day of, ((19--)) (year)

Every deed in substance in the above form when otherwise duly executed, shall convey to the grantee, his or her heirs or assigns an estate of inheritance in fee simple, and shall be adjudged an express covenant to the grantee, his or her heirs or assigns, to wit: That the grantor was seized of an indefeasible estate in fee simple, free from encumbrances, done or suffered from the grantor, except the rents and services that may be reserved, and also for quiet enjoyment against the grantor, his or her heirs and assigns, unless limited by express words contained in such deed; and the grantee, his or her heirs, executors, administrators, and assigns may recover in any action for breaches as if such covenants were expressly inserted.

Sec. 39. RCW 64.04.050 and 2012 c 117 s 188 are each amended to read as follows:

Quitclaim deeds may be in substance in the following form:

The grantor (here insert the name or names and place of residence), for and in consideration of (here insert consideration) conveys and quitclaims to (here insert grantee's name or names) all interest in the following described real estate (here insert description), situated in the county of, state of Washington. Dated this day of, ((19--)) (year)

Every deed in substance in the above form, when otherwise duly executed, shall be deemed and held a good and sufficient conveyance, release and quitclaim to the grantee, his or her heirs and assigns in fee of all the then existing legal and equitable rights of the grantor in the premises therein described, but shall not extend to the after acquired title unless words are added expressing such intention.

Sec. 40. RCW 64.08.060 and 1988 c 69 s 2 are each amended to read as follows:

A certificate of acknowledgment for an individual, substantially in the following form or, after December 31, 1985, substantially in the form set forth in RCW 42.44.100(1), shall be sufficient for the purposes of this chapter and for any acknowledgment required to be taken in accordance with this chapter:

State of }
County of } ss.

On this day personally appeared before me (here insert the name of grantor or grantors) to me known to be the individual, or individuals described in and who executed the within and foregoing instrument, and acknowledged that he (she or they) signed the same as his (her or their) free and voluntary act and

deed, for the uses and purposes therein mentioned. Given under my hand and official seal this day of, (~~(19--)~~) (year) (Signature of officer and official seal)

If acknowledgment is taken before a notary public of this state the signature shall be followed by substantially the following: Notary Public in and for the state of Washington, residing at, (giving place of residence).

Sec. 41. RCW 64.08.070 and 2012 c 117 s 191 are each amended to read as follows:

A certificate of acknowledgment for a corporation, substantially in the following form or, after December 31, 1985, substantially in the form set forth in RCW 42.44.100(2), shall be sufficient for the purposes of this chapter and for any acknowledgment required to be taken in accordance with this chapter:

State of }
County of } ss.

On this day of, (~~(19--)~~) (year) , before me personally appeared, to me known to be the (president, vice president, secretary, treasurer, or other authorized officer or agent, as the case may be) of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he or she was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written. (Signature and title of officer with place of residence of notary public.)

Sec. 42. RCW 65.12.035 and 2009 c 521 s 145 are each amended to read as follows:

The form of application may, with appropriate changes, be substantially as follows:

FORM OF APPLICATION FOR INITIAL REGISTRATION OF TITLE TO LAND
State of Washington } ss.

County of,
In the superior court of the state of Washington in and for county.

In the matter of the application of to register the title to the land hereinafter described PETITION

To the Honorable, judge of said court: I hereby make application to have registered the title to the land hereinafter described, and do solemnly swear that the answers to the questions herewith, and the statements herein contained, are true to the best of my knowledge, information and belief.

First. Name of applicant,, age, years.
Residence, (number and street, if any).
Married to or in a state registered domestic partnership with (name of husband, wife, or state registered domestic partner).

Second. Applications made by, acting as (owner, agent or attorney). Residence, (number, street).

Third. Description of real estate is as follows:
.

estate or interest therein is and subject to homestead.

Fourth. The land is occupied by (names of occupants), whose address is (number street and town or city). The estate, interest or claim of occupant is

Fifth. Liens and incumbrances on the land Name of holder or owner thereof is Whose post office address is Amount of claim, \$. . . . Recorded, Book , page , of the records of said county.

Sixth. Other persons, firm or corporation having or claiming any estate, interest or claim in law or equity, in possession, remainder, reversion or expectancy in said land are whose addresses are respectively. Character of estate, interest or claim is

Seventh. Other facts connected with said land and appropriate to be considered in this registration proceeding are

Eighth. Therefore, the applicant prays this honorable court to find or declare the title or interest of the applicant in said land and decree the same, and order the registrar of titles to register the same and to grant such other and further relief as may be proper in the premises.

(Applicant's signature)

By, agent, attorney, administrator or guardian.
Subscribed and sworn to before me this day of, A.D. (~~(19--)~~) (year)

Notary Public in and for the state of Washington, residing at

Sec. 43. RCW 65.12.125 and 1907 c 250 s 206 are each amended to read as follows:

The summons provided for in RCW 65.12.135 shall be in substance in the form following, to wit:

SUMMONS ON APPLICATION FOR REGISTRATION OF LAND
State of Washington, }

County of, } ss.

In the superior court of the state of Washington in and for the county of (name of applicant), plaintiff,, versus (names of all defendants), and all other persons or parties unknown, claiming any right, title, estate, lien or interest in the real estate, described in the application herein defendants.

The state of Washington to the above-named defendants, greeting:

You are hereby summoned and required to answer the application of the applicant plaintiff in the above entitled application for registration of the following land situate in county, Washington, to wit: (description of land), and to file your answer to the said application in the office of the clerk of said court, in said county, within twenty days after the service of this summons upon you, exclusive of the day of such service; and if you fail to answer the said application within the time aforesaid, the applicant plaintiff

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

in this action will apply to the court for the relief demanded in the application herein.

Witness,, clerk of said court and the seal thereof, at, in said county and state, this day of, A.D. ((19--)) (year) (Seal.) Clerk.

Sec. 44. RCW 65.12.230 and 1917 c 62 s 3 are each amended to read as follows:

The owner or owners of registered lands, desiring to withdraw the same from registration, shall make and file with the registrar of titles in the county in which said lands are situated, an application in substantially the following form:

To the registrar of titles in the county of, state of Washington:

I, (or we),, the undersigned registered owner . . . in fee simple of the following described real property situated in the county of, state of Washington, to wit: (here insert the description of the property), hereby make application to have the title to said real property withdrawn from registration.

Witness my (or our) hand . . . and seal . . . this day of, ((19--)) (year)

.....

Applicant's signature.

Said application shall be acknowledged in the same manner as is required for the acknowledgment of deeds.

Sec. 45. RCW 65.12.235 and 2012 c 117 s 227 are each amended to read as follows:

Upon the filing of such application and the payment of a fee of five dollars, the registrar of titles, if it shall appear that the application is signed and acknowledged by all the registered owners of said land, shall issue to the applicant a certificate in substantially the following form:

This is to certify, That the owner (or owners) in fee simple of the following described lands situated in the county of, state of Washington, the title to which has been heretofore registered under the laws of the state of Washington, to wit: (here insert description of the property), having heretofore filed his or her (or their) application for the withdrawal of the title to said lands from the registry system; NOW, THEREFORE, The title to said above described lands has been withdrawn from the effect and operation of the title registry system of the state of Washington and the owner (or owners) of said lands is (or are) by law authorized to contract concerning, convey, encumber, or otherwise deal with the title to said lands in the same manner and to the same extent as though said title had never been registered.

Witness my hand and seal this day of, ((19--)) (year)

.....

Registrar of Titles for county.

Sec. 46. RCW 65.12.255 and 2012 c 117 s 229 are each amended to read as follows:

The certificate of registration shall contain the name of the owner, a description of the land and of the estate of the owner,

and shall by memorial or notation contain a description of all incumbrances, liens, and interests to which the estate of the owner is subject; it shall state the residence of the owner and, if a minor, give his or her age; if under disability, it shall state the nature of the disability; it shall state whether married or not, and, if married, the name of the husband or wife; in case of a trust, condition or limitation, it shall state the trust, condition, or limitation, as the case may be; and shall contain and conform in respect to all statements to the certified copy of the decree of registration filed with the registrar of titles as hereinbefore provided; and shall be in form substantially as follows:

FIRST CERTIFICATE OF TITLE

Pursuant to order of the superior court of the state of Washington, in and for county.

State of Washington,)

ss.

County of

This is to certify that A. B. of, county of, state of, is now the owner of an estate (describe the estate) of, and in (describe the land), subject to the incumbrances, liens and interests noted by the memorial underwritten or indorsed thereon, subject to the exceptions and qualifications mentioned in the thirtieth section of "An Act relating to the registration and confirmation of titles to land," in the session laws of Washington for the year 1907. (Here note all statements provided herein to appear upon the certificate.)

In witness whereof, I have hereunto set my hand and affixed the official seal of my office this day of, A.D. ((19--)) (year)

(Seal)

..... Registrar of Titles.

Sec. 47. RCW 65.12.270 and 1907 c 250 s 38 are each amended to read as follows:

All certificates subsequent to the first shall be in like form, except that they shall be entitled: "Transfer from No.", (the number of the next previous certificate relating to the same land), and shall also contain the words "Originally registered on the day of, ((19--)) (year), and entered in the book at page of register."

Sec. 48. RCW 67.38.030 and 1982 1st ex.s. c 22 s 3 are each amended to read as follows:

(1) The process to create a cultural arts, stadium and convention district may be initiated by:

(a) The adoption of a resolution by the county legislative authority calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of the district; or

(b) The governing bodies of two or more cities located within the same county adopting resolutions calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of such a district: PROVIDED, That this method may not be used more frequently than once in any twelve month period in the same county; or

(c) The filing of a petition with the county legislative authority, calling for a public hearing on the proposed creation of such a district and delineating proposed boundaries of the district, that is signed by at least ten percent of the registered voters residing in the proposed district at the last general election. Such

signatures will be certified by the county auditor or the county elections department.

(2) Within sixty days of the adoption of such resolutions, or presentation of such a petition, the county legislative authority shall hold a public hearing on the proposed creation of such a district. Notice of the hearing shall be published at least once a week for three consecutive weeks in one or more newspapers of general circulation within the proposed boundaries of the district. The notice shall include a general description and map of the proposed boundaries. Additional notice shall also be mailed to the governing body of each city and municipality located all or partially within the proposed district. At such hearing, or any continuation thereof, any interested party may appear and be heard on the formation of the proposed district.

The county legislative authority shall delete the area included within the boundaries of a city from the proposed district if prior to the public hearing the city submits to the county legislative authority a copy of an adopted resolution requesting its deletion from the proposed district. The county legislative authority may delete any other areas from the proposed boundaries. Additional territory may be included within the proposed boundaries, but only if such inclusion is subject to a subsequent hearing, with notice provided in the same manner as for the original hearing.

(3) A proposition to create a cultural arts, stadium and convention district shall be submitted to the voters of the proposed district within two years of the adoption of a resolution providing for such submittal by the county legislative authority at the conclusion of such hearings. The resolution shall establish the boundaries of the district and include a finding that the creation of the district is in the public interest and that the area included within the district can reasonably be expected to benefit from its creation. No portion of a city may be included in such a district unless the entire city is included. The boundaries of such a district shall follow school district or community college boundaries in as far as practicable.

(4) The proposition to create a cultural arts, stadium and convention district shall be submitted to the voters of the proposed district at the next general election held sixty or more days after the adoption of the resolution. The district shall be created upon approval of the proposition by simple majority vote. The ballot proposition submitted to the voters shall be in substantially the following form:

FORMATION OF CULTURAL ARTS,
STADIUM AND CONVENTION
DISTRICT

Shall a cultural arts, stadium and convention district be established for the area described in a resolution of the legislative authority of county, adopted on the day of, ((49--)) (year) ?

Yes
No

Sec. 49. RCW 84.40.320 and 1988 c 222 s 18 are each amended to read as follows:

The assessor shall add up and note the amount of each column in the detail and assessment lists in such manner as prescribed or approved by the state department of revenue, as will provide a convenient and permanent record of assessment. The assessor shall also make, under proper headings, a certification of the assessment rolls and on the 15th day of July shall file the same with the clerk of the county board of equalization for the purpose of equalization by the said board. Such certificate shall be verified by an affidavit, substantially in the following form:

State of Washington, County, ss.
I,, Assessor, do solemnly swear that the assessment rolls and this certificate contain a correct and full list of all the real and personal property subject to taxation in this county for the assessment year ((49--)) (year) , so far as I have been able to ascertain the same; and that the assessed value set down in the proper column, opposite the several kinds and descriptions of property, is in each case, except as otherwise provided by law, one hundred percent of the true and fair value of such property, to the best of my knowledge and belief, and that the assessment rolls and this certificate are correct, as I verily believe.

., Assessor.
Subscribed and sworn to before me this day of , ((49--)) (year)

(L. S.) , Auditor of county.
PROVIDED, That the failure of the assessor to complete the certificate shall in nowise invalidate the assessment. After the same has been duly equalized by the county board of equalization, the same shall be delivered to the county assessor.

Sec. 50. RCW 85.28.060 and 2013 c 23 s 442 are each amended to read as follows:

Upon the filing of the report of the viewers aforesaid, a summons shall be issued in the same manner as summons are issued in civil actions, and served upon each person owning or interested in any lands over which the proposed ditch or drain will pass. Said summons must inform the person to whom it is directed of the appointment and report of the viewers; a description of the land over which said ditch will pass of which such person is the owner, or in which he or she has an interest; the width and depth of said proposed ditch, and the distance which it traverses said land, also an accurate description of the course thereof. It must also show the amount of damages to said land as estimated by said viewers; and that unless the person so summoned appears and files objections to the report of the viewers, within twenty days after the service of said summons upon him or her, exclusive of the day of service, the same will be approved by the court, which summons may be in the following form:

In the Superior Court of the State of Washington, for County.

In the matter of the application of for a private ditch. The state of Washington to

Whereas, on the day of ((49--)) (year) filed his or her petition in the above entitled court praying that a private ditch or drain be established across the following described lands, to wit: for the purpose of draining certain lands belonging to said, and whereas, on the day of , ((49--)) (year) , Messrs. and with county surveyor of county, were appointed to view said premises in the manner provided by law, and said viewers having, on the day of ((49--)) (year) , filed their report in this court, finding in favor of said ditch and locating the same upon the following course: for a distance of upon said land, and of a width of feet and a depth of feet; and they further find that said land will be damaged by the establishing and construction of said ditch in the sum of \$. . . . : Now therefore, you are hereby summoned to appear within twenty days after the service of this summons, exclusive of the day of service, and file your objections to said petition and the report of said viewers, with this court; and in case of your failure so to do, said report will be approved and said petition granted.

.....

Plaintiff's Attorney.

P.O. Address.....

Sec. 51. RCW 88.32.070 and 1985 c 469 s 95 are each amended to read as follows:

After the return of the assessment roll to the county legislative authority it shall make an order setting a day for the hearing upon any objections to the assessment roll by any parties affected thereby who shall be heard by the county legislative authority as a board of equalization, which date shall be at least twenty days after the filing of such roll. It shall be the duty of the county legislative authority to give, or cause to be given, notice of such assessment, and of the day fixed for the hearing, as follows:

(1) They shall send or cause to be sent, by mail, to each owner of premises assessed, whose name and place of residence is known to them, a notice, substantially in this form, to wit:

".....
"Your property (here describe the property) is assessed \$. . . .
.. for river and harbor improvement to be made in this county.

"Hearing on the assessment roll will be had before the undersigned, at the office of the county commissioners, on the . . . day of ((49--)) (year)

.....
.....
.....

"Board of county commissioners."

But failure to send, or cause to be sent, such notice, shall not be fatal to the proceedings herein prescribed.

(2) They shall cause at least ten days' notice of the hearing to be given by posting notice in at least ten public places in the county, three of which shall be in the neighborhood of the proposed improvement, and by publishing the same at least once a week for two consecutive weeks in the official newspaper of the county which notice shall be signed by the county legislative authority, and shall state the day and place of the hearing of objections to the assessment roll, and the nature of the improvement, and that all interested parties will be heard as to any objections to said assessment roll.

Sec. 52. RCW 88.32.140 and 2013 c 23 s 541 are each amended to read as follows:

(1) In all cases, the county, as the agent of the local improvement district, shall, by resolution of its county legislative authority, cause to be issued in the name of the county, the bonds for such local improvement district for the whole estimated cost of such improvement, less such amounts as shall have been paid within the thirty days provided for redemption, as hereinabove specified. Such bonds shall be called "Local Improvement Bonds, District No., County of, State of Washington", and shall be payable not more than ten years after date, and shall be subject to annual call by the county treasurer, in such manner and amounts as he or she may have cash on hand to pay the same in the respective local improvement fund from which such bonds are payable, interest to be paid at the office of the county treasurer. Such bonds shall be issued and delivered to the contractor for the work from month to month in such amounts as the engineer of the government, in charge of the improvement, shall certify to be due on account of work performed, or, if said county legislative authority resolves so to do, such bonds may be offered for sale after thirty days public notice thereof given, to be delivered to the

highest bidder therefor, but in no case shall such bonds be sold for less than par, the proceeds to be applied in payment for such improvement: PROVIDED, That unless the contractor for the work shall agree to take such bonds in payment for his or her work at par, such work shall not be begun until the bonds shall have been sold and the proceeds shall have been paid into a fund to be called "Local Improvement Fund No., County of", and the owner or owners of such bonds shall look only to such fund for the payment of either the principal or interest of such bonds.

Such bonds shall be issued in denominations of one hundred dollars each, and shall be substantially in the following form:

"Local Improvement Bond, District Number of the County of, State of Washington.
No. . . . N.B. \$

This bond is not a general debt of the county of and has not been authorized by the voters of said county as a part of its general indebtedness. It is issued in pursuance of an act of the legislature of the state of Washington, passed the day of A.D. 1907, and is a charge against the fund herein specified and its issuance and sale is authorized by the resolution of the county legislative authority, passed on the day of A.D. 1907. The county of, a municipal corporation of the state of Washington, hereby promises to pay to, or bearer, one hundred dollars, lawful money of the United States of America, out of the fund established by resolution of the county legislative authority on the day of, A.D. ((49--)) (year), and known as local improvement fund district number of county, and not otherwise.

"This bond is payable ten years after date, and is subject to annual call by the county treasurer at the expiration of any year before maturity in such manner and amounts as he or she may have cash on hand to pay the same in the said fund from which the same is payable, and shall bear interest at the rate of percent per annum, payable semiannually; both principal and interest payable at the office of the county treasurer. The county legislative authority of said county, as the agent of said local improvement district No., established by resolution No., has caused this bond to be issued in the name of said county, as the bond of said local improvement district, the proceeds thereof to be applied in part payment of so much of the cost of the improvement of the rivers, lakes, canals, or harbors of county, under resolution No., as is to be borne by the owners of property in said local improvement district, and the said local improvement fund, district No. of county, has been established by resolution for said purpose; and the owner or owners of this bond shall look only to said fund for the payment of either the principal or interest of this bond.

"The call for the payment of this bond or any bond, issued on account of said improvement, may be made by the county treasurer by publishing the same in an official newspaper of the county for ten consecutive issues, beginning not more than twenty days before the expiration of any year from date hereof, and if such call be made, interest on this bond shall cease at the date named in such call.

"This bond is one of a series of bonds, aggregating in all the principal sum of dollars, issued for said local improvement district, all of which bonds are subject to the same terms and conditions as herein expressed.

"In witness whereof the said county of has caused these presents to be signed by its chair of its county legislative authority, and countersigned by its county auditor and sealed with its corporate seal, attested by its county clerk, this day of

... , in the year of our Lord ((one thousand nine hundred and)) .

 The County of
 By
 Chair County Legislative Authority.

Countersigned, County Auditor.
 Attest, Clerk."

The bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 53. RCW 91.08.380 and 1911 c 23 s 36 are each amended to read as follows:

The treasurer receiving such certified copy of the assessment roll and judgment shall immediately give notice thereof by publishing such notice at least once in the official newspaper or newspapers of such county, if such newspaper or newspapers there be; and if there be no such official newspaper, then by publishing such notice in some newspaper of general circulation in the county. Such notice may be in substantially the following form:

"SPECIAL ASSESSMENT NOTICE.

Public notice is hereby given that the superior court of county, State of Washington, has rendered judgment for a special assessment upon property benefited by the following improvement (here insert the character and location of the improvement in general terms) as will more fully appear from the certified copy of the assessment roll on file in my office, and that the undersigned is authorized to collect such assessments. All persons interested are hereby notified that they can pay the amounts assessed, or any part thereof, without interest, at my office (here insert location of office) within sixty days from the date hereof.

Dated this day of A.D. ((19. . .)) (year)

.....
 Treasurer of
 county, Washington."

PART II
REMOVING EXPIRED PROVISIONS

NEW SECTION. Sec. 54. RCW 19.27A.035 (Payments by electric utilities to owners of residential buildings—Recovery of expenses—Effect of Pacific Northwest electric power planning and conservation act—Expiration of subsections) and 1993 c 64 s 2 & 1990 c 2 s 4 are each repealed.

Sec. 55. RCW 49.12.450 and 1998 c 334 s 2 are each amended to read as follows:

(1) Notwithstanding the provisions of chapter 49.46 RCW or other provisions of this chapter, the obligation of an employer to furnish or compensate an employee for apparel required during work hours shall be determined only under this section.

(2) Employers are not required to furnish or compensate employees for apparel that an employer requires an employee to wear during working hours unless the required apparel is a uniform.

(3) As used in this section, "uniform" means:

(a) Apparel of a distinctive style and quality that, when worn outside of the workplace, clearly identifies the person as an employee of a specific employer;

(b) Apparel that is specially marked with an employer's logo;

(c) Unique apparel representing an historical time period or an ethnic tradition; or

(d) Formal apparel.

(4) Except as provided in subsection (5) of this section, if an employer requires an employee to wear apparel of a common color that conforms to a general dress code or style, the employer is not required to furnish or compensate an employee for that apparel. For the purposes of this subsection, "common color" is limited to the following colors or light or dark variations of such colors: White, tan, or blue, for tops; and tan, black, blue, or gray, for bottoms. An employer is permitted to require an employee to obtain two sets of wearing apparel to accommodate for the seasonal changes in weather which necessitate a change in wearing apparel.

(5) If an employer changes the color or colors of apparel required to be worn by any of his or her employees during a two-year period of time, the employer shall furnish or compensate the employees for the apparel. The employer shall be required to furnish or compensate only those employees who are affected by the change. The two-year time period begins on the date the change in wearing apparel goes into effect and ends two years from this date. The beginning and end of the two-year time period applies to all employees regardless of when the employee is hired.

(6) ((The department shall utilize negotiated rule making as defined by RCW 34.05.310(2)(a) in the development and adoption of rules defining apparel that conforms to a general dress code or style. This subsection expires January 1, 2000.

(7))) For the purposes of this section, personal protective equipment required for employee protection under chapter 49.17 RCW is not deemed to be employee wearing apparel.

PART III
MAKING TECHNICAL CORRECTIONS

Sec. 56. 2013 2nd sp.s. c 4 s 1905 (uncodified) is amended to read as follows:

Section 957 of this act expires ((August)) January 1, 2018.

Sec. 57. RCW 28B.15.069 and 2015 3rd sp.s. c 36 s 5 and 2015 3rd sp.s. c 4 s 945 are each reenacted to read as follows:

(1) The building fee for each academic year shall be a percentage of total tuition fees. This percentage shall be calculated by the office of financial management and be based on the actual percentage the building fee is of total tuition for each tuition category in the 1994-95 academic year, rounded up to the nearest half percent. After October 9, 2015, the dollar value of the building fee shall not be reduced below the level in the 2014-15 academic year adjusted for inflation. As used in this subsection, "inflation" has the meaning in RCW 28B.15.066(2).

(2) The governing boards of each institution of higher education shall charge to and collect from each student a services and activities fee. A governing board may increase the existing fee annually, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the annual percentage increase in student tuition fees for resident undergraduate students: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. These rate adjustments may exceed the fiscal growth factor. For the 2015-2017 fiscal biennium, each governing board is authorized to increase the services and activities fees by amounts judged reasonable and necessary by the services and activities fee committee and the governing board consistent with the budgeting procedures set forth in RCW 28B.15.045. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

(3) Tuition and services and activities fees consistent with subsection (2) of this section shall be set by the state board for community and technical colleges for community and technical college summer school students unless the college charges fees in accordance with RCW 28B.15.515.

(4) Subject to the limitations of RCW 28B.15.910, each governing board of a community or technical college may charge such fees for ungraded courses, noncredit courses, community services courses, and self-supporting courses as it, in its discretion, may determine, consistent with the rules of the state board for community and technical colleges.

(5) The governing board of a college offering an applied baccalaureate degree program under RCW 28B.50.810 may charge tuition fees for those courses above the associate degree level at rates consistent with rules adopted by the state board for community and technical colleges, not to exceed tuition fee rates at the regional universities.

Sec. 58. RCW 43.19.501 and 2015 3rd sp.s. c 3 s 7031 are each reenacted to read as follows:

The Thurston county capital facilities account is created in the state treasury. The account is subject to the appropriation and allotment procedures under chapter 43.88 RCW. Moneys in the account may be expended for capital projects in facilities owned and managed by the department in Thurston county. For the 2007-2009 biennium, moneys in the account may be used for predesign identified in section 1037, chapter 328, Laws of 2008. For the 2015-2017 biennium, moneys in the account may be used for studies related to real estate.

During the 2009-2011 and 2011-2013 fiscal biennia, the legislature may transfer from the Thurston county capital facilities account to the state general fund such amounts as reflect the excess fund balance of the account.

NEW SECTION. Sec. 59. Section 1, chapter 65, Laws of 2015 expires July 1, 2020.

Sec. 60. RCW 36.32.080 and 2015 c 179 s 1 and 2015 c 74 s 1 are each reenacted and amended to read as follows:

(1) The county legislative authority of each county shall hold regular meetings at the county seat or at a location designated in accordance with subsection (2) or (3) of this section to transact any business required or permitted by law.

(2)(a) Any two or more county legislative authorities may hold a joint regular meeting solely in the county seat of a participating county if the agenda item or items relate to actions or considerations of mutual interest or concern to the participating legislative authorities.

(b) A legislative authority participating in a joint regular meeting held in accordance with this subsection (2) must, for purposes of the meeting, comply with notice requirements for special meetings provided in RCW 42.30.080. This subsection (2)(b) does not apply to the legislative authority of the county in which the meeting will be held.

(3)(a) As an alternative option that may be exercised no more than once per calendar quarter, regular meetings may be held at a location outside of the county seat but within the county if the county legislative authority determines that holding a meeting at an alternate location would be in the interest of supporting greater citizen engagement in local government.

(b) The county legislative authority must give notice of any regular meeting held ((outside of the county seat. Notice must be given)) pursuant to this subsection (3) at least thirty days before the time of the meeting specified in the notice. At a minimum, notice must be:

(i) Posted on the county's web site;

(ii) Published in a newspaper of general circulation in the county; and

(iii) Sent via electronic transmission to any resident of the county who has chosen to receive the notice required under this section at an ((~~electronic mail~~) email) address."

On page 1, line 2 of the title, after "corrections;" strike the remainder of the title and insert "amending RCW 6.21.040, 6.23.030, 9.96.020, 10.14.085, 10.37.040, 11.28.090, 11.28.140, 11.68.110, 11.88.140, 12.04.020, 12.04.030, 12.04.100, 12.04.201, 12.04.203, 12.04.204, 12.04.205, 12.04.206, 12.04.207, 12.40.110, 17.28.090, 18.44.251, 19.120.040, 26.04.090, 26.18.100, 26.50.085, 35.22.110, 35.58.090, 35A.08.120, 36.24.110, 36.60.020, 36.68.470, 41.50.590, 43.20B.040, 58.09.080, 60.08.020, 61.12.020, 64.04.030, 64.04.040, 64.04.050, 64.08.060, 64.08.070, 65.12.035, 65.12.125, 65.12.230, 65.12.235, 65.12.255, 65.12.270, 67.38.030, 84.40.320, 85.28.060, 88.32.070, 88.32.140, 91.08.380, and 49.12.450; amending 2013 2nd sp.s. c 4 s 1905 (uncodified); reenacting and amending RCW 36.32.080; reenacting RCW 28B.15.069 and 43.19.501; repealing RCW 19.27A.035; and providing expiration dates."

MOTION

Senator Pedersen moved that the following amendment no. 693 by Senators Pedersen, Roach and Miloscia to the committee striking amendment be adopted:

On page 66, after line 19 of the amendment, insert the following:

"Sec. 61. RCW 43.07.173 and 1998 c 38 s 1 are each amended to read as follows:

(1) The secretary of state ((shall)) may accept and file in the secretary's office ((facsimile)) electronic transmissions of any documents authorized or required to be filed pursuant to Title 23, 23B, 24, or 25 RCW or chapter 18.100 RCW. The acceptance by the secretary of state is conditional upon the document being legible and otherwise satisfying the requirements of state law or rules with respect to form and content, including those established under RCW 43.07.170. If the document must be signed, that requirement ((is)) may be satisfied by ((a facsimile copy of the)) an electronic signature as defined in RCW 19.34.020.

(2) If a fee is required for filing the document, the secretary may reject the document for filing if the fee is not received before, or at the time of, receipt.

Sec. 62. RCW 43.07.190 and 1991 c 72 s 56 are each amended to read as follows:

Where the secretary of state determines that a summary face sheet or cover sheet would expedite review of any documents made under Title 23B RCW, or chapter 18.100, 23.86, 23.90, 24.03, 24.06, 24.12, 24.20, 24.24, 24.36, ((or)) 25.10, or 25.15 RCW, the secretary of state may require the use of a summary face sheet or cover sheet that accurately reflects the contents of the attached document. The secretary of state may, by rule adopted under chapter 34.05 RCW, specify the required contents of any summary face sheet and the type of document or documents in which the summary face sheet will be required, in addition to any other filing requirements which may be applicable.

Sec. 63. RCW 43.07.400 and 2007 c 156 s 3 are each amended to read as follows:

(1) The state domestic partnership registry is created within the secretary of state's office.

(2)(a) The secretary shall prepare a form((s)) entitled "declaration of state registered domestic partnership" ((and "notice of termination of state registered domestic partnership")) to meet the requirements of RCW 26.60.010, 26.60.020, 26.60.030, and 26.60.070.

(b) The "declaration of state registered domestic partnership" form must contain a statement that registration may affect property and inheritance rights, that registration is not a substitute for a will, deed, or partnership agreement, and that any rights conferred by registration may be completely superseded by a will, deed, or other instrument that may be executed by either party. The form must also contain instructions on how the partnership may be terminated.

((c) The "notice of termination of state registered domestic partnership" form must contain a statement that termination may affect property and inheritance rights, including beneficiary designations, and other agreements, such as the appointment of a state registered domestic partner as an attorney-in-fact under a power of attorney.))

(3) ((The secretary shall distribute these forms to each county clerk. These)) This form((s)) shall be available to the public at the secretary of state's office((, each county clerk,)) and on the internet.

(4) The secretary shall adopt rules necessary to implement the administration of the state domestic partnership registry.

NEW SECTION. Sec. 64. The following acts or parts of acts are each repealed:

(1)RCW 43.07.050 (Bureau of statistics—Secretary ex officio commissioner) and 2009 c 549 s 5028 & 1965 c 8 s 43.07.050;

(2)RCW 43.07.090 (Bureau of statistics—Power to obtain statistics—Penalty) and 2009 c 549 s 5029 & 1965 c 8 s 43.07.090;

(3)RCW 43.07.100 (Bureau of statistics—Information confidential—Penalty) and 1965 c 8 s 43.07.100;

(4)RCW 43.07.110 (Bureau of statistics—Deputy commissioner) and 2009 c 549 s 5030 & 1965 c 8 s 43.07.110; and

(5)RCW 43.07.205 (Contract to issue conditional federal employer identification numbers, credentials, and documents in conjunction with license applications) and 1997 c 51 s 3."

On page 66, line 30 of the title amendment, after "91.08.380," strike "and 49.12.450" and insert "49.12.450, 43.07.173, 43.07.190, and 43.07.400"

On page 66, line 32 of the title amendment, after "19.27A.035" insert ", 43.07.050, 43.07.090, 43.07.100, 43.07.110, and 43.07.205"

Senators Pedersen and Miloscia spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 693 by Senators Pedersen, Roach and Miloscia to the committee striking amendment to Substitute House Bill No. 2359.

The motion by Senator Pedersen carried and amendment no. 693 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Accountability & Reform, as amended, to Substitute House Bill No. 2359.

The motion by Senator Miloscia carried and the committee amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Miloscia, the rules were suspended, Substitute House Bill No. 2359, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2359, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2359, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Baumgartner

Excused: Senators Hill and Padden

SUBSTITUTE HOUSE BILL NO. 2359, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2262, by Representatives Bergquist, Muri, Gregerson and Pettigrew

Creating Washington tennis special license plates.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2262 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2262.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2262 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 8; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Billig, Carlyle, Dansel, Ericksen, Hargrove, Rivers and Rolfes

Absent: Senator Benton

Excused: Senators Hill and Padden

HOUSE BILL NO. 2262, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2793, by Representatives Orwall, Blake, Kretz, Sullivan, Cody, Jinkins, Kagi, Goodman, Ormsby, Tharinger, Rossetti and Reykdal

Providing for suicide awareness and prevention education for safer homes.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that: Washington's suicide rate is fourteen percent higher than the national average; on average, two young people between the ages of ten and twenty-four die by suicide each week; almost a quarter of those who die by suicide are veterans; and many of the state's rural and tribal communities have the highest suicide rates. The legislature further finds that when suicide occurs, it has devastating consequences for communities and schools, yet, according to the United States surgeon general, suicide is the nation's most preventable form of death. The legislature further finds that one of the most immediate ways to reduce the tragedy of suicide is through suicide awareness and prevention education coupled with safe storage of lethal means commonly used in suicides, such as firearms and prescription medications. The legislature further finds that encouraging firearms dealers to voluntarily participate in suicide awareness and prevention education programs and provide certain safe storage devices at cost is an important step in creating safer homes and reducing suicide deaths in the state.

NEW SECTION. Sec. 2. (1)(a) Subject to the availability of amounts appropriated for this specific purpose, a safe homes task force is established to raise public awareness and increase suicide prevention education among new partners who are in key positions to help reduce suicide. The task force shall be administered and staffed by the University of Washington school of social work.

(b) The safe homes task force shall consist of the members comprised of a suicide prevention and firearms subcommittee and a suicide prevention and pharmacy subcommittee, as follows:

(i) The suicide prevention and firearms subcommittee shall consist of the following members and be cochaired by the University of Washington school of social work and a member identified in (b)(i)(A) of this subsection (1):

(A) A representative of the national rifle association and a representative of the second amendment foundation;

(B) Two representatives of suicide prevention organizations, selected by the cochaairs of the subcommittee;

(C) Two representatives of the firearms industry, selected by the cochaairs of the subcommittee;

(D) Two individuals who are suicide attempt survivors or who have experienced suicide loss, selected by the cochaairs of the subcommittee;

(E) Two representatives of law enforcement agencies, selected by the cochaairs of the subcommittee;

(F) One representative from the department of health;

(G) One representative from the department of veterans affairs, and one other individual representing veterans to be selected by the cochaairs of the subcommittee; and

(H) No more than two other interested parties, selected by the cochaairs of the subcommittee.

(ii) The suicide prevention and pharmacy subcommittee shall consist of the following members and be cochaired by the University of Washington school of social work and a member identified in (b)(ii)(A) of this subsection (1):

(A) Two representatives of the Washington state pharmacy association;

(B) Two representatives of retailers who operate pharmacies, selected by the cochaairs of the subcommittee;

(C) One faculty member from the University of Washington school of pharmacy and one faculty member from the Washington State University school of pharmacy;

(D) One representative of the department of health;

(E) One representative of the pharmacy quality assurance commission;

(F) Two representatives of the Washington state poison control center;

(G) One representative of the department of veterans affairs, and one other individual representing veterans to be selected by the cochaairs of the subcommittee; and

(H) No more than two other interested parties, selected by the cochaairs of the subcommittee.

(c) The University of Washington school of social work shall convene the initial meeting of the task force.

(2) The task force shall:

(a) Develop and prepare to disseminate online trainings on suicide awareness and prevention for firearms dealers and their employees and firearm range owners and their employees;

(b) In consultation with the department of fish and wildlife, review the firearm safety pamphlet produced by the department of fish and wildlife under RCW 9.41.310 and, by January 1, 2017, recommend changes to the pamphlet to incorporate information on suicide awareness and prevention;

(c) Develop suicide awareness and prevention messages for posters and brochures that are tailored to be effective for firearms owners for distribution to firearms dealers and firearm ranges;

(d) Develop suicide awareness and prevention messages for posters and brochures for distribution to pharmacies;

(e) In consultation with the department of fish and wildlife, develop strategies for creating and disseminating suicide awareness and prevention information for hunting safety classes, including messages to parents that can be shared during online registration, in either follow up electronic mail communications, or in writing, or both;

(f) Develop suicide awareness and prevention messages for training for the schools of pharmacy and provide input on trainings being developed for community pharmacists;

(g) Provide input to the department of health on the implementation of the safe homes project established in section 3 of this act;

(h) Create a web site that will be a clearinghouse for the newly created suicide awareness and prevention materials developed by the task force; and

(i) Conduct a survey of firearms dealers and firearm ranges in the state to determine the types and amounts of incentives that would be effective in encouraging those entities to participate in the safe homes project created in section 3 of this act;

(j) Create, implement, and evaluate a suicide awareness and prevention pilot program in two counties, one rural and one urban, that have high suicide rates. The pilot program shall include:

(i) Developing and directing advocacy efforts with firearms dealers to pair suicide awareness and prevention training with distribution of safe storage devices;

(ii) Developing and directing advocacy efforts with pharmacies to pair suicide awareness and prevention training with distribution of medication disposal kits and safe storage devices;

(iii) Training health care providers on suicide awareness and prevention, paired with distribution of medication disposal kits and safe storage devices; and

(iv) Training local law enforcement officers on suicide awareness and prevention, paired with distribution of medication disposal kits and safe storage devices.

(3) The task force shall consult with the department of health to develop timelines for the completion of the necessary tasks identified in subsection (2) of this section so that the department of health is able to implement the safe homes project under section 3 of this act by January 1, 2018.

(4) Beginning December 1, 2016, the task force shall annually report to the legislature on the status of its work. The task force shall submit a final report by December 1, 2019, that includes the findings of the suicide awareness and prevention pilot program evaluation under subsection (2) of this section and recommendations on possible continuation of the program. The task force shall submit its reports in accordance with RCW 43.01.036.

(5) This section expires July 1, 2020.

NEW SECTION. Sec. 3. A new section is added to chapter 43.70 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department shall develop and administer a safe homes project for firearms dealers and firearms ranges to encourage voluntary participation in a program to implement suicide awareness and prevention strategies.

(2) As part of the safe homes project, the department shall certify a firearms dealer or firearms range that meets the requirements of subsection (3) of this section as a safe homes partner.

(3) The department, in consultation with the safe homes task force created in section 2 of this act, shall develop criteria for certification of a firearms dealer or firearms range as a safe homes partner that include, at a minimum, the following requirements:

(a) Posting of suicide awareness and prevention posters, developed by the safe homes task force, at the firearms dealer's or firearms range's premises;

(b) Distribution of suicide awareness and prevention brochures, developed by the safe homes task force, to firearms purchasers and customers;

(c) Completion by the firearms dealer and employees, or firearms range and employees, of an online suicide awareness and prevention training developed by the safe homes task force; and

(d) Offering safe storage devices, in the form of a lock box or life jacket, for sale at cost to firearms purchasers, or customers.

(4) The department shall:

(a) Provide technical assistance to firearms dealers and firearms ranges that want to participate in the safe homes project;

(b) Track and report status updates of the program to the legislature in accordance with RCW 43.01.036; and

(c) Conduct, or contract with local health departments to conduct, random audits of businesses who participate in the safe homes project to ensure compliance with the requirements of this section.

(5) The department shall implement the safe homes project beginning January 1, 2018.

(6) For the purposes of this section:

(a) "Firearms dealer" means a firearms dealer licensed under RCW 9.41.110; and

(b) "Firearms range" means an entity that operates an area or facility designed for the safe discharge or other use of firearms for sport, recreational, or competitive shooting or training purposes.

Sec. 4. RCW 9.41.310 and 1994 c 264 s 2 are each amended to read as follows:

(1) After a public hearing, the department of fish and wildlife shall publish a pamphlet on firearms safety and the legal limits of the use of firearms. The pamphlet shall include current information on firearms laws and regulations and state preemption of local firearms laws. By July 1, 2017, the department of fish and wildlife shall update the pamphlet to incorporate information on suicide awareness and prevention as recommended by the safe homes task force established in section 2 of this act.

(2) This pamphlet may be used in the department's hunter safety education program and shall be provided to the department of licensing for distribution to firearms dealers and persons authorized to issue concealed pistol licenses. The department of fish and wildlife shall reimburse the department of licensing for costs associated with distribution of the pamphlet.

Sec. 5. RCW 43.70.442 and 2015 c 249 s 1 are each amended to read as follows:

(1)(a) Each of the following professionals certified or licensed under Title 18 RCW shall, at least once every six years, complete training in suicide assessment, treatment, and management that is approved, in rule, by the relevant disciplining authority:

(i) An adviser or counselor certified under chapter 18.19 RCW;

(ii) A chemical dependency professional licensed under chapter 18.205 RCW;

(iii) A marriage and family therapist licensed under chapter 18.225 RCW;

(iv) A mental health counselor licensed under chapter 18.225 RCW;

(v) An occupational therapy practitioner licensed under chapter 18.59 RCW;

(vi) A psychologist licensed under chapter 18.83 RCW;

(vii) An advanced social worker or independent clinical social worker licensed under chapter 18.225 RCW; and

(viii) A social worker associate—advanced or social worker associate—dependent clinical licensed under chapter 18.225 RCW.

(b) The requirements in (a) of this subsection apply to a person holding a retired active license for one of the professions in (a) of this subsection.

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection ((9)) (10)(b) of this section, that training that includes only screening and referral elements is appropriate for the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (1)(d) affects the validity of training completed prior to July 1, 2017.

(2)(a) Except as provided in (b) of this subsection, a professional listed in subsection (1)(a) of this section must complete the first training required by this section by the end of the first full continuing education reporting period after January 1, 2014, or during the first full continuing education reporting period after initial licensure or certification, whichever occurs later.

(b) A professional listed in subsection (1)(a) of this section applying for initial licensure may delay completion of the first

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

training required by this section for six years after initial licensure if he or she can demonstrate successful completion of the training required in subsection (1) of this section no more than six years prior to the application for initial licensure.

(3) The hours spent completing training in suicide assessment, treatment, and management under this section count toward meeting any applicable continuing education or continuing competency requirements for each profession.

(4)(a) A disciplining authority may, by rule, specify minimum training and experience that is sufficient to exempt an individual professional from the training requirements in subsections (1) and (5) of this section. Nothing in this subsection (4)(a) allows a disciplining authority to provide blanket exemptions to broad categories or specialties within a profession.

(b) A disciplining authority may exempt a professional from the training requirements of subsections (1) and (5) of this section if the professional has only brief or limited patient contact.

(5)(a) ((Beginning January 1, 2016,)) Each of the following professionals credentialed under Title 18 RCW shall complete a one-time training in suicide assessment, treatment, and management that is approved by the relevant disciplining authority:

- (i) A chiropractor licensed under chapter 18.25 RCW;
- (ii) A naturopath licensed under chapter 18.36A RCW;
- (iii) A licensed practical nurse, registered nurse, or advanced registered nurse practitioner, other than a certified registered nurse anesthetist, licensed under chapter 18.79 RCW;
- (iv) An osteopathic physician and surgeon licensed under chapter 18.57 RCW, other than a holder of a postgraduate osteopathic medicine and surgery license issued under RCW 18.57.035;
- (v) An osteopathic physician assistant licensed under chapter 18.57A RCW;
- (vi) A physical therapist or physical therapist assistant licensed under chapter 18.74 RCW;
- (vii) A physician licensed under chapter 18.71 RCW, other than a resident holding a limited license issued under RCW 18.71.095(3);
- (viii) A physician assistant licensed under chapter 18.71A RCW; ((and))
- (ix) A pharmacist licensed under chapter 18.64 RCW; and
- (x) A person holding a retired active license for one of the professions listed in (a)(i) through (((viii))) (ix) of this subsection.

(b)(i) A professional listed in (a)(i) through (viii) of this subsection or a person holding a retired active license for one of the professions listed in (a)(i) through (viii) of this subsection must complete the one-time training by the end of the first full continuing education reporting period after January 1, 2016, or during the first full continuing education reporting period after initial licensure, whichever is later. Training completed between June 12, 2014, and January 1, 2016, that meets the requirements of this section, other than the timing requirements of this subsection (5)(b), must be accepted by the disciplining authority as meeting the one-time training requirement of this subsection (5).

(ii) A licensed pharmacist or a person holding a retired active pharmacist license must complete the one-time training by the end of the first full continuing education reporting period after January 1, 2017, or during the first full continuing education reporting period after initial licensure, whichever is later.

(c) The training required by this subsection must be at least six hours in length, unless a disciplining authority has determined, under subsection (((9))) (10)(b) of this section, that training that includes only screening and referral elements is appropriate for

the profession in question, in which case the training must be at least three hours in length.

(d) Beginning July 1, 2017, the training required by this subsection must be on the model list developed under subsection (6) of this section. Nothing in this subsection (5)(d) affects the validity of training completed prior to July 1, 2017.

(6)(a) The secretary and the disciplining authorities shall work collaboratively to develop a model list of training programs in suicide assessment, treatment, and management.

(b) The secretary and the disciplining authorities shall update the list at least once every two years.

(c) By June 30, 2016, the department shall adopt rules establishing minimum standards for the training programs included on the model list. The minimum standards must require that six-hour trainings include content specific to veterans and the assessment of issues related to imminent harm via lethal means or self-injurious behaviors and that three-hour trainings for pharmacists include content related to the assessment of issues related to imminent harm via lethal means. When adopting the rules required under this subsection (6)(c), the department shall:

- (i) Consult with the affected disciplining authorities, public and private institutions of higher education, educators, experts in suicide assessment, treatment, and management, the Washington department of veterans affairs, and affected professional associations; and
- (ii) Consider standards related to the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(d) Beginning January 1, 2017:

(i) The model list must include only trainings that meet the minimum standards established in the rules adopted under (c) of this subsection and any three-hour trainings that met the requirements of this section on or before July 24, 2015;

(ii) The model list must include six-hour trainings in suicide assessment, treatment, and management, and three-hour trainings that include only screening and referral elements; and

(iii) A person or entity providing the training required in this section may petition the department for inclusion on the model list. The department shall add the training to the list only if the department determines that the training meets the minimum standards established in the rules adopted under (c) of this subsection.

(7) The department shall provide the health profession training standards created in this section to the professional ((education)) educator standards board as a model in meeting the requirements of RCW 28A.410.226 and provide technical assistance, as requested, in the review and evaluation of educator training programs. The educator training programs approved by the professional educator standards board may be included in the department's model list.

(8) Nothing in this section may be interpreted to expand or limit the scope of practice of any profession regulated under chapter 18.130 RCW.

(9) The secretary and the disciplining authorities affected by this section shall adopt any rules necessary to implement this section.

(10) For purposes of this section:

(a) "Disciplining authority" has the same meaning as in RCW 18.130.020.

(b) "Training in suicide assessment, treatment, and management" means empirically supported training approved by the appropriate disciplining authority that contains the following elements: Suicide assessment, including screening and referral, suicide treatment, and suicide management. However, the disciplining authority may approve training that includes only

screening and referral elements if appropriate for the profession in question based on the profession's scope of practice. The board of occupational therapy may also approve training that includes only screening and referral elements if appropriate for occupational therapy practitioners based on practice setting.

(11) A state or local government employee is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

(12) An employee of a community mental health agency licensed under chapter 71.24 RCW or a chemical dependency program certified under chapter 70.96A RCW is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

NEW SECTION. Sec. 6. The schools of pharmacy at the University of Washington and Washington State University shall convene a work group to jointly develop a curriculum on suicide assessment, treatment, and management for pharmacy students. The curriculum must include material on identifying at-risk patients and limiting access to lethal means. When developing the curriculum, the schools shall consult with experts on suicide assessment, treatment, and management, and with the safe homes task force created in section 2 of this act on appropriate suicide awareness and prevention messaging. The schools of pharmacy shall submit a progress report to the governor and the relevant committees of the legislature by December 1, 2016.

NEW SECTION. Sec. 7. By January 1, 2017, the department of health and the pharmacy quality assurance commission shall jointly develop written materials on suicide awareness and prevention that pharmacies may post or distribute to customers. When developing the written materials, the department and the commission shall consult with experts on suicide assessment, treatment, and management, and with the safe homes task force created in section 2 of this act on appropriate suicide awareness and prevention messaging.

NEW SECTION. Sec. 8. Section 5 of this act takes effect January 1, 2017.

NEW SECTION. Sec. 9. Section 3 of this act expires January 1, 2024."

On page 1, line 2 of the title, after "homes;" strike the remainder of the title and insert "amending RCW 9.41.310 and 43.70.442; adding a new section to chapter 43.70 RCW; creating new sections; providing an effective date; and providing expiration dates."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed Second Substitute House Bill No. 2793.

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

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Second Substitute House Bill No. 2793, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2793, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2793, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Padden

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2793, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2476, by Representatives Johnson, Santos, Magendanz, Chandler, S. Hunt, DeBolt, Blake, McCabe, Reykdal, Tharinger, Dent, Hawkins, Rossetti, Muri, Haler and Hargrove

Concerning waivers from the one hundred eighty-day school year requirement.

The measure was read the second time.

MOTION

On motion of Senator Litzow, the rules were suspended, House Bill No. 2476 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2476.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2476 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Padden

HOUSE BILL NO. 2476, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2726, by House Committee on Health Care & Wellness (originally sponsored by Representatives Walkinshaw, Tharinger, Senn, Cody, Ortiz-Self, Magendanz and Goodman)

Concerning the regulation of continuing care retirement communities.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Second Substitute House Bill No. 2726 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker, Cleveland and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2726.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2726 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Padden

SECOND SUBSTITUTE HOUSE BILL NO. 2726, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2520, by Representative Wylie

Concerning the sale of marijuana to regulated cooperatives.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 2520 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2520.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2520 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hobbs, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Pedersen, Ranker, Rivers, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Benton, Dansel, Ericksen, Hargrove, Honeyford, Parlette, Pearson and Roach

Excused: Senators Hill and Padden

HOUSE BILL NO. 2520, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375, by House Committee on Public Safety (originally sponsored by Representatives Magendanz, Orwall, Smith, Tarleton, MacEwen, Muri, Stanford and Wylie)

Concerning cybercrime.

The measure was read the second time.

MOTION

Senator Fain moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that the rapid pace of technological change and information computerization in the digital age generates a never ending sequence of anxiety inducing reports highlighting how the latest device or innovation is being used to harm consumers. The legislature finds that this generates an ongoing pattern of legislation being proposed to regulate each new technology. The legislature finds that a more systemic approach is needed to better protect consumers and address these rapidly advancing technologies. The legislature finds that the application of traditional criminal enforcement measures that apply long-standing concepts of trespass, fraud, and theft to activities in the electronic frontier has not provided the essential clarity, certainty, and predictability that regulators, entrepreneurs, and innovators need. The legislature finds that an integrated, comprehensive methodology, rather than a piecemeal approach, will provide significant economic development benefits by providing certainty to the innovation community about the actions and activities that are prohibited. Therefore, the legislature intends to create a new chapter of crimes to the criminal code to punish and deter misuse or abuse of technology, rather than the perceived threats of individual technologies. This new chapter of crimes has been developed from an existing and proven system of computer security threat modeling known as the STRIDE system.

The legislature intends to strike a balance between public safety and civil liberties in the digital world, including creating

sufficient space for white hat security research and whistleblowers. The state whistleblower and public record laws prevent this act from being used to hide any deleterious actions by government officials under the guise of security. Furthermore, this act is not intended to criminalize activity solely on the basis that it violates any terms of service.

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

NEW SECTION. Sec. 2. This act may be known and cited as the Washington cybercrime act.

NEW SECTION. Sec. 3. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

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

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

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

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

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

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

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

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

(9) "Malware" means any set of data instructions that are designed, without authorization and with malicious intent, to disrupt computer operations, gather sensitive information, or gain access to private computer systems. "Malware" does not include software that installs security updates, removes malware, or causes unintentional harm due to some deficiency. It includes, but is not limited to, a group of data instructions commonly called viruses or worms, that are self-replicating or self-propagating and are designed to infect other data programs or data, consume data resources, modify, destroy, record, or transmit data, or in some other fashion usurp the normal operation of the data, data system, or data network.

(10) "White hat security research" means accessing a data program, service, or system solely for purposes of good faith testing, investigation, identification, and/or correction of a

security flaw or vulnerability, where such activity is carried out, and where the information derived from the activity is used, primarily to promote security or safety.

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

NEW SECTION. Sec. 4. (1) A person is guilty of computer trespass in the first degree if the person, without authorization, intentionally gains access to a computer system or electronic database of another; and

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

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

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

NEW SECTION. Sec. 5. (1) A person is guilty of computer trespass in the second degree if the person, without authorization, intentionally gains access to a computer system or electronic database of another under circumstances not constituting the offense in the first degree.

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

NEW SECTION. Sec. 6. (1) A person is guilty of electronic data service interference if the person maliciously and without authorization causes the transmission of data, data program, or other electronic command that intentionally interrupts or suspends access to or use of a data network or data service.

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

NEW SECTION. Sec. 7. (1) A person is guilty of spoofing if he or she, without authorization, knowingly initiates the transmission, display, or receipt of the identifying information of another organization or person for the purpose of gaining unauthorized access to electronic data, a data system, or a data network, and with the intent to commit another crime in violation of a state law not included in this chapter.

(2) Spoofing is a gross misdemeanor.

NEW SECTION. Sec. 8. (1) A person is guilty of electronic data tampering in the first degree if he or she maliciously and without authorization:

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

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

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

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

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

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

NEW SECTION. Sec. 9. (1) A person is guilty of electronic data tampering in the second degree if he or she maliciously and without authorization:

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

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

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

NEW SECTION. Sec. 10. (1) A person is guilty of electronic data theft if he or she intentionally, without authorization, and without reasonable grounds to believe that he or she has such authorization, obtains any electronic data with the intent to:

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

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

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

NEW SECTION. Sec. 11. A person who, in the commission of a crime under this chapter, commits any other crime may be punished for that other crime as well as for the crime under this chapter and may be prosecuted for each crime separately.

Sec. 12. RCW 9A.52.010 and 2011 c 336 s 369 are each reenacted and amended to read as follows:

The following definitions apply in this chapter:

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

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

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

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

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

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

land. A license or privilege to enter or remain on improved and apparently used land that is open to the public at particular times, which is neither fenced nor otherwise enclosed in a manner to exclude intruders, is not a license or privilege to enter or remain on the land at other times if notice of prohibited times of entry is posted in a conspicuous manner.

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

Sec. 13. RCW 9.94A.515 and 2015 c 261 s 11 are each amended to read as follows:

TABLE 2
CRIMES INCLUDED WITHIN
EACH SERIOUSNESS LEVEL

XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055) Malicious explosion 1 (RCW 70.74.280(1))
XIV	Murder 1 (RCW 9A.32.030) Murder 2 (RCW 9A.32.050) Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2)) Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011) Assault of a Child 1 (RCW 9A.36.120) Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a)) Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101) Rape 1 (RCW 9A.44.040) Rape of a Child 1 (RCW 9A.44.073) Trafficking 2 (RCW 9A.40.100(3))
XI	Manslaughter 1 (RCW 9A.32.060) Rape 2 (RCW 9A.44.050) Rape of a Child 2 (RCW 9A.44.076) Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
X	Child Molestation 1 (RCW 9A.44.083) Criminal Mistreatment 1 (RCW 9A.42.020) Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a)) Kidnapping 1 (RCW 9A.40.020) Leading Organized Crime (RCW 9A.82.060(1)(a)) Malicious explosion 3 (RCW 70.74.280(3)) Sexually Violent Predator Escape (RCW 9A.76.115)
IX	Abandonment of Dependent Person 1 (RCW 9A.42.060) Assault of a Child 2 (RCW 9A.36.130) Explosive devices prohibited (RCW 70.74.180) Hit and Run—Death (RCW 46.52.020(4)(a)) Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050) Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))

- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- VIII Arson 1 (RCW 9A.48.020)
- Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- VII Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
- Bribery (RCW 9A.68.010)
- Incest 1 (RCW 9A.64.020(1))
- Intimidating a Judge (RCW 9A.72.160)
- Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
- Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
- Rape of a Child 3 (RCW 9A.44.079)
- Theft of a Firearm (RCW 9A.56.300)
- Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
- Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
- Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
- Child Molestation 3 (RCW 9A.44.089)
- Criminal Mistreatment 2 (RCW 9A.42.030)
- Custodial Sexual Misconduct 1 (RCW 9A.44.160)
- Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
- Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
- Driving While Under the Influence (RCW 46.61.502(6))
- Extortion 1 (RCW 9A.56.120)
- Extortionate Extension of Credit (RCW 9A.82.020)
- Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
- Incest 2 (RCW 9A.64.020(2))
- Kidnapping 2 (RCW 9A.40.030)
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW 9.94.070)
- Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
- Possession of a Stolen Firearm (RCW 9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1 (RCW 9A.76.070)
- Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
- Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
- Sexually Violating Human Remains (RCW 9A.44.105)
- Stalking (RCW 9A.46.110)
- Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
- IV Arson 2 (RCW 9A.48.030)
- Assault 2 (RCW 9A.36.021)
- Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
- Assault by Watercraft (RCW 79A.60.060)
- Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
- Cheating 1 (RCW 9.46.1961)
- Commercial Bribery (RCW 9A.68.060)
- Counterfeiting (RCW 9.16.035(4))
- Endangerment with a Controlled Substance (RCW 9A.42.100)
- Escape 1 (RCW 9A.76.110)
- Hit and Run—Injury (RCW 46.52.020(4)(b))
- Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))
- Identity Theft 1 (RCW 9.35.020(2))

Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)

Influencing Outcome of Sporting Event (RCW 9A.82.070)

Malicious Harassment (RCW 9A.36.080)

Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))

Residential Burglary (RCW 9A.52.025)

Robbery 2 (RCW 9A.56.210)

Theft of Livestock 1 (RCW 9A.56.080)

Threats to Bomb (RCW 9.61.160)

Trafficking in Stolen Property 1 (RCW 9A.82.050)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))

Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))

Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))

Unlawful transaction of insurance business (RCW 48.15.023(3))

Unlicensed practice as an insurance professional (RCW 48.17.063(2))

Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))

Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))

Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)

Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))

Willful Failure to Return from Furlough (RCW 72.66.060)

III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))

Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))

Assault of a Child 3 (RCW 9A.36.140)

Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))

Burglary 2 (RCW 9A.52.030)

Communication with a Minor for Immoral Purposes (RCW 9.68A.090)

Criminal Gang Intimidation (RCW 9A.46.120)

Custodial Assault (RCW 9A.36.100)

Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))

Escape 2 (RCW 9A.76.120)

Extortion 2 (RCW 9A.56.130)

Harassment (RCW 9A.46.020)

Intimidating a Public Servant (RCW 9A.76.180)

Introducing Contraband 2 (RCW 9A.76.150)

Malicious Injury to Railroad Property (RCW 81.60.070)

Mortgage Fraud (RCW 19.144.080)

Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)

Organized Retail Theft 1 (RCW 9A.56.350(2))

Perjury 2 (RCW 9A.72.030)

Possession of Incendiary Device (RCW 9.40.120)

Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)

Promoting Prostitution 2 (RCW 9A.88.080)

Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))

Securities Act violation (RCW 21.20.400)

Tampering with a Witness (RCW 9A.72.120)

Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))

Theft of Livestock 2 (RCW 9A.56.083)

Theft with the Intent to Resell 1 (RCW 9A.56.340(2))

Trafficking in Stolen Property 2 (RCW 9A.82.055)

Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))

Unlawful Imprisonment (RCW 9A.40.040)

Unlawful Misbranding of Food Fish or Shellfish 1 (RCW 69.04.938(3))

Unlawful possession of firearm in the second degree (RCW 9.41.040(2))

Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))

Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))

Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)

Willful Failure to Return from Work Release (RCW 72.65.070)

II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))

Computer Trespass 1 ((RCW 9A.52.110)) section 4 of this act)

Counterfeiting (RCW 9.16.035(3))

Electronic Data Service Interference (section 6 of this act)

Electronic Data Tampering 1 (section 8 of this act)

Electronic Data Theft (section 10 of this act)

Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))

Escape from Community Custody (RCW 72.09.310)

Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)

Health Care False Claims (RCW 48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial Information (RCW 9.35.010)

Malicious Mischief 1 (RCW 9A.48.070)

Organized Retail Theft 2 (RCW 9A.56.350(3))

Possession of Stolen Property 1 (RCW 9A.56.150)

Possession of a Stolen Vehicle (RCW 9A.56.068)

Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))

Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)

Theft 1 (RCW 9A.56.030)

Theft of a Motor Vehicle (RCW 9A.56.065)

Theft of Rental, Leased, ((or)) Lease-purchased, or Loaned Property (valued at ((one)) five thousand ((five hundred)) dollars or more) (RCW 9A.56.096(5)(a))

Theft with the Intent to Resell 2 (RCW 9A.56.340(3))

Trafficking in Insurance Claims (RCW 48.30A.015)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))

Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))

Unlawful Practice of Law (RCW 2.48.180)

Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))

Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))

Voyeurism (RCW 9A.44.115)

I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)

False Verification for Welfare (RCW 74.08.055)

Forgery (RCW 9A.60.020)

Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)

Malicious Mischief 2 (RCW 9A.48.080)

Mineral Trespass (RCW 78.44.330)

Possession of Stolen Property 2 (RCW 9A.56.160)

Reckless Burning 1 (RCW 9A.48.040)

Spotlighting Big Game 1 (RCW 77.15.450(3)(b))

Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))

Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)

Theft 2 (RCW 9A.56.040)

Theft of Rental, Leased, ((or)) Lease-purchased, or Loaned Property (valued at ((two)) seven hundred fifty dollars or more but less than ((one)) five thousand ((five hundred)) dollars) (RCW 9A.56.096(5)(b))

Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)

Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))

Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)

Unlawful Possession of Fictitious Identification (RCW 9A.56.320)

Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)

Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)

Unlawful Production of Payment Instruments (RCW 9A.56.320)

Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps (RCW 9.91.144)

Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))

Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))

Vehicle Prowl 1 (RCW 9A.52.095)

Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))

NEW SECTION. Sec. 14. The following acts or parts of acts are each repealed:

(1)RCW 9A.52.110 (Computer trespass in the first degree) and 1984 c 273 s 1;

(2)RCW 9A.52.120 (Computer trespass in the second degree) and 1984 c 273 s 2; and

(3)RCW 9A.52.130 (Computer trespass—Commission of other crime) and 1984 c 273 s 3.

NEW SECTION. Sec. 15. Sections 3 through 11 of this act constitute a new chapter in Title 9A RCW."

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

Senator Fain spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Engrossed Second Substitute House Bill No. 2375.

The motion by Senator Fain carried and the committee striking amendment was adopted by voice vote.

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

MOTION

On motion of Senator Fain, the rules were suspended, Engrossed Second Substitute House Bill No. 2375, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2375, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2375, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Hargrove

Excused: Senators Hill and Padden

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2745, by Representatives Fitzgibbon and Cody

Modifying the authority to appoint members to a certain ferry advisory committee.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Engrossed House Bill No. 2745 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2745.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2745 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow,

McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Dansel and Ericksen

Excused: Senators Hill and Padden

ENGROSSED HOUSE BILL NO. 2745, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908, by House Committee on Public Safety (originally sponsored by Representatives Ryu, Ortiz-Self, Walkinshaw, Stanford and Santos)

Establishing the joint legislative task force on community policing standards for a safer Washington. Revised for 1st Substitute: Establishing the joint legislative task force on the use of deadly force in community policing.

The measure was read the second time.

MOTION

Senator Pearson moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature recognizes the invaluable contributions of law enforcement officers, who risk their own lives every day to protect our families and communities. We hold law enforcement to a high standard in their positions of public trust and as the guardians in our communities, and the legislature applauds their efforts to show respect and compassion to all citizens while holding individuals accountable for their criminal activity.

The legislature acknowledges that officers are often placed in harm's way and must make decisions quickly while under extreme stress. Although regrettable in every case, the use of deadly force may sometimes be necessary to protect the safety of others. The legislature also recognizes that both the people of this state and law enforcement officers themselves rely on and expect accountability, the failure of which damages the public trust in those who serve the public honorably and with compassion.

It is the intent of the legislature to improve our law in a manner that provides clear guidance to law enforcement, respects and supports the role of law enforcement to maintain public safety, and fosters accountability and public trust.

NEW SECTION. **Sec. 2.** (1) A joint legislative task force on the use of deadly force in community policing is established.

(2) The task force is composed of members as provided in this subsection.

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The president of the senate and the speaker of the house of representatives jointly shall appoint members representing the following:

(i) Washington association of sheriffs and police chiefs;

(ii) Washington state patrol;

- (iii) Washington council of police and sheriffs;
 - (iv) Criminal justice training commission;
 - (v) Washington association of prosecuting attorneys;
 - (vi) Washington association of criminal defense lawyers, public defender association, or the Washington defender association;
 - (vii) Washington state association of counties;
 - (viii) Association of Washington cities;
 - (ix) Center for Latino leadership;
 - (x) National association for the advancement of colored people or its designee;
 - (xi) Northwest immigration rights project;
 - (xii) Black alliance of Thurston county;
 - (xiii) Disability rights Washington;
 - (xiv) Latino civic alliance;
 - (xv) COMPAS (council of metropolitan police and sheriffs);
 - (xvi) Washington state fraternal order of police;
 - (xvii) One other association, community organization, advocacy group, or faith-based organization with experience or interest in community policing; and
 - (xviii) One other association representing law enforcement officers who represent traditionally underrepresented communities.
- (d) The governor shall appoint four members representing the following:
- (i) Washington state commission on Hispanic affairs;
 - (ii) Washington state commission on Asian Pacific American affairs;
 - (iii) Washington state commission on African-American affairs; and
 - (iv) Governor's office of Indian affairs.
- (3) The task force shall:
- (a) Review laws, practices, and training programs regarding the use of deadly force in Washington state and other states;
 - (b) Review current policies, practices, and tools used by or otherwise available to law enforcement as an alternative to lethal uses of force, including tasers and other nonlethal weapons; and
 - (c) Recommend best practices to reduce the number of violent interactions between law enforcement officers and members of the public.
- (4) The task force may review literature and reports on the use of deadly force, and may consult with persons, organizations, and entities with interest or experience in community policing including, but not limited to, law enforcement, local governments, professional associations, community organizations, advocacy groups, and faith-based organizations.
- (5) The legislative membership shall convene the initial meeting of the task force no later than July 1, 2016. The task force shall convene at least four meetings in 2016. The task force shall choose its cochairs from among its legislative membership, which must include one representative from the house of representatives and one senator from the senate.
- (6) The task force shall submit a report, which may include findings and recommendations, to the governor and the appropriate committees of the legislature by December 1, 2016. A minority report must be submitted along with the task force's report if requested by any member of the task force.
- (7) Staff support for the task force shall be provided by the senate committee services and the house office of program research.
- (8) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization.

Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(9) The expenses of the task force shall be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house executive rules committee, or their successor committees.

(10) This section expires December 31, 2016."

On page 1, line 2 of the title, after "Washington;" strike the remainder of the title and insert "creating new sections; and providing an expiration date."

WITHDRAWAL OF AMENDMENT

On motion of Senator Hasegawa, and without objection, the following amendment no. 689 by Senator Hasegawa to the committee striking amendment was withdrawn:

On page 2, line 19 of the amendment, after "(xiv)" insert "The national alliance on mental illness Washington;

(xv)"

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

On page 2, line 40 of the amendment, after "weapons;" strike "and"

On page 3, line 3 of the amendment, after "public" insert "; and

(d) Review data collection practices of police use of force, including demographic data"

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice to Engrossed Substitute House Bill No. 2908.

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

MOTION

On motion of Senator Pearson, the rules were suspended, Engrossed Substitute House Bill No. 2908, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson and Fraser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2908, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2908, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Baumgartner and Honeyford

Excused: Senators Hill and Padden

FIFTY FIRST DAY, MARCH 1, 2016

2016 REGULAR SESSION

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2410, by House Committee on Judiciary (originally sponsored by Representatives Hayes, Orwall, Klippert, Goodman, Griffey, Fitzgibbon, Magendanz, Muri and Ormsby)

Requiring information about certain criminal defendants be included in the felony firearm offense conviction database.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Substitute House Bill No. 2410 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2410.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2410 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Dinsel

Excused: Senators Hill and Padden

SUBSTITUTE HOUSE BILL NO. 2410, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Fain moved that the Senate reconsider the action taken earlier in the day that remarks made regarding Senate Gubernatorial Appointment No. 9137 on February 5 and Senate Joint Resolution No. 8211 on February 12 be spread upon the journal.

Senator Rolfes spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Fain that the Senate reconsider the action taken that certain remarks be spread upon the journal and the motion carried by voice vote.

MOTION

Senator Fain moved that the leader of each caucus select no more than three senators of their respective caucus who made remarks regarding Senate Gubernatorial Appointment No. 9137 on February 5 and the leader of each caucus select no more than three senators of their respective caucus who made remarks regarding Senate Joint Resolution No. 8211 on February 12, and that the remarks to be spread upon the journal on the specified debates be limited to the remarks made by the senators selected by the leaders of each caucus.

Senator Roach spoke against the motion.

The President declared the question before the Senate to be the motion by Senator Fain that the leader of each caucus select no more than three senators of their respective caucus who made remarks regarding Senate Gubernatorial Appointment No. 9137 on February 5 and select no more than three senators who made remarks regarding Senate Joint Resolution No. 8211 on February 12, and that the remarks to be spread upon the journal on the specified debates be limited to the remarks made by the senators selected by the leaders of each caucus. The motion by Senator Fain carried by voice vote.

EDITOR'S NOTE: The selections as required by the motion were not submitted for publication.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1830, by House Committee on Transportation (originally sponsored by Representative Muri)

Creating Washington state wrestling special license plates.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 1830 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1830.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1830 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 5; Absent, 0; Excused, 2.

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

Voting nay: Senators Carlyle, Chase, Dinsel, Ericksen and Lias

Excused: Senators Hill and Padden

SUBSTITUTE HOUSE BILL NO. 1830, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

FOURTH SUBSTITUTE HOUSE BILL NO. 1999, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Carlyle, Kagi, Lytton, Walsh, Sawyer, Pettigrew, Ortiz-Self, Dent, Parker, Caldier, Goodman and Jinkins)

Coordinating services and programs for foster youth in order to improve educational outcomes.

The measure was read the second time.

MOTION

On motion of Senator Carlyle, the rules were suspended, Fourth Engrossed Substitute House Bill No. 1999 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Carlyle spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Fourth Substitute House Bill No. 1999.

ROLL CALL

The Secretary called the roll on the final passage of Fourth Substitute House Bill No. 1999 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Hill and Padden

FOURTH SUBSTITUTE HOUSE BILL NO. 1999, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Liias: "Thank you, Mr. President. I was wondering if you could congratulate Senator Carlyle on passing his final House bill and expressing our fervent desire that some day he will pass a Senate bill as well to join his legislative record."

PERSONAL PRIVILEGE

Senator Nelson: "In opposition to Senator Liias, I hope the Senate will join me in congratulating Senator Carlyle on his first bill in the Senate."

PERSONAL PRIVILEGE

Senator Fain: "Thank you, Mr. President. I too want to congratulate the good Senator. It speaks volumes he was such a

powerful member of the House of Representatives that that power has translated to keeping his bills alive and successful long after he's been gone. Yet, as a corollary we've seen how many bills he's passed now that he's in the Senate. We wish you the best of luck, sir."

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2433, by House Committee on Business & Financial Services (originally sponsored by Representatives Vick, Kirby and Goodman)

Concerning certified public accountant firm mobility.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Engrossed Substitute House Bill No. 2433 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2433.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2433 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Hargrove

Excused: Senators Hill and Padden

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2433, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senator Hargrove was excused.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2900, by House Committee on Public Safety (originally sponsored by Representatives Klippert and Haler)

Prohibiting marijuana, alcohol, or other intoxicant, or a cell phone while confined or incarcerated in a state correctional institution. Revised for 1st Substitute: Prohibiting marijuana, alcohol, or other intoxicant, or a cell phone while confined or incarcerated in a state, county, or local correctional institution.

The measure was read the second time.

FIFTY FIRST DAY, MARCH 1, 2016

MOTION

On motion of Senator Fain, the rules were suspended, Substitute House Bill No. 2900 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2900.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2900 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Hasegawa

Excused: Senators Hargrove, Hill and Padden

SUBSTITUTE HOUSE BILL NO. 2900, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2309, by Representatives Smith, Stanford, Griffey, Haler, Wilcox, Tharinger and Moscoso

Increasing the available term of water pollution control revolving fund program loans to reflect the 2014 amendments to the federal clean water act allowing such an increase.

The measure was read the second time.

MOTION

On motion of Senator Ericksen, the rules were suspended, House Bill No. 2309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of House Bill No. 2309.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2309 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia,

2016 REGULAR SESSION

Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick
Excused: Senators Hargrove, Hill and Padden

HOUSE BILL NO. 2309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2749, by Representatives Kagi and Ormsby

Extending dates concerning measuring performance and performance-based contracting of the child welfare system.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Accountability & Reform be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.13.360 and 2013 c 205 s 4 are each amended to read as follows:

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

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

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

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

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

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

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

(d) Issuing licenses pursuant to chapter 74.15 RCW.

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

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

measurable outcomes will be compared and evaluated pursuant to RCW 74.13.370; or

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

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

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

Sec. 2. RCW 74.13.370 and 2012 c 205 s 9 are each amended to read as follows:

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

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

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

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

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

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

Sec. 3. RCW 74.13.372 and 2012 c 205 s 11 are each amended to read as follows:

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

of child welfare services, continue to purchase services through the use of performance-based contracts."

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

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Accountability & Reform to Engrossed House Bill No. 2749.

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

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed House Bill No. 2749, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2749, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2749, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Hargrove, Hill and Padden

ENGROSSED HOUSE BILL NO. 2749, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1111, by Representatives Kilduff, Stokesbary, Walkinshaw, Goodman, Gregerson, Jinkins, Muri, Rodne and Moeller

Concerning court transcripts.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute House Bill No. 1111 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1111.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1111 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Baumgartner

Excused: Senators Hargrove, Hill and Padden

SUBSTITUTE HOUSE BILL NO. 1111, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2815, by Representatives Hayes, Smith, Lytton and Morris

Modifying the eligibility requirements for certain counties with ferry terminals to form a regional transportation planning organization.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2815 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2815.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2815 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 0; Excused, 3.

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

Voting nay: Senators Baumgartner, Benton and Ericksen

Excused: Senators Hargrove, Hill and Padden

HOUSE BILL NO. 2815, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2678, by House Committee on Appropriations (originally sponsored by Representatives Schmick, Cody and Van De Wege)

Regulating nursing home facilities.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2678 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2678.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2678 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Hargrove, Hill and Padden

SUBSTITUTE HOUSE BILL NO. 2678, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2413, by House Committee on Transportation (originally sponsored by Representatives Dent, Tarleton, Dye, Gregerson, Griffey, Hargrove, Klippert, Pike, Muri, Condotta and McBride)

Concerning aircraft registration simplification and fairness.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 2413 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2413.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2413 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Hasegawa

Excused: Senators Hargrove, Hill and Padden

SUBSTITUTE HOUSE BILL NO. 2413, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 8:02 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Wednesday, March 2, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 2, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present, with the exception of Senator Darneille.

The Sergeant at Arms Color Guard consisting of Pages Mr. Brandon Lustig and Miss Mackenzie Tibbs, grandchildren of Senator Warnick, presented the Colors.

The prayer was offered by Pastor Bill Knepper of Mountain View Baptist Church, Centralia.

MOTION

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

MOTION

Pursuant to Rule 46, on motion of Senator Fain, and without objection, the Committee on Ways & Means was granted special leave to meet during the day's floor session.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 25, 2016

SHB 2417 Prime Sponsor, Committee on Transportation: Modifying certain driver's license requirements. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget; Liias; Baumgartner; Ericksen; Miloscia and Rivers.

MINORITY recommendation: Do not pass. Signed by Senators Carlyle; Cleveland; Jayapal; Sheldon and Takko.

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Fain, and without objection, the measure listed on the Standing Committee report was held at the desk.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 1, 2016

MR. PRESIDENT:

The House has passed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 5145,
SUBSTITUTE SENATE BILL NO. 5864,
SENATE BILL NO. 6148,
SENATE BILL NO. 6162,
SENATE BILL NO. 6170,
SUBSTITUTE SENATE BILL NO. 6177,
SENATE BILL NO. 6196,
SENATE BILL NO. 6202,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6206,
SUBSTITUTE SENATE BILL NO. 6281,
SENATE BILL NO. 6282,
SUBSTITUTE SENATE BILL NO. 6284,
SUBSTITUTE SENATE BILL NO. 6290,
SUBSTITUTE SENATE BILL NO. 6295,
SUBSTITUTE SENATE BILL NO. 6326,
SUBSTITUTE SENATE BILL NO. 6342,
SENATE BILL NO. 6376,
SENATE BILL NO. 6398.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6673 by Senators Carlyle, Frockt, Liias, Mullet and Litzow
AN ACT Relating to implementing section 605(7) of the 2015 operating budget and authorizing a baccalaureate of science degree at Bellevue College; amending RCW 28B.50.140; reenacting and amending RCW 28B.15.069; and adding a new section to chapter 28B.50 RCW.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

At 10:06 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:14 a.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Parlette moved adoption of the following resolution:

SENATE RESOLUTION
8728

By Senators Parlette, O'Ban, Bailey, Rolfes, Conway, Chase, Pedersen, Becker, Fraser, and Dammeier

WHEREAS, Washington's apple industry is a major contributor to the economic health of both the state and its people; and

WHEREAS, The city of Wenatchee is preparing to celebrate the 97th annual Washington State Apple Blossom Festival to take place from April 28th through May 8th, 2016; and

WHEREAS, The Apple Blossom Festival, which began as a one-day gathering of poetry and song in Wenatchee's Memorial Park, is one of the oldest major festivals in the state, first celebrated in 1919 when Mrs. E. Wagner organized the first Blossom Day; and

WHEREAS, The Apple Blossom Festival celebrates the importance of the apple industry in the Wenatchee Valley and its environs; and

WHEREAS, The Apple Blossom Festival recognizes three young women who by their superior and distinctive efforts have exemplified the spirit and meaning of the Apple Blossom Festival; and

WHEREAS, These three young women are selected to reign over the Apple Blossom Festival and serve as ambassadors to the outlying communities as princesses and queen; and

WHEREAS, Emily Holmes has been selected to represent her community as a 2016 Apple Blossom Princess, in part for her strong academic performance and extracurricular activities, including being a member of the National Honor Society and a cheerleading captain, a third-year American Sign Language student who participates in deaf community outreach, a fundraiser for cancer, and a singer of the National Anthem at football games and the Wenatchee Wild hockey games, and for her everlasting commitment to her community; and

WHEREAS, Sami Everhart has been selected to represent her community as a 2016 Apple Blossom Princess, in part for her community service, including being an assistant coordinator on ASB and being the president of the National Honor Society; her extracurricular activities, including participating in drama club musicals, working as a hostess at the Wok-About Grill, and being an active participant in productions of the Music Theatre of Wenatchee; and her long-standing support of the community she has always lived in; and

WHEREAS, Kori Martin has been selected to represent her community as the 2016 Apple Blossom Queen, in part for her achievements as the senior class president, a marketing intern for the Town Toyota Center, and the Washington State DECA State President, as well as her volunteering for the Lighthouse Ministries, her passion as a softball player, taking care of her dogs, and her love for the people of Wenatchee Valley; and

WHEREAS, These three young women all desire to share their proven talents and leadership ambition to serve their community and be an encouragement to those they encounter;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the accomplishments of the

members of the Apple Blossom Festival Court and join the city of Wenatchee and the people of the state of Washington in celebrating the Washington State Apple Blossom Festival; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Queen Kori Martin, Princess Emily Holmes, Princess Sami Everhart, and the board of directors and chairpeople of the Washington State Apple Blossom Festival.

Senator Parlette spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8728.

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

INTRODUCTION OF GUESTS

The President welcomed and introduced members of the 2016 Apple Blossom Festival Court, Queen Kori Martin, Princess Emily Holmes and Princess Sami Everhart, who were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL
APPOINTMENTS

MOTION

Senator Parlette moved that June A. Darling, Gubernatorial Appointment No. 9255, be confirmed as a member of the Wenatchee Valley College Board of Trustees.

Senator Parlette spoke in favor of the motion.

MOTION

On motion of Senator Rivers, and without objection, Senator Braun was excused.

MOTION

On motion of Senator Billig, and without objection, Senator Darneille was excused.

APPOINTMENT OF JUNE A. DARLING

The President declared the question before the Senate to be the confirmation of June A. Darling, Gubernatorial Appointment No. 9255, as a member of the Wenatchee Valley College Board of Trustees.

The Secretary called the roll on the confirmation of June A. Darling, Gubernatorial Appointment No. 9255, as a member of the Wenatchee Valley College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Erickson, Fain, Fraser, Frock, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

Absent: Senator McAuliffe

Excused: Senators Braun and Darneille

June A. Darling, Gubernatorial Appointment No. 9255, having received the constitutional majority was declared confirmed as a member of the Wenatchee Valley College Board of Trustees.

MOTION

Senator Takko moved that Denise J. Portmann, Gubernatorial Appointment No. 9291, be confirmed as a member of the Grays Harbor College Board of Trustees.

Senator Takko spoke in favor of the motion.

MOTION

On motion of Senator Mullet, and without objection, Senator McAuliffe was excused.

APPOINTMENT OF DENISE J. PORTMANN

The President declared the question before the Senate to be the confirmation of Denise J. Portmann, Gubernatorial Appointment No. 9291, as a member of the Grays Harbor College Board of Trustees.

The Secretary called the roll on the confirmation of Denise J. Portmann, Gubernatorial Appointment No. 9291, as a member of the Grays Harbor College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Braun, Darneille and McAuliffe

Denise J. Portmann, Gubernatorial Appointment No. 9291, having received the constitutional majority was declared confirmed as a member of the Grays Harbor College Board of Trustees.

INTRODUCTION OF GUESTS

The President welcomed and introduced employees of Alcoa Intalco Works, led by Mr. Glenn Farmer, guests of Senator Ericksen, who were seated in the gallery.

INTRODUCTION OF GUEST

The President welcomed and introduced 2016 Miss Newaukum Valley Olivia Alvord, guest of Senators Takko and Braun, who was seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2765, by House Committee on Public Safety (originally sponsored by Representatives Kretz, Moscoso, Griffey, Hayes and Holy)

Clarifying the limited authority of park rangers.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 2765 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2765.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2765 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Hasegawa

Excused: Senators Braun and Darneille

SUBSTITUTE HOUSE BILL NO. 2765, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2356, by Representatives Kirby and Vick

Concerning employer agreements to reimburse certain employee costs for the use of personal vehicles for business purposes.

The measure was read the second time.

MOTION

Senator Benton moved that the following committee striking amendment by the Committee on Financial Institutions & Insurance be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.110.015 and 2006 c 274 s 2 and 2006 c 36 s 16 are each reenacted and amended to read as follows:

(1) The following are exempt from this title:

(a) Warranties;

(b) Maintenance agreements;

(c) Service contracts:

(i) Paid for with separate and additional consideration;

(ii) Issued at the point of sale, or within sixty days of the original purchase date of the property; and

(iii) On tangible property when the tangible property for which the service contract is sold has a purchase price of fifty dollars or less, exclusive of sales tax; and

(d) Agreements whereby a third party contracted by an employer provides mileage reimbursement and incidental maintenance and repairs to the employer's employees for personal vehicles used for business purposes, provided that such agreement does not provide indemnification or repairs for a loss caused by theft, collision, fire, or other peril typically covered in the comprehensive section of an automobile insurance policy.

(2) This chapter does not apply to:

(a) Vehicle mechanical breakdown insurance;

(b) Service contracts on tangible personal property purchased by persons who are not consumers; and

(c) Home heating fuel service contracts offered by home heating energy providers."

On page 1, line 3 of the title, after "purposes;" strike the remainder of the title and insert "and reenacting and amending RCW 48.110.015."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Financial Institutions & Insurance to House Bill No. 2356.

The motion by Senator Benton carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Benton, the rules were suspended, House Bill No. 2356, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2356, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2356, as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Darneille

HOUSE BILL NO. 2356, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2971, by Representatives McBride and Nealey

Addressing real estate as it concerns the local government authority in the use of real estate excise tax revenues and regulating real estate transactions.

The measure was read the second time.

MOTION

Senator Fain moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 64.06.080 and 2015 2nd sp.s. c 10 s 4 are each amended to read as follows:

(1) Any ordinance, resolution, or policy adopted by a city or county that imposes a requirement on landlords or sellers of real property, or their agents, to provide information to a buyer or tenant pertaining to the subject property or the surrounding area is effective only after:

(a) A summary of the ordinance, resolution, or policy is posted electronically in accordance with RCW 43.110.030(2)(e); and

(b) An internet link to the ordinance, resolution, or policy, or the relevant portion of the actual language of the ordinance, resolution, or policy, is posted electronically in accordance with RCW 43.110.030(2)(e).

(2) If, prior to ((September 26, 2015)) the effective date of this act, a city or county adopted an ordinance, resolution, or policy that imposes a requirement on landlords or sellers of real property, or their agents, to provide information to a buyer or tenant pertaining to the subject property or the surrounding area, the city or county must cause, within ninety days of the effective date of this act:

(a) A summary of the ordinance, resolution, or policy to be posted electronically in accordance with RCW 43.110.030(2)(e); and

(b) An internet link to the ordinance, resolution, or policy, or the relevant portion of the actual language of the ordinance, resolution, or policy, to be posted electronically in accordance with RCW 43.110.030(2)(e) ((within ninety days of September 26, 2015, or the requirement shall)). If the requirement is not electronically posted as required by this subsection, the requirement must thereafter cease to be in effect.

Sec. 2. RCW 43.110.030 and 2015 2nd sp.s. c 10 s 5 are each amended to read as follows:

(1) The department of commerce must contract for the provision of municipal research and services to cities, towns, and counties. Contracts for municipal research and services must be made with state agencies, educational institutions, or private consulting firms, that in the judgment of the department are qualified to provide such research and services. Contracts for staff support may be made with state agencies, educational institutions, or private consulting firms that in the judgment of the department are qualified to provide such support.

(2) Municipal research and services consists of:

(a) Studying and researching city, town, and county government and issues relating to city, town, and county government;

(b) Acquiring, preparing, and distributing publications related to city, town, and county government and issues relating to city, town, and county government;

(c) Providing educational conferences relating to city, town, and county government and issues relating to city, town, and county government;

(d) Furnishing legal, technical, consultative, and field services to cities, towns, and counties concerning planning, public

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

health, utility services, fire protection, law enforcement, public works, and other issues relating to city, town, and county government; and

(e) ((Providing a list of all requirements imposed by all cities, towns, and counties)) (i) For any ordinance, resolution, or policy adopted by a city, town, or county that imposes a requirement on landlords or sellers of real property to provide information to a buyer or tenant pertaining to the subject property or the surrounding area((. The list)), posting:

(A) A summary of the ordinance, resolution, or policy; and

(B) An internet link to the ordinance, resolution, or policy, or the relevant portion of the actual language of the ordinance, resolution, or policy.

(ii) Information provided by cities, towns, and counties regarding an ordinance, resolution, or policy under (e)(i) of this subsection must be posted in a specific section on a web site maintained by the entity with which the department of commerce contracts for the provision of municipal research and services under this section, and must list by jurisdiction all applicable requirements. Cities, towns, and counties must provide information for posting on the web site in accordance with RCW 64.06.080.

(3) Requests for legal services by county officials must be sent to the office of the county prosecuting attorney. Responses by the department of commerce to county requests for legal services must be provided to the requesting official and the county prosecuting attorney.

(4) The department of commerce must coordinate with the association of Washington cities and the Washington state association of counties in carrying out the activities in this section.

Sec. 3. RCW 82.46.015 and 2015 2nd sp.s. c 10 s 2 are each amended to read as follows:

(1) A city or county that meets the requirements of subsection (2) of this section may use the greater of one hundred thousand dollars or twenty-five percent of available funds, but not to exceed one million dollars per year, from revenues collected under RCW 82.46.010 for the maintenance of capital projects, as defined in RCW 82.46.010(6)(b).

(2) A city or county may use revenues pursuant to subsection (1) of this section if:

(a) The city or county prepares a written report demonstrating that it has or will have adequate funding from all sources of public funding to pay for all capital projects, as defined in RCW 82.46.010, identified in its capital facilities plan for the succeeding two-year period. Cities or counties not required to prepare a capital facilities plan may satisfy this provision by using a document that, at a minimum, identifies capital project needs and available public funding sources for the succeeding two-year period; and

(b)(i) The city or county has not enacted, after ((September 26, 2015,)) the effective date of this act: Any requirement on the listing((, leasing,)) or sale of real property((, unless the requirement is either)); or any requirement on landlords, at the time of executing a lease, to perform or provide physical improvements or modifications to real property or fixtures, except if necessary to address an immediate threat to health or safety; or

(ii) Any local requirement adopted by the city or county under (b)(i) of this subsection is: Specifically authorized by RCW 35.80.030, 35A.11.020, chapter 7.48 RCW, or chapter 19.27 RCW; specifically authorized by other state or federal law; or ((is)) a seller or landlord disclosure requirement pursuant to RCW 64.06.080.

(3) The report prepared under subsection (2)(a) of this section must: (a) Include information necessary to determine compliance

with the requirements of subsection (2)(a) of this section; (b) identify how revenues collected under RCW 82.46.010 were used by the city or county during the prior two-year period; (c) identify how funds authorized under subsection (1) of this section will be used during the succeeding two-year period; and (d) identify what percentage of funding for capital projects within the city or county is attributable to revenues under RCW 82.46.010 compared to all other sources of capital project funding. The city or county must prepare and adopt the report as part of its regular, public budget process.

(4) The authority to use funds as authorized in this section is in addition to the authority to use funds pursuant to RCW 82.46.010(7), which remains in effect through December 31, 2016.

(5) For purposes of this section, "maintenance" means the use of funds for labor and materials that will preserve, prevent the decline of, or extend the useful life of a capital project. "Maintenance" does not include labor or material costs for routine operations of a capital project.

Sec. 4. RCW 82.46.037 and 2015 2nd sp.s. c 10 s 3 are each amended to read as follows:

(1) A city or county that meets the requirements of subsection (2) of this section may use the greater of one hundred thousand dollars or twenty-five percent of available funds, but not to exceed one million dollars per year, from revenues collected under RCW 82.46.035 for:

(a) The maintenance of capital projects, as defined in RCW 82.46.035(5); or

(b) The planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation, improvement, or maintenance of capital projects as defined in RCW 82.46.010(6)(b) that are not also included within the definition of capital projects in RCW 82.46.035(5).

(2) A city or county may use revenues pursuant to subsection (1) of this section if:

(a) The city or county prepares a written report demonstrating that it has or will have adequate funding from all sources of public funding to pay for all capital projects, as defined in RCW 82.46.035(5), identified in its capital facilities plan for the succeeding two-year period; and

(b)(i) The city or county has not enacted, after ((September 26, 2015,)) the effective date of this act, any requirement on the listing((, leasing,)) or sale of real property((, unless the requirement is either)); or any requirement on landlords, at the time of executing a lease, to perform or provide physical improvements or modifications to real property or fixtures, except if necessary to address an immediate threat to health or safety; or

(ii) Any local requirement adopted by the city or county under (b)(i) of this subsection is: Specifically authorized by RCW 35.80.030, 35A.11.020, chapter 7.48 RCW, or chapter 19.27 RCW; specifically authorized by other state or federal law; or ((is)) a seller or landlord disclosure requirement pursuant to RCW 64.06.080.

(3) The report prepared under subsection (2)(a) of this section must: (a) Include information necessary to determine compliance with the requirements of subsection (2)(a) of this section; (b) identify how revenues collected under RCW 82.46.035 were used by the city or county during the prior two-year period; (c) identify how funds authorized under subsection (1) of this section will be used during the succeeding two-year period; and (d) identify what percentage of funding for capital projects within the city or county is attributable to revenues under RCW 82.46.035 compared to all other sources of capital project funding. The city or county must prepare and adopt the report as part of its regular, public budget process.

(4) The authority to use funds as authorized in this section is in addition to the authority to use funds pursuant to RCW 82.46.035(7), which remains in effect through December 31, 2016.

(5) For purposes of this section, "maintenance" means the use of funds for labor and materials that will preserve, prevent the decline of, or extend the useful life of a capital project. "Maintenance" does not include labor or material costs for routine operations of a capital project."

On page 1, line 3 of the title, after "transactions;" strike the remainder of the title and insert "and amending RCW 64.06.080, 43.110.030, 82.46.015, and 82.46.037."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed House Bill No. 2971.

The motion by Senator Fain carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Fain, the rules were suspended, Engrossed House Bill No. 2971, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2971, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2971, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Darneille

ENGROSSED HOUSE BILL NO. 2971, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1448, by House Committee on Judiciary (originally sponsored by Representatives Riccelli, Holy, Parker, Ormsby, Caldier, Hayes, Jinkins, Walkinshaw, Gregerson, Appleton, Ryu, McBride and Shea)

Providing procedures for responding to reports of threatened or attempted suicide.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that law enforcement officers may respond to situations in which an individual has threatened harm to himself or herself, but that individual does not meet the criteria to be taken into custody for an evaluation under the involuntary treatment act. In these situations, officers are encouraged to facilitate contact between the individual and a mental health professional in order to protect the individual and the community. While the legislature acknowledges that some law enforcement officers receive mental health training, law enforcement officers are not mental health professionals. It is the intent of the legislature that mental health incidents are addressed by mental health professionals.

NEW SECTION. Sec. 2. A new section is added to chapter 71.05 RCW to read as follows:

When funded, the Washington association of sheriffs and police chiefs, in consultation with the criminal justice training commission, must develop and adopt a model policy for use by law enforcement agencies relating to a law enforcement officer's referral of a person to a mental health agency after receiving a report of threatened or attempted suicide. The model policy must complement the criminal justice training commission's crisis intervention training curriculum.

NEW SECTION. Sec. 3. A new section is added to chapter 71.05 RCW to read as follows:

By July 1, 2017, all general authority Washington law enforcement agencies must adopt a policy establishing criteria and procedures for a law enforcement officer to refer a person to a mental health agency after receiving a report of threatened or attempted suicide.

Sec. 4. RCW 71.05.120 and 2000 c 94 s 4 are each amended to read as follows:

(1) No officer of a public or private agency, nor the superintendent, professional person in charge, his or her professional designee, or attending staff of any such agency, nor any public official performing functions necessary to the administration of this chapter, nor peace officer responsible for detaining a person pursuant to this chapter, nor any county designated mental health professional, nor the state, a unit of local government, or an evaluation and treatment facility shall be civilly or criminally liable for performing duties pursuant to this chapter with regard to the decision of whether to admit, discharge, release, administer antipsychotic medications, or detain a person for evaluation and treatment: PROVIDED, That such duties were performed in good faith and without gross negligence.

(2) Peace officers and their employing agencies are not liable for the referral of a person, or the failure to refer a person, to a mental health agency pursuant to a policy adopted pursuant to section 3 of this act if such action or inaction is taken in good faith and without gross negligence.

(3) This section does not relieve a person from giving the required notices under RCW 71.05.330(2) or 71.05.340(1)(b), or the duty to warn or to take reasonable precautions to provide protection from violent behavior where the patient has communicated an actual threat of physical violence against a reasonably identifiable victim or victims. The duty to warn or to take reasonable precautions to provide protection from violent behavior is discharged if reasonable efforts are made to communicate the threat to the victim or victims and to law enforcement personnel.

NEW SECTION. Sec. 5. A new section is added to chapter 71.05 RCW to read as follows:

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

As soon as possible, but no later than twenty-four hours from receiving a referral from a law enforcement officer or law enforcement agency, excluding Saturdays, Sundays, and holidays, a mental health professional contacted by the designated mental health professional agency must attempt to contact the referred person to determine whether additional mental health intervention is necessary including, if needed, an assessment by a designated mental health professional for initial detention under RCW 71.05.150 or 71.05.153. Documentation of the mental health professional's attempt to contact and assess the person must be maintained by the designated mental health professional agency.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "suicide;" strike the remainder of the title and insert "amending RCW 71.05.120; adding new sections to chapter 71.05 RCW; and creating new sections."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Second Substitute House Bill No. 1448.

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

MOTION

On motion of Senator O'Ban, the rules were suspended, Second Substitute House Bill No. 1448, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1448, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1448, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Darneille

SECOND SUBSTITUTE HOUSE BILL NO. 1448, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced eighth grade students from Griffin Middle School, Olympia, and their advisor,

Mr. Greg Woods, guests of Senator Sheldon, who were seated in the gallery.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061, by House Committee on Environment (originally sponsored by Representatives Short and Kretz)

Authorizing county legislative authorities to approve certain group B water systems based upon their delivery of water meeting safe drinking water standards.

The measure was read the second time.

MOTION

Senator Ericksen moved that the following striking amendment no. 688 by Senator Ericksen be adopted: Strike everything after the enacting clause and insert the following:

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

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

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

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

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

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

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

(iii) Public water system management and reporting requirements;

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

(v) Public water system operation and maintenance requirements;

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

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

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

(ii) Irrespective of the rules adopted pursuant to (b)(i) of this subsection and consistent with section 2 of this act, until January 1, 2021, a county legislative authority of a county east of the crest of the Cascade mountains that is contiguous with the border with Canada and that has a population of less than fifty thousand

residents may act to approve the operation of a group B public water system, as defined in RCW 70.119A.020, serving nine or fewer connections. A county legislative authority may choose to seek the advice of a local health jurisdiction, as defined in RCW 70.119A.020, in determining whether to approve the operation of a group B public water system under this section;

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

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

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

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

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

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

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

(5) All local boards of health, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and all other officers and employees of the state, or any county, city, or township thereof, shall enforce all rules adopted by the state board of health. In the event of failure or refusal on the part of any member of such boards or any other official or person mentioned in this section to so act, he or she shall be subject to a fine of not less than fifty dollars, upon first conviction, and not less than one hundred dollars upon second conviction.

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

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

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

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

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

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

(2)(a) A group B public water system must submit test results to the county legislative authority by December 15th of each year demonstrating that the potable water delivered meets local potable water standards, if the group B public water system was

approved by the county legislative authority under subsection (1) of this section. By December 15th of each year, a group B public water system must also provide a copy of the test results submitted to the county legislative authority to each customer connection served by the group B public water system. The county legislative authority must provide submitted test results to the local health jurisdiction.

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

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

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

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

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

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

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

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

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

Senator Ericksen spoke in favor of adoption of the amendment.

MOTION

Senator McCoy moved that the following amendment no. 695 by Senator McCoy to the striking amendment be adopted:

On page 3, line 23 of the amendment, after "standards" insert "as required under RCW 43.20.050(2)(b)(i)"

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

ROLL CALL

On page 3, beginning on line 25 of the amendment, after "provided" strike all material through "use" on line 27 and insert "at the point at which the water is delivered for potable use meets water quality standards as required under RCW 43.20.050(2)(b)(i)"

On page 3, line 35 of the amendment, after "must" strike "submit" and insert ": (i) Submit"

Beginning on page 3, line 37 of the amendment, after "meets" strike all material through "also" on page 4, line 2, and insert "water standards as required under RCW 43.20.050(2)(b)(i), if the group B public water system was approved by the county legislative authority under subsection (1) of this section.

(ii) Provide evidence to the county legislative authority that treatment is in place to provide drinking water that meets water quality requirements for primary contaminants under WAC 246-291-170;

(iii) Issue an advisory for the water system when there is an exceedance of the maximum contaminant level requirements under (a)(ii) of this subsection and notify customers of the risks and steps to take to protect their health; and

(iv) By December 15th of each year,"

On page 4, line 36 of the amendment, after "met" strike "local potable water quality standards" and insert "water quality standards as required under RCW 43.20.050(2)(b)(i)"

On page 5, beginning on line 1 of the amendment, after "(5)" strike all material through "(6)" on line 7"

Senators McCoy and Rolfes spoke in favor of adoption of the amendment to the striking amendment.

Senators Ericksen and Dansel spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 695 by Senator McCoy to the striking amendment to Engrossed Second Substitute House Bill No. 2061.

The motion by Senator McCoy did not carry and the amendment was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 688 by Senator Ericksen to Engrossed Second Substitute House Bill No. 2061.

The motion by Senator Ericksen carried and striking amendment no. 688 was adopted by voice vote.

MOTION

On motion of Senator Mullet, and without objection, Senator Liias was excused.

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Second Substitute House Bill No. 2061, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, Dansel and Sheldon spoke in favor of passage of the bill.

Senators McCoy, Rolfes and Keiser spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2061, as amended by the Senate.

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2061, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 28; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Frockt, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Fraser, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

Excused: Senators Darneille and Liias

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847, by House Committee on Environment (originally sponsored by Representative Rossetti)

Creating an exemption to the definition of substantial development in chapter 90.58 RCW relating to the retrofitting of existing structures to accommodate physical access by individuals with disabilities.

The measure was read the second time.

MOTION

Senator Ericksen moved that the following committee striking amendment by the Committee on Energy, Environment & Telecommunications be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 90.58.030 and 2014 c 23 s 1 are each amended to read as follows:

As used in this chapter, unless the context otherwise requires, the following definitions and concepts apply:

(1) Administration:

(a) "Department" means the department of ecology;

(b) "Director" means the director of the department of ecology;

(c) "Hearings board" means the shorelines hearings board established by this chapter;

(d) "Local government" means any county, incorporated city, or town which contains within its boundaries any lands or waters subject to this chapter;

(e) "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of the state or local governmental unit however designated.

(2) Geographical:

(a) "Extreme low tide" means the lowest line on the land reached by a receding tide;

(b) "Floodway" means the area, as identified in a master program, that either: (i) Has been established in federal

emergency management agency flood insurance rate maps or floodway maps; or (ii) consists of those portions of a river valley lying streamward from the outer limits of a watercourse upon which flood waters are carried during periods of flooding that occur with reasonable regularity, although not necessarily annually, said floodway being identified, under normal condition, by changes in surface soil conditions or changes in types or quality of vegetative ground cover condition, topography, or other indicators of flooding that occurs with reasonable regularity, although not necessarily annually. Regardless of the method used to identify the floodway, the floodway shall not include those lands that can reasonably be expected to be protected from flood waters by flood control devices maintained by or maintained under license from the federal government, the state, or a political subdivision of the state;

(c) "Ordinary high water mark" on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department: PROVIDED, That in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water;

(d) "Shorelands" or "shoreland areas" means those lands extending landward for two hundred feet in all directions as measured on a horizontal plane from the ordinary high water mark; floodways and contiguous floodplain areas landward two hundred feet from such floodways; and all wetlands and river deltas associated with the streams, lakes, and tidal waters which are subject to the provisions of this chapter; the same to be designated as to location by the department of ecology.

(i) Any county or city may determine that portion of a one-hundred-year-flood plain to be included in its master program as long as such portion includes, as a minimum, the floodway and the adjacent land extending landward two hundred feet therefrom.

(ii) Any city or county may also include in its master program land necessary for buffers for critical areas, as defined in chapter 36.70A RCW, that occur within shorelines of the state, provided that forest practices regulated under chapter 76.09 RCW, except conversions to nonforest land use, on lands subject to the provisions of this subsection (2)(d)(ii) are not subject to additional regulations under this chapter;

(e) "Shorelines" means all of the water areas of the state, including reservoirs, and their associated shorelands, together with the lands underlying them; except (i) shorelines of statewide significance; (ii) shorelines on segments of streams upstream of a point where the mean annual flow is twenty cubic feet per second or less and the wetlands associated with such upstream segments; and (iii) shorelines on lakes less than twenty acres in size and wetlands associated with such small lakes;

(f) "Shorelines of statewide significance" means the following shorelines of the state:

(i) The area between the ordinary high water mark and the western boundary of the state from Cape Disappointment on the south to Cape Flattery on the north, including harbors, bays, estuaries, and inlets;

(ii) Those areas of Puget Sound and adjacent salt waters and the Strait of Juan de Fuca between the ordinary high water mark and the line of extreme low tide as follows:

(A) Nisqually Delta—from DeWolf Bight to Tatsolo Point,

(B) Birch Bay—from Point Whitehorn to Birch Point,

(C) Hood Canal—from Tala Point to Foulweather Bluff,

(D) Skagit Bay and adjacent area—from Brown Point to Yokeko Point, and

(E) Padilla Bay—from March Point to William Point;

(iii) Those areas of Puget Sound and the Strait of Juan de Fuca and adjacent salt waters north to the Canadian line and lying seaward from the line of extreme low tide;

(iv) Those lakes, whether natural, artificial, or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark;

(v) Those natural rivers or segments thereof as follows:

(A) Any west of the crest of the Cascade range downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more,

(B) Any east of the crest of the Cascade range downstream of a point where the annual flow is measured at two hundred cubic feet per second or more, or those portions of rivers east of the crest of the Cascade range downstream from the first three hundred square miles of drainage area, whichever is longer;

(vi) Those shorelands associated with (f)(i), (ii), (iv), and (v) of this subsection (2);

(g) "Shorelines of the state" are the total of all "shorelines" and "shorelines of statewide significance" within the state;

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

(3) Procedural terms:

(a) "Development" means a use consisting of the construction or exterior alteration of structures; dredging; drilling; dumping; filling; removal of any sand, gravel, or minerals; bulkheading; driving of piling; placing of obstructions; or any project of a permanent or temporary nature which interferes with the normal public use of the surface of the waters overlying lands subject to this chapter at any state of water level;

(b) "Guidelines" means those standards adopted to implement the policy of this chapter for regulation of use of the shorelines of the state prior to adoption of master programs. Such standards shall also provide criteria to local governments and the department in developing master programs;

(c) "Master program" ((shall)) means the comprehensive use plan for a described area, and the use regulations together with maps, diagrams, charts, or other descriptive material and text, a statement of desired goals, and standards developed in accordance with the policies enunciated in RCW 90.58.020. "Comprehensive master program update" means a master program that fully achieves the procedural and substantive requirements of the department guidelines effective January 17, 2004, as now or hereafter amended;

(d) "State master program" is the cumulative total of all master programs approved or adopted by the department of ecology;

(e) "Substantial development" ((shall)) means any development of which the total cost or fair market value exceeds five thousand dollars, or any development which materially

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

interferes with the normal public use of the water or shorelines of the state. The dollar threshold established in this subsection (3)(e) must be adjusted for inflation by the office of financial management every five years, beginning July 1, 2007, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect. The following shall not be considered substantial developments for the purpose of this chapter:

(i) Normal maintenance or repair of existing structures or developments, including damage by accident, fire, or elements;

(ii) Construction of the normal protective bulkhead common to single-family residences;

(iii) Emergency construction necessary to protect property from damage by the elements;

(iv) Construction and practices normal or necessary for farming, irrigation, and ranching activities, including agricultural service roads and utilities on shorelands, and the construction and maintenance of irrigation structures including but not limited to head gates, pumping facilities, and irrigation channels. A feedlot of any size, all processing plants, other activities of a commercial nature, alteration of the contour of the shorelands by leveling or filling other than that which results from normal cultivation, shall not be considered normal or necessary farming or ranching activities. A feedlot shall be an enclosure or facility used or capable of being used for feeding livestock hay, grain, silage, or other livestock feed, but shall not include land for growing crops or vegetation for livestock feeding and/or grazing, nor shall it include normal livestock wintering operations;

(v) Construction or modification of navigational aids such as channel markers and anchor buoys;

(vi) Construction on shorelands by an owner, lessee, or contract purchaser of a single-family residence for his own use or for the use of his or her family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to this chapter;

(vii) Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single and multiple family residences. This exception applies if either: (A) In salt waters, the fair market value of the dock does not exceed two thousand five hundred dollars; or (B) in fresh waters, the fair market value of the dock does not exceed: (I) Twenty thousand dollars for docks that are constructed to replace existing docks, are of equal or lesser square footage than the existing dock being replaced, and are located in a county, city, or town that has updated its master program consistent with the master program guidelines in chapter 173-26 WAC as adopted in 2003; or (II) ten thousand dollars for all other docks constructed in fresh waters. However, if subsequent construction occurs within five years of completion of the prior construction, and the combined fair market value of the subsequent and prior construction exceeds the amount specified in either (e)(vii)(A) or (B) of this subsection (3), the subsequent construction shall be considered a substantial development for the purpose of this chapter. All dollar thresholds under (e)(vii)(B) of this subsection (3) must be adjusted for inflation by the office of financial management every five years,

beginning July 1, 2018, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, Seattle, Washington area, for urban wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. The office of financial management must calculate the new dollar thresholds, rounded to the nearest hundred dollar, and transmit them to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar thresholds are to take effect;

(viii) Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored groundwater for the irrigation of lands;

(ix) The marking of property lines or corners on state owned lands, when such marking does not significantly interfere with normal public use of the surface of the water;

(x) Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on September 8, 1975, which were created, developed, or utilized primarily as a part of an agricultural drainage or diking system;

(xi) Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this chapter, if:

(A) The activity does not interfere with the normal public use of the surface waters;

(B) The activity will have no significant adverse impact on the environment including, but not limited to, fish, wildlife, fish or wildlife habitat, water quality, and aesthetic values;

(C) The activity does not involve the installation of a structure, and upon completion of the activity the vegetation and land configuration of the site are restored to conditions existing before the activity;

(D) A private entity seeking development authorization under this section first posts a performance bond or provides other evidence of financial responsibility to the local jurisdiction to ensure that the site is restored to preexisting conditions; and

(E) The activity is not subject to the permit requirements of RCW 90.58.550;

(xii) The process of removing or controlling an aquatic noxious weed, as defined in RCW 17.26.020, through the use of an herbicide or other treatment methods applicable to weed control that are recommended by a final environmental impact statement published by the department of agriculture or the department jointly with other state agencies under chapter 43.21C RCW;

(xiii) The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with the Americans with disabilities act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities."

On page 1, line 4 of the title, after "disabilities;" strike the remainder of the title and insert "and amending RCW 90.58.030."

MOTION

Senator McCoy moved that the following amendment no. 696 by Senator McCoy to the committee striking amendment be adopted:

On page 7, at the beginning of line 37 of the amendment, strike "structure" and insert "building"

On page 7, line 39 of the amendment, after "to the" strike "structure" and insert "building"

Senators McCoy and Fraser spoke in favor of adoption of the amendment to the committee striking amendment.

Senators Ericksen and Dansel spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 696 by Senator McCoy on page 7, line 37 to the committee striking amendment.

The motion by Senator McCoy did not carry and amendment no. 696 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Energy, Environment & Telecommunications to Engrossed Substitute House Bill No. 2847.

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

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Substitute House Bill No. 2847, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, Sheldon and Takko spoke in favor of passage of the bill.

Senators McCoy, Ranker and Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2847, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2847, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 33; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, McAuliffe, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Fraser, Frockt, Hasegawa, Jayapal, Keiser, McCoy, Nelson, Pedersen and Rolfes

Excused: Senators Darneille and Liias

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced fourth grade students from Evergreen Elementary School, Shelton, and their advisor Ms. Elizabeth Ward, guests of Senator Sheldon, who were seated in the gallery.

Senator Fain announced a meeting of the Majority Coalition Caucus at 1:30 p.m.

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

MOTION

At 12:34 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 3:56 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the third order of business.

MESSAGE FROM THE GOVERNOR

February 29, 2016

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on February 29, 2016, Governor Inslee approved the following Senate Bill entitled:

E2SSB No. 6195 Relating to basic education obligations.

Sincerely,
Miguel Perez-Gibson,
Executive Director of Legislative Affairs

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED HOUSE BILL NO. 1409, by Representatives Walkinshaw, Hayes, Clibborn, Hargrove, Fey, Farrell, Zeiger, Orcutt and Tarleton

Concerning the disclosure of vessel owner information.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Engrossed House Bill No. 1409 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1409.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1409 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Ericksen, Fain, Fraser, Frockt, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Benton, Dansel and Hasegawa
Excused: Senators Darneille, Habib and Lias

ENGROSSED HOUSE BILL NO. 1409, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Dansel: "Thank you, Mr. President. I wanted to rise and thank you. It was conveyed to me by my staff that over the past three years you've taken time out of your schedule to host my legislative assistant, my session aide, every single one of my pages, my family members. I wanted to say thank you personally for taking time out of your schedule and opening up for young people that come from the other side of the state. You've illustrated to them what it is to be a public servant. You've also opened the door to the opposing party and I think in a time where Republican vs. Democrat is at an all-time high, it's nice to see someone working across the aisle. I wanted to thank you very much for always taking time for kids that come over here that are trying to learn something, as well as session aides, that have had the ability now to meet you and learn from you and your office. Thank you very much."

SECOND READING

HOUSE BILL NO. 2280, by Representatives Klippert and Hayes

Making felony driving under the influence of intoxicating liquor, marijuana, or any drug a class B felony.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2280 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2280.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2280 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2280, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2332, by Representative Kirby

Removing an expiration date concerning the filing and public disclosure of health care provider compensation.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2332 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2332.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2332 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2332, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2360, by Representatives Lytton, Magandanz, Sullivan, Reykdal, Rossetti, Santos and Chandler

Eliminating the quality education council.

The measure was read the second time.

MOTION

On motion of Senator Litzow, the rules were suspended, House Bill No. 2360 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2360.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2360 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2360, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2384, by Representatives Buys, Wylie, Orwall and Rodne

Clarifying the meaning of mobile telecommunications service provider.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2384 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2384.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2384 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2384, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2403, by Representatives Kochmar, Senn, Griffey, Appleton, Walsh, Wylie, Scott, Ryu, McCabe, Stambaugh, Short, Magendanz, Caldier, Hickel, Wilson, Zeiger, Muri, Kilduff and McBride

Concerning Down syndrome resources.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2403 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2403.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2403 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2403, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2565, by Representatives Vick, Reykdal, Orcutt, Wilson, Springer, Robinson, Nealey, Wilcox, Manweller, Stokesbary, Condotta, Pike, Haler, Frame, Hargrove and Muri

Reducing the frequency of local sales and use tax changes.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Bill No. 2565 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

The President declared the question before the Senate to be the final passage of House Bill No. 2565.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2565 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2565, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2580, by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Rodne, Robinson, Johnson and Jinkins)

Establishing a public registry for the transparency of blood establishments.

The measure was read the second time.

MOTION

Senator Becker moved that the following committee striking amendment by the Committee on Health Care be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that maintaining public trust and confidence in the safety of the community blood supply is important to the health care system. Patients in Washington needing lifesaving transfusions rightly expect safe blood and blood donors in Washington rightly expect their contributions will be managed with diligent care and compliance with all regulatory standards and expectations so their donation will benefit patients in need. The United States food and drug administration establishes regulations, good manufacturing practices, and guidance that defines the minimum standards for blood establishments and, in cases of repeated violations and noncompliance by licensed blood establishments, may impose measures that include fines, judicial consent decrees, and suspension or revocation of licensure. It is therefore the intent of the legislature that blood-collecting or distributing establishments be registered with the department of health to help ensure public transparency.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Blood-collecting or distributing establishment" or "establishment" means any organization that collects or distributes blood for allogeneic transfusion in Washington. This chapter does not apply to a hospital licensed under chapter 70.41 or 71.12 RCW unless the hospital collects blood directly from donors for the purpose of allogeneic transfusions. For the

purposes of this chapter, "blood-collecting or distributing establishment" or "establishment" does not include organizations that collect source plasma for the production of plasma derivatives by fractionation.

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

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

NEW SECTION. Sec. 3. (1) A blood-collecting or distributing establishment may not collect or distribute blood for transfusion in Washington, unless it is registered by the department.

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

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

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

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

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

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

(ii) Judicial consent decrees; and

(e) Any other information required by the department.

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

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

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

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

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

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

NEW SECTION. Sec. 4. (1) The department shall create and maintain an online public registry of all registered blood-collecting or distributing establishments that supply blood products for transfusion in Washington.

(2) The department shall, within fourteen days of receipt, publish in the public registry the information received from each

registered blood-collecting or distributing establishment under section 3 of this act, including changes in the standing of the establishment's United States food and drug administration license.

(3) The department shall notify all of a blood-collecting or distributing establishment's Washington clients within fourteen days of receiving notice under section 3 of this act that the establishment has experienced a change in standing in its United States food and drug administration license or no longer holds a license issued by the United States food and drug administration.

NEW SECTION. Sec. 5. The department may, in the manner provided by law and upon the advice of the attorney general, who shall represent the department in the proceedings, maintain an action in the name of the state for an injunction or other process against any blood-collecting or distributing establishment to restrain or prevent the operation of the establishment without a registration issued under this chapter.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act constitute a new chapter in Title 70 RCW."

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

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health Care to Substitute House Bill No. 2580.

The motion by Senator Becker carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2580, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2580, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2580, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

SUBSTITUTE HOUSE BILL NO. 2580, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2598, by House Committee on Transportation (originally sponsored by Representatives Orcutt and Clibborn)

Authorizing the use of certain cargo extensions that connect to a recreational vehicle frame. Revised for 1st Substitute: Authorizing the use of certain cargo extensions that connect to a motor home or travel trailer frame.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 2598 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2598.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2598 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

SUBSTITUTE HOUSE BILL NO. 2598, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2599, by Representatives Orcutt, Clibborn, Moscoso, Harmsworth, Tarleton, Zeiger, Hayes, Hargrove, Rossetti, McBride and Wilson

Authorizing the freight mobility strategic investment board to remove funding allocation for projects after a certain number of years without construction occurring.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2599 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2599.

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2599 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

HOUSE BILL NO. 2599, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540, by House Committee on Finance (originally sponsored by Representatives Nealey, Tharinger, Harris, Walsh, Ryu, Griffey, Hayes, Manweller, Pike, Smith, Stokesbary, MacEwen, Van De Wege, Johnson, Magendanz, Wilson, McBride, Hargrove, Schmick, Pollet and Van Werven)

Modifying the penalty for taxpayers that do not submit an annual survey or report.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Engrossed Substitute House Bill No. 2540 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2540.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2540 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2605, by Representatives Kirby, Vick, Blake and Rossetti

Creating a special permit by a manufacturer of beer to hold a private event for the purpose of tasting and selling beer of its own production.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 2605 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2605.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2605 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dansel, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dammeier, Hargrove, Lias and Pearson
Excused: Senators Darneille and Habib

HOUSE BILL NO. 2605, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2440, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Smith, McBride, Hargrove, McCaslin, Dent, Clibborn, Walsh, Walkinshaw, Scott, Sawyer, Ortiz-Self, Caldier, Hudgins, Senn, Robinson, Ormsby, Cody, Jinkins, Fey, Zeiger, Frame, Kilduff, Bergquist and Goodman)

Concerning host home programs for youth.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.15.020 and 2013 c 105 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter and RCW 74.13.031 unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility which receives children,

expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers, or persons with developmental disabilities for services rendered:

(a) "Child-placing agency" means an agency which places a child or children for temporary care, continued care, or for adoption;

(b) "Community facility" means a group care facility operated for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility;

(c) "Crisis residential center" means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 74.13.032 through 74.13.036;

(d) "Emergency respite center" is an agency that may be commonly known as a crisis nursery, that provides emergency and crisis care for up to seventy-two hours to children who have been admitted by their parents or guardians to prevent abuse or neglect. Emergency respite centers may operate for up to twenty-four hours a day, and for up to seven days a week. Emergency respite centers may provide care for children ages birth through seventeen, and for persons eighteen through twenty with developmental disabilities who are admitted with a sibling or siblings through age seventeen. Emergency respite centers may not substitute for crisis residential centers or HOPE centers, or any other services defined under this section, and may not substitute for services which are required under chapter 13.32A or 13.34 RCW;

(e) "Foster-family home" means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) "Group-care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;

(g) "HOPE center" means an agency licensed by the secretary to provide temporary residential placement and other services to street youth. A street youth may remain in a HOPE center for thirty days while services are arranged and permanent placement is coordinated. No street youth may stay longer than thirty days unless approved by the department and any additional days approved by the department must be based on the unavailability of a long-term placement option. A street youth whose parent wants him or her returned to home may remain in a HOPE center until his or her parent arranges return of the youth, not longer. All other street youth must have court approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center up to thirty days;

(h) "Maternity service" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(i) "Resource and assessment center" means an agency that provides short-term emergency and crisis care for a period up to seventy-two hours, excluding Saturdays, Sundays, and holidays to children who have been removed from their parent's or guardian's care by child protective services or law enforcement;

(j) "Responsible living skills program" means an agency licensed by the secretary that provides residential and transitional

living services to persons ages sixteen to eighteen who are dependent under chapter 13.34 RCW and who have been unable to live in his or her legally authorized residence and, as a result, the minor lived outdoors or in another unsafe location not intended for occupancy by the minor. Dependent minors ages fourteen and fifteen may be eligible if no other placement alternative is available and the department approves the placement;

(k) "Service provider" means the entity that operates a community facility.

(2) "Agency" shall not include the following:

(a) Persons related to the child, expectant mother, or person with developmental disability in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (2), even after the marriage is terminated;

(v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this subsection (2), of any half sibling of the child; or

(vi) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four-hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the parent and person providing care on a twenty-four-hour basis have agreed to the placement in writing and the state is not providing any payment for the care;

(d) A person, partnership, corporation, or other entity that provides placement or similar services to exchange students or international student exchange visitors or persons who have the care of an exchange student in their home;

(e) A person, partnership, corporation, or other entity that provides placement or similar services to international children who have entered the country by obtaining visas that meet the criteria for medical care as established by the United States citizenship and immigration services, or persons who have the care of such an international child in their home;

(f) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

(g) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and assisted living facilities licensed under chapter 18.20 RCW;

(h) Licensed physicians or lawyers;

(i) Facilities approved and certified under chapter 71A.22 RCW;

(j) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

(k) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a replacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

(l) An agency operated by any unit of local, state, or federal government or an agency licensed by an Indian tribe pursuant to RCW 74.15.190;

(m) A maximum or medium security program for juvenile offenders operated by or under contract with the department;

(n) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(o) A host home program, and host home, operated by a tax exempt organization for youth not in the care of or receiving services from the department, if that program: (i) Recruits and screens potential homes in the program, including performing background checks on individuals over the age of eighteen residing in the home through the Washington state patrol or equivalent law enforcement agency and performing physical inspections of the home; (ii) screens and provides case management services to youth in the program; (iii) obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program and the authorization is updated every six months when a youth remains in a host home longer than six months; (iv) obtains insurance for the program through an insurance provider authorized under Title 48 RCW; (v) provides mandatory reporter and confidentiality training; (vi) receives no local, state, or federal government funding; and (vii) registers with the secretary of state as provided in section 3 of this act. A host home is a private home that volunteers to host youth in need of temporary placement that is associated with a host home program.

(3) "Department" means the state department of social and health services.

(4) "Juvenile" means a person under the age of twenty-one who has been sentenced to a term of confinement under the supervision of the department under RCW 13.40.185.

(5) "Performance-based contracts" or "contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts may also include provisions that link the performance of the contractor to the level and timing of the reimbursement.

(6) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(7) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(8) "Secretary" means the secretary of social and health services.

(9) "Street youth" means a person under the age of eighteen who lives outdoors or in another unsafe location not intended for occupancy by the minor and who is not residing with his or her parent or at his or her legally authorized residence.

(10) "Supervising agency" means an agency licensed by the state under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that has entered into a performance-based contract with the department to provide child welfare services.

(11) "Transitional living services" means at a minimum, to the extent funds are available, the following:

(a) Educational services, including basic literacy and computational skills training, either in local alternative or public

high schools or in a high school equivalency program that leads to obtaining a high school equivalency degree;

(b) Assistance and counseling related to obtaining vocational training or higher education, job readiness, job search assistance, and placement programs;

(c) Counseling and instruction in life skills such as money management, home management, consumer skills, parenting, health care, access to community resources, and transportation and housing options;

(d) Individual and group counseling; and

(e) Establishing networks with federal agencies and state and local organizations such as the United States department of labor, employment and training administration programs including the workforce investment act which administers private industry councils and the job corps; vocational rehabilitation; and volunteer programs.

NEW SECTION. Sec. 2. By July 1, 2017, the department of commerce must report to the governor and the legislature recommendations and best practices for host home programs.

NEW SECTION. Sec. 3. A new section is added to chapter 24.03 RCW to read as follows:

(1) Host home programs have the same meaning as described in RCW 74.15.020.

(2) Host home programs shall register with the secretary of state's office. This registration may occur when the host home program files articles of incorporation or registers as a nonprofit organization under this chapter.

(3) The host home program registration must include a notarized statement by the host home program that it meets all of the statutory requirements as provided for in RCW 74.15.020.

(4) The secretary of state has no duty to confirm that a host home program is meeting its statutory requirements.

(5) Any filing under this section does not imply an endorsement by the secretary of state.

(6) The secretary of state may adopt rules as necessary to carry out its duties under this section.

Sec. 4. RCW 26.44.030 and 2015 1st sp.s. c 6 s 1 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of early learning, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, ((or)) state family and children's ombuds or any volunteer in the ombuds's office, or host home program has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Organization" includes a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity, other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

(iii) "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

(iv) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11(,) and 13(,) RCW and ((26 RCW)) this title, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees, including student employees, of institutions of higher education, as defined in RCW 28B.10.016, and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused,

the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency, including military law enforcement, if appropriate. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving a report of alleged abuse or neglect, the department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which:

(a) The department believes there is a serious threat of substantial harm to the child;

(b) The report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or

(c) The department has a prior founded report of abuse or neglect with regard to a member of the household that is within three years of receipt of the referral.

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

(i) Investigation; or

(ii) Family assessment.

(b) In making the response in (a) of this subsection the department shall:

(i) Use a method by which to assign cases to investigation or family assessment which are based on an array of factors that may include the presence of: Imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim. Age of the alleged victim shall not be used as the sole criterion for determining case assignment;

(ii) Allow for a change in response assignment based on new information that alters risk or safety level;

(iii) Allow families assigned to family assessment to choose to receive an investigation rather than a family assessment;

(iv) Provide a full investigation if a family refuses the initial family assessment;

(v) Provide voluntary services to families based on the results of the initial family assessment. If a family refuses voluntary services, and the department cannot identify specific facts related to risk or safety that warrant assignment to investigation under this chapter, and there is not a history of reports of child abuse or neglect related to the family, then the department must close the family assessment response case. However, if at any time the department identifies risk or safety factors that warrant an investigation under this chapter, then the family assessment response case must be reassigned to investigation;

(vi) Conduct an investigation, and not a family assessment, in response to an allegation that, the department determines based on the intake assessment:

(A) Poses a risk of "imminent harm" consistent with the definition provided in RCW 13.34.050, which includes, but is not limited to, sexual abuse and sexual exploitation as defined in this chapter;

(B) Poses a serious threat of substantial harm to a child;

(C) Constitutes conduct involving a criminal offense that has, or is about to occur, in which the child is the victim;

(D) The child is an abandoned child as defined in RCW 13.34.030;

(E) The child is an adjudicated dependent child as defined in RCW 13.34.030, or the child is in a facility that is licensed, operated, or certified for care of children by the department under chapter 74.15 RCW, or by the department of early learning.

(c) The department may not be held civilly liable for the decision to respond to an allegation of child abuse or neglect by using the family assessment response under this section unless the state or its officers, agents, or employees acted with reckless disregard.

(12)(a) For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within time frames established by the department in rule. In no case shall the investigation extend longer than ninety days from the date the report is received, unless the investigation is being conducted under a written protocol pursuant to RCW 26.44.180 and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary. At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded.

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

(13) For reports of alleged abuse or neglect that are responded to through family assessment response, the department shall:

(a) Provide the family with a written explanation of the procedure for assessment of the child and the family and its purposes;

(b) Collaborate with the family to identify family strengths, resources, and service needs, and develop a service plan with the goal of reducing risk of harm to the child and improving or restoring family well-being;

(c) Complete the family assessment response within forty-five days of receiving the report; however, upon parental agreement, the family assessment response period may be extended up to ninety days;

(d) Offer services to the family in a manner that makes it clear that acceptance of the services is voluntary;

(e) Implement the family assessment response in a consistent and cooperative manner;

(f) Have the parent or guardian sign an agreement to participate in services before services are initiated that informs the parents of their rights under family assessment response, all of their options, and the options the department has if the parents do not sign the consent form.

(14)(a) In conducting an investigation or family assessment of alleged abuse or neglect, the department or law enforcement agency:

(i) May interview children. If the department determines that the response to the allegation will be family assessment response, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the child interview unless doing so would compromise the safety of the child or the integrity of the assessment. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. If the allegation is investigated, parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for

the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

(ii) Shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(b) The Washington state school directors' association shall adopt a model policy addressing protocols when an interview, as authorized by this subsection, is conducted on school premises. In formulating its policy, the association shall consult with the department and the Washington association of sheriffs and police chiefs.

(15) If a report of alleged abuse or neglect is founded and constitutes the third founded report received by the department within the last twelve months involving the same child or family, the department shall promptly notify the office of the family and children's ombuds of the contents of the report. The department shall also notify the ombuds of the disposition of the report.

(16) In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

(17)(a) The department shall maintain investigation records and conduct timely and periodic reviews of all founded cases of abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(b) In the family assessment response, the department shall not make a finding as to whether child abuse or neglect occurred. No one shall be named as a perpetrator and no investigative finding shall be entered in the department's child abuse or neglect database.

(18) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor.

(19) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(20) Upon receiving a report of alleged abuse or neglect involving a child under the court's jurisdiction under chapter 13.34 RCW, the department shall promptly notify the child's guardian ad litem of the report's contents. The department shall also notify the guardian ad litem of the disposition of the report. For purposes of this subsection, "guardian ad litem" has the meaning provided in RCW 13.34.030.

(21) The department shall make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the department determines that a parent or guardian is in the military, the department shall notify a department of defense family advocacy program that there is an allegation of abuse and neglect that is screened in and open for investigation that relates to that military parent or guardian."

On page 1, line 1 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 74.15.020 and 26.44.030; adding a new section to chapter 24.03 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to Substitute House Bill No. 2440.

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

MOTION

On motion of Senator O'Ban, the rules were suspended, Substitute House Bill No. 2440, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2440, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2440, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Darneille and Habib

SUBSTITUTE HOUSE BILL NO. 2440, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2886, by Representative Manweller

Concerning electrical scope of practice.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, House Bill No. 2886 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2886.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2886 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen,

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Hargrove

Excused: Senator Darneille

HOUSE BILL NO. 2886, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2877, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Hickel, Zeiger, Riccelli, Sawyer, Wilcox, Kochmar, Stanford, Gregerson and Ormsby)

Expanding distribution dates for supplemental nutrition assistance program benefits.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 74.04 RCW to read as follows:

The department must develop options for extending the duration of distribution of supplemental nutrition assistance program (SNAP) benefits beyond the current duration of the first ten days of the month. The department must recommend a preferred option that minimizes the costs to implement the changes, minimizes the disruption for existing families receiving SNAP benefits, and increases the duration of distribution as close to the first twenty days as feasible. The department must submit a report to the appropriate committees of the legislature describing the options and recommendation on or before October 1, 2016. The department may implement the recommended option at the earliest feasible date if it can do so within current appropriations. If additional funding is required to implement the recommended option, the department must submit a budget request to the office of financial management as part of the 2017 supplemental budget request or as part of the 2017-2019 biennial budget request."

On page 1, line 2 of the title, after "benefits;" strike the remainder of the title and insert "and adding a new section to chapter 74.04 RCW."

Senator O'Ban spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Second Substitute House Bill No. 2877.

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

MOTION

On motion of Senator O'Ban, the rules were suspended, Second Substitute House Bill No. 2877, as amended by the

Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2877, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2877, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Darneille

SECOND SUBSTITUTE HOUSE BILL NO. 2877, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2884, by House Committee on Transportation (originally sponsored by Representatives Clibborn, Fey and Moscoso)

Modifying the business and occupation tax and public utility tax credits for alternative fuel commercial vehicles.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 2884 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2884.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2884 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Darneille

SUBSTITUTE HOUSE BILL NO. 2884, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2322, by Representative Zeiger

Concerning the vehicle license cost recovery fee charged for certain rental car transactions.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2322 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2322.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2322 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Benton

Excused: Senator Darneille

HOUSE BILL NO. 2322, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458, by House Committee on Health Care & Wellness (originally sponsored by Representatives Parker, Cody, Riccelli, Holy and Tharinger)

Concerning participation in the prescription drug donation program.

The measure was read the second time.

MOTION

Senator Becker moved that the following committee striking amendment by the Committee on Health Care be adopted:

Strike everything after the enacting clause and insert the following:

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

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

(1) "Department" means the department of health.

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

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

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

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

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

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

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

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

(10) "Prescription drugs" has the same meaning as "legend drugs" as defined in RCW 69.41.010. The term includes cancer drugs and antirejection drugs. The term does not include controlled substances.

(11) "Supplies" means the supplies necessary to administer prescription drugs that are donated under the prescription drug redistribution program.

(12) "Time temperature indicator" means a device or smart label that shows the accumulated time-temperature history of a product by providing a nonreversible, accurate record of temperature exposure through the entire supply chain.

(13) "Uninsured" means a person who:

(a) Does not have private or public health insurance; or

(b) Has health insurance, but the health insurance does not provide coverage for a particular drug that has been prescribed to the person.

Sec. 2. RCW 69.70.020 and 2013 c 260 s 2 are each amended to read as follows:

(1) Any practitioner, pharmacist, medical facility, drug manufacturer, or drug wholesaler may donate prescription drugs and supplies to a pharmacy for redistribution without compensation or the expectation of compensation to individuals who meet the prioritization criteria established in RCW 69.70.040. Donations of prescription drugs and supplies may be made on the premises of a pharmacy that elects to participate in the provisions of this chapter. A pharmacy that receives prescription drugs or supplies may distribute the prescription drugs or supplies to another pharmacy, pharmacist, or prescribing practitioner for use pursuant to the program.

(2) The person to whom a prescription drug was prescribed, or the person's representative, may donate prescription drugs under subsection (1) of this section if, as determined by the professional judgment of a pharmacist, the prescription drugs were stored under required temperature conditions using the prescription drugs' time temperature indicator information and the person, or the person's representative, has completed and signed a donor form, adopted by the department, to release the

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

prescription drug for distribution under this chapter and certifying that the donated prescription drug has never been opened, used, adulterated, or misbranded.

Sec. 3. RCW 69.70.040 and 2013 c 260 s 4 are each amended to read as follows:

Pharmacies, pharmacists, and prescribing practitioners that elect to dispense donated prescription drugs and supplies under this chapter shall give priority to individuals who are uninsured ((and at or below two hundred percent of the federal poverty level)). If an uninsured ((and low-income)) individual has not been identified as in need of available prescription drugs and supplies, those prescription drugs and supplies may be dispensed to other individuals expressing need.

Sec. 4. RCW 69.70.050 and 2013 c 260 s 5 are each amended to read as follows:

(1) Prescription drugs or supplies may be accepted and dispensed under this chapter if all of the following conditions are met:

(a) The prescription drug is in:

(i) Its original sealed and tamper evident packaging; or

(ii) An opened package if it contains single unit doses that remain intact;

(b) The prescription drug bears an expiration date that is more than six months after the date the prescription drug was donated;

(c) The prescription drug or supplies are inspected before the prescription drug or supplies are dispensed by a pharmacist employed by or under contract with the pharmacy, and the pharmacist determines that the prescription drug or supplies are not adulterated or misbranded;

(d) The prescription drug or supplies are prescribed by a practitioner for use by an eligible individual and are dispensed by a pharmacist; and

(e) Any other safety precautions established by the department have been satisfied.

(2)(a) If a person who donates prescription drugs or supplies to a pharmacy under this chapter receives a notice that the donated prescription drugs or supplies have been recalled, the person shall notify the pharmacy of the recall.

(b) If a pharmacy that receives and distributes donated prescription drugs to another pharmacy, pharmacist, or prescribing practitioner under this chapter receives notice that the donated prescription drugs or supplies have been recalled, the pharmacy shall notify the other pharmacy, pharmacist, or prescribing practitioner of the recall.

(c) If a person collecting or distributing donated prescription drugs or supplies under this chapter receives a recall notice from the drug manufacturer or the federal food and drug administration for donated prescription drugs or supplies, the person shall immediately remove all recalled medications from stock and comply with the instructions in the recall notice.

(3) Prescription drugs and supplies donated under this chapter may not be resold.

(4) Prescription drugs and supplies dispensed under this chapter shall not be eligible for reimbursement of the prescription drug or any related dispensing fees by any public or private health care payer.

(5) A prescription drug that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with the requirements established by the federal food and drug administration, may not be ((accepted or)) distributed under the program, unless the patient receiving the prescription drug is registered with the manufacturer at the time the drug is dispensed and the amount dispensed does not exceed the duration of the registration period.

Sec. 5. RCW 69.70.060 and 2013 c 260 s 6 are each amended to read as follows:

((1) The department must adopt rules establishing forms and procedures to: Reasonably verify eligibility and prioritize patients seeking to receive donated prescription drugs and supplies; and inform a person receiving prescription drugs donated under this program that the prescription drugs have been donated for the purposes of redistribution. A patient's eligibility may be determined by a form signed by the patient certifying that the patient is uninsured and at or below two hundred percent of the federal poverty level.

(2) The department may establish any other rules necessary to implement this chapter.) The department shall develop a form for persons to use when releasing prescription drugs for distribution and certifying the condition of the drugs, as provided in RCW 69.70.020(2).

Sec. 6. RCW 69.70.070 and 2013 c 260 s 7 are each amended to read as follows:

(1) A drug manufacturer acting in good faith may not, in the absence of a finding of gross negligence, be subject to criminal prosecution or liability in tort or other civil action, for injury, death, or loss to person or property for matters relating to the donation, acceptance, or dispensing of ((a)) any drug manufactured by the drug manufacturer that is donated by any person under the program including, but not limited to((,)):

(a) Liability for failure to transfer or communicate product or consumer information or the expiration date of the donated prescription drug; and

(b) Liability related to prescription drugs that can only be dispensed to a patient registered with the manufacturer of that drug, in accordance with the requirements established by the federal food and drug administration.

(2) Any person or entity, other than a drug manufacturer subject to subsection (1) of this section, acting in good faith in donating, accepting, or distributing prescription drugs under this chapter is immune from criminal prosecution, professional discipline, or civil liability of any kind for any injury, death, or loss to any person or property relating to such activities other than acts or omissions constituting gross negligence or willful or wanton misconduct.

(3) The immunity provided under subsection (1) of this section does not absolve a drug manufacturer of a criminal or civil liability that would have existed but for the donation, nor does such donation increase the liability of the drug manufacturer in such an action.

NEW SECTION. **Sec. 7.** This act may be known and cited as the cancer can't charitable pharmacy act.

NEW SECTION. **Sec. 8.** This act takes effect January 1, 2017."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 69.70.010, 69.70.020, 69.70.040, 69.70.050, 69.70.060, and 69.70.070; creating a new section; and providing an effective date."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health Care to Engrossed Substitute House Bill No. 2458.

The motion by Senator Becker carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Substitute House Bill No. 2458, as amended by the

Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senator Hargrove was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2458, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2458, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Hargrove

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Becker: "Thank you. I just wanted to say what an honor and a privilege it is to serve down here today especially when we're looking at what we just passed in two pieces of legislation. Today we actually helped families know what Down Syndrome is about before they deliver their baby. We also now just allowed people to share very, very, very costly drugs. You know, when you're talking about health care, every time I talk about health care in this way it sends a shiver up my spine because of my past history but, health care is about helping people become well. Helping people get through sicknesses and illnesses that none of us actually ever want to go through. What we demonstrated today in passing these two bills, has just been the epitome of what we should be doing in health care. I wanted to take a moment and say thank you to my ranking member, Senator Cleveland. She has been a delight to work with. She tells me what she truly thinks, but we have worked together so well. I just had to point that out because it's been a real honor and a privilege there as well. Thank you."

SECOND READING

HOUSE BILL NO. 2651, by Representatives Rossetti and Orcutt

Concerning vehicle maximum gross weight values.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2651 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2651.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2651 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Parlette

Excused: Senators Darneille and Hargrove

HOUSE BILL NO. 2651, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274, by House Committee on Transportation (originally sponsored by Representatives Harmsworth, Bergquist, Hayes, Morris, Moscoso, Pollet, Vick, Wilson, Van Werven and Haler)

Concerning the filing of abandoned vehicle reports of sale. Revised for 1st Substitute: Concerning the filing of vehicle reports of sale.

The measure was read the second time.

MOTION

Senator King moved that the following committee striking amendment by the Committee on Transportation be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 46.12.650 and 2015 3rd sp.s. c 44 s 214 are each amended to read as follows:

(1) Releasing interest. An owner releasing interest in a vehicle shall:

(a) Sign the release of interest section provided on the certificate of title or on a release of interest document or form approved by the department;

(b) Give the certificate of title or most recent evidence of ownership to the person gaining the interest in the vehicle;

(c) Give the person gaining interest in the vehicle an odometer disclosure statement if one is required; and

(d) Report the vehicle sold as provided in subsection (2) of this section.

(2) Report of sale. An owner shall notify the department, county auditor or other agent, or subagent appointed by the director in writing within ((twenty-one)) five business days after a vehicle is or has been:

(a) Sold;

(b) Given as a gift to another person;

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

- (c) Traded, either privately or to a dealership;
- (d) Donated to charity;
- (e) Turned over to an insurance company or wrecking yard;

or

- (f) Disposed of.

(3) Report of sale properly filed. A report of sale is properly filed if it is received by the department, county auditor or other agent, or subagent appointed by the director within ((twenty-one)) five business days after the date of sale or transfer and it includes:

- (a) The date of sale or transfer;
- (b) The owner's full name and complete, current address;
- (c) The full name and complete, current address of the person acquiring the vehicle, including street name and number, and apartment number if applicable, or post office box number, city or town, and postal code;
- (d) The vehicle identification number and license plate number;

(e) A date or stamp by the department showing it was received on or before the ((twenty-first)) fifth business day after the date of sale or transfer; and

- (f) Payment of the fees required under RCW 46.17.050.

(4) Report of sale - administration. (a) The department shall:

- (i) Provide or approve reports of sale forms;
- (ii) Provide a system enabling an owner to submit reports of sale electronically;
- (iii) Immediately update the department's vehicle record when a report of sale has been filed;

(iv) Provide instructions on release of interest forms that allow the seller of a vehicle to release their interest in a vehicle at the same time a financial institution, as defined in RCW 30A.22.040, releases its lien on the vehicle; and

(v) Send a report to the department of revenue that lists vehicles for which a report of sale has been received but no transfer of ownership has taken place. The department shall send the report once each quarter.

(b) ((A report of sale that is received by the department, county auditor or other agent, or subagent appointed by the director after the twenty-first day becomes effective on the day it is received by the department, county auditor or other agent, or subagent appointed by the director.)) A report of sale is not proof of a completed vehicle transfer for purposes of the collection of expenses related to towing, storage, and auction of an abandoned vehicle in situations where there is no evidence indicating the buyer knew of or was a party to acceptance of the vehicle transfer. A contract signed by the prior owner and the new owner, a certificate of title, a receipt, a purchase order or wholesale order, or other legal proof or record of acceptance of the vehicle by the new owner may be provided to establish legal responsibility for the abandoned vehicle.

(5)(a) Transferring ownership. A person who has recently acquired a vehicle by purchase, exchange, gift, lease, inheritance, or legal action shall apply to the department, county auditor or other agent, or subagent appointed by the director for a new certificate of title within fifteen days of delivery of the vehicle. A secured party who has possession of the certificate of title shall either:

- (i) Apply for a new certificate of title on behalf of the owner and pay the fee required under RCW 46.17.100; or
- (ii) Provide all required documents to the owner, as long as the transfer was not a breach of its security agreement, to allow the owner to apply for a new certificate of title.

(b) Compliance with this subsection does not affect the rights of the secured party.

(6) Certificate of title delivered to secured party. The certificate of title must be kept by or delivered to the person who

becomes the secured party when a security interest is reserved or created at the time of the transfer of ownership. The parties must comply with RCW 46.12.675.

(7) Penalty for late transfer. A person who has recently acquired a motor vehicle by purchase, exchange, gift, lease, inheritance, or legal action who does not apply for a new certificate of title within fifteen calendar days of delivery of the vehicle is charged a penalty, as described in RCW 46.17.140, when applying for a new certificate of title. It is a misdemeanor to fail or neglect to apply for a transfer of ownership within forty-five days after delivery of the vehicle. The misdemeanor is a single continuing offense for each day that passes regardless of the number of days that have elapsed following the forty-five day time period.

(8) Penalty for late transfer - exceptions. The penalty is not charged if the delay in application is due to at least one of the following:

(a) The department requests additional supporting documents;

(b) The department, county auditor or other agent, or subagent fails to perform or is neglectful;

(c) The owner is prevented from applying due to an illness or extended hospitalization;

(d) The legal owner fails or neglects to release interest;

(e) The owner did not know of the filing of a report of sale by the previous owner and signs an affidavit to the fact; or

(f) The department finds other conditions exist that adequately explain the delay.

(9) Review and issue. The department shall review applications for certificates of title and issue certificates of title when it has determined that all applicable provisions of law have been complied with.

(10) Rules. The department may adopt rules as necessary to implement this section.

Sec. 2. RCW 46.55.105 and 2010 c 161 s 1119 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, the abandonment of any vehicle creates a prima facie presumption that the last registered owner of record is responsible for the abandonment and is liable for costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction.

(2) If an unauthorized vehicle is found abandoned under subsection (1) of this section and removed at the direction of law enforcement, the last registered owner of record is guilty of the traffic infraction of "littering—abandoned vehicle," unless the vehicle is redeemed as provided in RCW 46.55.120. In addition to any other monetary penalty payable under chapter 46.63 RCW, the court shall not consider all monetary penalties as having been paid until the court is satisfied that the person found to have committed the infraction has made restitution in the amount of the deficiency remaining after disposal of the vehicle under RCW 46.55.140.

(3) A vehicle theft report filed with a law enforcement agency relieves the last registered owner of liability under subsection (2) of this section for failure to redeem the vehicle. However, the last registered owner remains liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle under subsection (1) of this section. Nothing in this section limits in any way the registered owner's rights in a civil action or as restitution in a criminal action against a person responsible for the theft of the vehicle.

(4) Properly filing a report of sale or transfer regarding the vehicle involved in accordance with RCW 46.12.650 (1) through (3) relieves the last registered owner of liability under subsections

(1) and (2) of this section. However, if there is a reason to believe that a report of sale has been filed in which the reported buyer did not know of the alleged transfer or did not accept the vehicle transfer, the liability remains with the last registered owner to prove the vehicle transfer was made pursuant to a legal transfer or accepted by the person reported as the new owner on the report of sale. If the date of sale as indicated on the report of sale is ((on or)) before the date of impoundment, the buyer identified on the latest properly filed report of sale with the department is assumed liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction. If the date of sale is after the date of impoundment, the previous registered owner is assumed to be liable for such costs. A licensed vehicle dealer is not liable under subsections (1) and (2) of this section if the dealer, as transferee or assignee of the last registered owner of the vehicle involved, has complied with the requirements of RCW 46.70.122 upon selling or otherwise disposing of the vehicle, or if the dealer has timely filed a transitional ownership record or report of sale under RCW 46.12.660. In that case the person to whom the licensed vehicle dealer has sold or transferred the vehicle is assumed liable for the costs incurred in removing, storing, and disposing of the abandoned vehicle, less amounts realized at auction.

(5) For the purposes of reporting notices of traffic infraction to the department under RCW 46.20.270 and 46.52.101, and for purposes of reporting notices of failure to appear, respond, or comply regarding a notice of traffic infraction to the department under RCW 46.63.070(6), a traffic infraction under subsection (2) of this section is not considered to be a standing, stopping, or parking violation.

(6) A notice of infraction for a violation of this section may be filed with a court of limited jurisdiction organized under Title 3, 35, or 35A RCW, or with a violations bureau subject to the court's jurisdiction.

(7)(a) A person named as a buyer in a report of sale filed under RCW 46.12.650(3) in which there was no acceptance of the transfer has a cause of action against the person who filed the report to recover costs associated with towing, storage, auction, or any other damages incurred as a result of being named as the buyer in the report of sale, including reasonable attorneys' fees and litigation costs. The cause of action provided in this subsection (7)(a) is in addition to any other remedy available to the person at law or in equity.

(b) A person named as a seller in a report of sale filed under RCW 46.12.650(3) in which the named buyer falsely alleges that there was no acceptance of the transfer has a cause of action against the named buyer to recover damages incurred as a result of the allegation, including reasonable attorneys' fees and litigation costs. The cause of action in this subsection (7)(b) is in addition to any other remedy available to the person at law or in equity.

NEW SECTION. Sec. 3. A new section is added to chapter 46.64 RCW to read as follows:

If a court has declared that a fraudulent report of sale has been filed with the department, county auditor or other agent, or subagent appointed by the director, the court must notify the department in writing with a copy of the court order. Once notified, the department may remove the fraudulent report of sale from the vehicle record.

Sec. 4. RCW 19.16.250 and 2013 c 148 s 2 are each amended to read as follows:

No licensee or employee of a licensee shall:

(1) Directly or indirectly aid or abet any unlicensed person to engage in business as a collection agency in this state or receive compensation from such unlicensed person: PROVIDED, That nothing in this chapter shall prevent a licensee from accepting, as

forwarder, claims for collection from a collection agency or attorney whose place of business is outside the state.

(2) Collect or attempt to collect a claim by the use of any means contrary to the postal laws and regulations of the United States postal department.

(3) Publish or post or cause to be published or posted, any list of debtors commonly known as "bad debt lists" or threaten to do so. For purposes of this chapter, a "bad debt list" means any list of natural persons alleged to fail to honor their lawful debts. However, nothing herein shall be construed to prohibit a licensee from communicating to its customers or clients by means of a coded list, the existence of a check dishonored because of insufficient funds, not sufficient funds or closed account by the financial institution servicing the debtor's checking account: PROVIDED, That the debtor's identity is not readily apparent: PROVIDED FURTHER, That the licensee complies with the requirements of subsection (10)(e) of this section.

(4) Have in his or her possession or make use of any badge, use a uniform of any law enforcement agency or any simulation thereof, or make any statements which might be construed as indicating an official connection with any federal, state, county, or city law enforcement agency, or any other governmental agency, while engaged in collection agency business.

(5) Perform any act or acts, either directly or indirectly, constituting the unauthorized practice of law.

(6) Advertise for sale or threaten to advertise for sale any claim as a means of endeavoring to enforce payment thereof or agreeing to do so for the purpose of soliciting claims, except where the licensee has acquired claims as an assignee for the benefit of creditors or where the licensee is acting under court order.

(7) Use any name while engaged in the making of a demand for any claim other than the name set forth on his or her or its current license issued hereunder.

(8) Give or send to any debtor or cause to be given or sent to any debtor, any notice, letter, message, or form, other than through proper legal action, process, or proceedings, which represents or implies that a claim exists unless it shall indicate in clear and legible type:

(a) The name of the licensee and the city, street, and number at which he or she is licensed to do business;

(b) The name of the original creditor to whom the debtor owed the claim if such name is known to the licensee or employee: PROVIDED, That upon written request of the debtor, the licensee shall provide this name to the debtor or cease efforts to collect on the debt until this information is provided;

(c) If the notice, letter, message, or form is the first notice to the debtor or if the licensee is attempting to collect a different amount than indicated in his or her or its first notice to the debtor, an itemization of the claim asserted must be made including:

(i) Amount owing on the original obligation at the time it was received by the licensee for collection or by assignment;

(ii) Interest or service charge, collection costs, or late payment charges, if any, added to the original obligation by the original creditor, customer or assignor before it was received by the licensee for collection, if such information is known by the licensee or employee: PROVIDED, That upon written request of the debtor, the licensee shall make a reasonable effort to obtain information on such items and provide this information to the debtor;

(iii) Interest or service charge, if any, added by the licensee or customer or assignor after the obligation was received by the licensee for collection;

(iv) Collection costs, if any, that the licensee is attempting to collect;

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

(v) Attorneys' fees, if any, that the licensee is attempting to collect on his or her or its behalf or on the behalf of a customer or assignor; and

(vi) Any other charge or fee that the licensee is attempting to collect on his or her or its own behalf or on the behalf of a customer or assignor;

(d) If the notice, letter, message, or form concerns a judgment obtained against the debtor, no itemization of the amounts contained in the judgment is required, except postjudgment interest, if claimed, and the current account balance;

(e) If the notice, letter, message, or form is the first notice to the debtor, an itemization of the claim asserted must be made including the following information:

(i) The original account number or redacted original account number assigned to the debt, if known to the licensee or employee: PROVIDED, That upon written request of the debtor, the licensee must make a reasonable effort to obtain this information or cease efforts to collect on the debt until this information is provided; and

(ii) The date of the last payment to the creditor on the subject debt by the debtor, if known to the licensee or employee: PROVIDED, That upon written request of the debtor, the licensee must make a reasonable effort to obtain this information or cease efforts to collect on the debt until this information is provided.

(9) Communicate in writing with a debtor concerning a claim through a proper legal action, process, or proceeding, where such communication is the first written communication with the debtor, without providing the information set forth in subsection (8)(c) of this section in the written communication.

(10) Communicate or threaten to communicate, the existence of a claim to a person other than one who might be reasonably expected to be liable on the claim in any manner other than through proper legal action, process, or proceedings except under the following conditions:

(a) A licensee or employee of a licensee may inform a credit reporting bureau of the existence of a claim. If the licensee or employee of a licensee reports a claim to a credit reporting bureau, the licensee shall, upon receipt of written notice from the debtor that any part of the claim is disputed, notify the credit reporting bureau of the dispute by written or electronic means and create a record of the fact of the notification and when the notification was provided;

(b) A licensee or employee in collecting or attempting to collect a claim may communicate the existence of a claim to a debtor's employer if the claim has been reduced to a judgment;

(c) A licensee or employee in collecting or attempting to collect a claim that has not been reduced to judgment, may communicate the existence of a claim to a debtor's employer if:

(i) The licensee or employee has notified or attempted to notify the debtor in writing at his or her last known address or place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing to the licensee disputed any part of the claim: PROVIDED, That the licensee or employee may only communicate the existence of a claim which has not been reduced to judgment to the debtor's employer once unless the debtor's employer has agreed to additional communications.

(d) A licensee may for the purpose of locating the debtor or locating assets of the debtor communicate the existence of a claim to any person who might reasonably be expected to have knowledge of the whereabouts of a debtor or the location of assets of the debtor if the claim is reduced to judgment, or if not reduced to judgment, when:

(i) The licensee or employee has notified or attempted to notify the debtor in writing at his or her last known address or last known place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing disputed any part of the claim.

(e) A licensee may communicate the existence of a claim to its customers or clients if the claim is reduced to judgment, or if not reduced to judgment, when:

(i) The licensee has notified or attempted to notify the debtor in writing at his or her last known address or last known place of employment concerning the claim and the debtor after a reasonable time has failed to pay the claim or has failed to agree to make payments on the claim in a manner acceptable to the licensee, and

(ii) The debtor has not in writing disputed any part of the claim.

(11) Threaten the debtor with impairment of his or her credit rating if a claim is not paid: PROVIDED, That advising a debtor that the licensee has reported or intends to report a claim to a credit reporting agency is not considered a threat if the licensee actually has reported or intends to report the claim to a credit reporting agency.

(12) Communicate with the debtor after notification in writing from an attorney representing such debtor that all further communications relative to a claim should be addressed to the attorney: PROVIDED, That if a licensee requests in writing information from an attorney regarding such claim and the attorney does not respond within a reasonable time, the licensee may communicate directly with the debtor until he or she or it again receives notification in writing that an attorney is representing the debtor.

(13) Communicate with a debtor or anyone else in such a manner as to harass, intimidate, threaten, or embarrass a debtor, including but not limited to communication at an unreasonable hour, with unreasonable frequency, by threats of force or violence, by threats of criminal prosecution, and by use of offensive language. A communication shall be presumed to have been made for the purposes of harassment if:

(a) It is made with a debtor or spouse in any form, manner, or place, more than three times in a single week, unless the licensee is responding to a communication from the debtor or spouse;

(b) It is made with a debtor at his or her place of employment more than one time in a single week, unless the licensee is responding to a communication from the debtor;

(c) It is made with the debtor or spouse at his or her place of residence between the hours of 9:00 p.m. and 7:30 a.m. A call to a telephone is presumed to be received in the local time zone to which the area code of the number called is assigned for landline numbers, unless the licensee reasonably believes the telephone is located in a different time zone. If the area code is not assigned to landlines in any specific geographic area, such as with toll-free telephone numbers, a call to a telephone is presumed to be received in the local time zone of the debtor's last known place of residence, unless the licensee reasonably believes the telephone is located in a different time zone.

(14) Communicate with the debtor through use of forms or instruments that simulate the form or appearance of judicial process, the form or appearance of government documents, or the simulation of a form or appearance of a telegraphic or emergency message.

(15) Communicate with the debtor and represent or imply that the existing obligation of the debtor may be or has been increased

by the addition of attorney fees, investigation fees, service fees, or any other fees or charges when in fact such fees or charges may not legally be added to the existing obligation of such debtor.

(16) Threaten to take any action against the debtor which the licensee cannot legally take at the time the threat is made.

(17) Send any telegram or make any telephone calls to a debtor or concerning a debt or for the purpose of demanding payment of a claim or seeking information about a debtor, for which the charges are payable by the addressee or by the person to whom the call is made: PROVIDED, That:

(a) This subsection does not prohibit a licensee from attempting to communicate by way of a cellular telephone or other wireless device: PROVIDED, That a licensee cannot cause charges to be incurred to the recipient of the attempted communication more than three times in any calendar week when the licensee knows or reasonably should know that the number belongs to a cellular telephone or other wireless device, unless the licensee is responding to a communication from the debtor or the person to whom the call is made.

(b) The licensee is not in violation of (a) of this subsection if the licensee at least monthly updates its records with information provided by a commercial provider of cellular telephone lists that the licensee in good faith believes provides reasonably current and comprehensive data identifying cellular telephone numbers, calls a number not appearing in the most recent list provided by the commercial provider, and does not otherwise know or reasonably should know that the number belongs to a cellular telephone.

(c) This subsection may not be construed to increase the number of communications permitted pursuant to subsection (13)(a) of this section.

(18) Call, or send a text message or other electronic communication to, a cellular telephone or other wireless device more than twice in any day when the licensee knows or reasonably should know that the number belongs to a cellular telephone or other wireless device, unless the licensee is responding to a communication from the debtor or the person to whom the call, text message, or other electronic communication is made. The licensee is not in violation of this subsection if the licensee at least monthly updates its records with information provided by a commercial provider of cellular telephone lists that the licensee in good faith believes provides reasonably current and comprehensive data identifying cellular telephone numbers, calls a number not appearing in the most recent list provided by the commercial provider, and does not otherwise know or reasonably should know that the number belongs to a cellular telephone. Nothing in this subsection may be construed to increase the number of communications permitted pursuant to subsection (13)(a) of this section.

(19) Intentionally block its telephone number from displaying on a debtor's telephone.

(20) In any manner convey the impression that the licensee is vouched for, bonded to or by, or is an instrumentality of the state of Washington or any agency or department thereof.

(21) Collect or attempt to collect in addition to the principal amount of a claim any sum other than allowable interest, collection costs or handling fees expressly authorized by statute, and, in the case of suit, attorney's fees and taxable court costs. A licensee may collect or attempt to collect collection costs and fees, including contingent collection fees, as authorized by a written agreement or contract, between the licensee's client and the debtor, in the collection of a commercial claim. The amount charged to the debtor for collection services shall not exceed thirty-five percent of the commercial claim.

(22) Procure from a debtor or collect or attempt to collect on any written note, contract, stipulation, promise or

acknowledgment under which a debtor may be required to pay any sum other than principal, allowable interest, except as noted in subsection (21) of this section, and, in the case of suit, attorney's fees and taxable court costs.

(23) Bring an action or initiate an arbitration proceeding on a claim when the licensee knows, or reasonably should know, that such suit or arbitration is barred by the applicable statute of limitations.

(24) Upon notification by a debtor that the debtor disputes all debts arising from a series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, initiate oral contact with a debtor more than one time in an attempt to collect from the debtor debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments when: (a) Within the previous one hundred eighty days, in response to the licensee's attempt to collect the initial debt assigned to the licensee and arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, the debtor in writing notified the licensee that the debtor's checkbook or other series of preprinted written instruments was stolen or fraudulently created; (b) the licensee has received from the debtor a certified copy of a police report referencing the theft or fraudulent creation of the checkbook, automated clearinghouse transactions on a demand deposit account, or series of preprinted written instruments; (c) in the written notification to the licensee or in the police report, the debtor identified the financial institution where the account was maintained, the account number, the magnetic ink character recognition number, the full bank routing and transit number, and the check numbers of the stolen checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, which check numbers included the number of the check that is the subject of the licensee's collection efforts; (d) the debtor provides, or within the previous one hundred eighty days provided, to the licensee a legible copy of a government-issued photo identification, which contains the debtor's signature and which was issued prior to the date of the theft or fraud identified in the police report; and (e) the debtor advised the licensee that the subject debt is disputed because the identified check, automated clearinghouse transaction on a demand deposit account, or other preprinted written instrument underlying the debt is a stolen or fraudulently created check or instrument.

The licensee is not in violation of this subsection if the licensee initiates oral contact with the debtor more than one time in an attempt to collect debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments when: (i) The licensee acted in good faith and relied on their established practices and procedures for batching, recording, or packaging debtor accounts, and the licensee inadvertently initiates oral contact with the debtor in an attempt to collect debts in the identified series subsequent to the initial debt assigned to the licensee; (ii) the licensee is following up on collection of a debt assigned to the licensee, and the debtor has previously requested more information from the licensee regarding the subject debt; (iii) the debtor has notified the licensee that the debtor disputes only some, but not all the debts arising from the identified series of dishonored checks, automated clearinghouse transactions on a demand deposit account, or other preprinted written instruments, in which case the licensee shall be allowed to initiate oral contact with the debtor one time for each debt arising from the series of identified checks, automated clearinghouse transactions on a demand deposit account, or written instruments and initiate additional oral contact for those debts that the debtor

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

acknowledges do not arise from stolen or fraudulently created checks or written instruments; (iv) the oral contact is in the context of a judicial, administrative, arbitration, mediation, or similar proceeding; or (v) the oral contact is made for the purpose of investigating, confirming, or authenticating the information received from the debtor, to provide additional information to the debtor, or to request additional information from the debtor needed by the licensee to accurately record the debtor's information in the licensee's records.

(25) Bring an action or initiate an arbitration proceeding on a claim for any amounts related to a transfer of sale of a vehicle when:

(a) The licensee has been informed or reasonably should know that the department of licensing transfer of sale form was filed in accordance with RCW 46.12.650 (1) through (3);

(b) The licensee has been informed or reasonably should know that the transfer of the vehicle either (i) was not made pursuant to a legal transfer or (ii) was not voluntarily accepted by the person designated as the purchaser/transferee; and

(c) Prior to the commencement of the action or arbitration, the licensee has received from the putative transferee a copy of a police report referencing that the transfer of sale of the vehicle either (i) was not made pursuant to a legal transfer or (ii) was not voluntarily accepted by the person designated as the purchaser/transferee.

(26) Submit an affidavit or other request pursuant to chapter 6.32 RCW asking a superior or district court to transfer a bond posted by a debtor subject to a money judgment to the licensee, when the debtor has appeared as required.

Sec. 5. RCW 9.94A.753 and 2003 c 379 s 16 are each amended to read as follows:

This section applies to offenses committed after July 1, 1985.

(1) When restitution is ordered, the court shall determine the amount of restitution due at the sentencing hearing or within one hundred eighty days except as provided in subsection (7) of this section. The court may continue the hearing beyond the one hundred eighty days for good cause. The court shall then set a minimum monthly payment that the offender is required to make towards the restitution that is ordered. The court should take into consideration the total amount of the restitution owed, the offender's present, past, and future ability to pay, as well as any assets that the offender may have.

(2) During the period of supervision, the community corrections officer may examine the offender to determine if there has been a change in circumstances that warrants an amendment of the monthly payment schedule. The community corrections officer may recommend a change to the schedule of payment and shall inform the court of the recommended change and the reasons for the change. The sentencing court may then reset the monthly minimum payments based on the report from the community corrections officer of the change in circumstances.

(3) Except as provided in subsection (6) of this section, restitution ordered by a court pursuant to a criminal conviction shall be based on easily ascertainable damages for injury to or loss of property, actual expenses incurred for treatment for injury to persons, and lost wages resulting from injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses, but may include the costs of counseling reasonably related to the offense. The amount of restitution shall not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime.

(4) For the purposes of this section, for an offense committed prior to July 1, 2000, the offender shall remain under the court's jurisdiction for a term of ten years following the offender's release from total confinement or ten years subsequent to the entry of the

judgment and sentence, whichever period ends later. Prior to the expiration of the initial ten-year period, the superior court may extend jurisdiction under the criminal judgment an additional ten years for payment of restitution. For an offense committed on or after July 1, 2000, the offender shall remain under the court's jurisdiction until the obligation is completely satisfied, regardless of the statutory maximum for the crime. The portion of the sentence concerning restitution may be modified as to amount, terms, and conditions during any period of time the offender remains under the court's jurisdiction, regardless of the expiration of the offender's term of community supervision and regardless of the statutory maximum sentence for the crime. The court may not reduce the total amount of restitution ordered because the offender may lack the ability to pay the total amount. The offender's compliance with the restitution shall be supervised by the department only during any period which the department is authorized to supervise the offender in the community under RCW 9.94A.728, 9.94A.501, or in which the offender is in confinement in a state correctional institution or a correctional facility pursuant to a transfer agreement with the department, and the department shall supervise the offender's compliance during any such period. The department is responsible for supervision of the offender only during confinement and authorized supervision and not during any subsequent period in which the offender remains under the court's jurisdiction. The county clerk is authorized to collect unpaid restitution at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations.

(5) Restitution shall be ordered whenever the offender is convicted of an offense which results in injury to any person or damage to or loss of property or as provided in subsection (6) of this section unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment and the court sets forth such circumstances in the record. In addition, restitution shall be ordered to pay for an injury, loss, or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which are not prosecuted pursuant to a plea agreement.

(6) Restitution for the crime of rape of a child in the first, second, or third degree, in which the victim becomes pregnant, shall include: (a) All of the victim's medical expenses that are associated with the rape and resulting pregnancy; and (b) child support for any child born as a result of the rape if child support is ordered pursuant to a civil superior court or administrative order for support for that child. The clerk must forward any restitution payments made on behalf of the victim's child to the Washington state child support registry under chapter 26.23 RCW. Identifying information about the victim and child shall not be included in the order. The offender shall receive a credit against any obligation owing under the administrative or superior court order for support of the victim's child. For the purposes of this subsection, the offender shall remain under the court's jurisdiction until the offender has satisfied support obligations under the superior court or administrative order for the period provided in RCW 4.16.020 or a maximum term of twenty-five years following the offender's release from total confinement or twenty-five years subsequent to the entry of the judgment and sentence, whichever period is longer. The court may not reduce the total amount of restitution ordered because the offender may lack the ability to pay the total amount. The department shall supervise the offender's compliance with the restitution ordered under this subsection.

(7) Regardless of the provisions of subsections (1) through (6) of this section, the court shall order restitution in all cases

where the victim is entitled to benefits under the crime victims' compensation act, chapter 7.68 RCW. If the court does not order restitution and the victim of the crime has been determined to be entitled to benefits under the crime victims' compensation act, the department of labor and industries, as administrator of the crime victims' compensation program, may petition the court within one year of entry of the judgment and sentence for entry of a restitution order. Upon receipt of a petition from the department of labor and industries, the court shall hold a restitution hearing and shall enter a restitution order.

(8) In addition to any sentence that may be imposed, an offender who has been found guilty of an offense involving fraud or other deceptive practice or an organization which has been found guilty of any such offense may be ordered by the sentencing court to give notice of the conviction to the class of persons or to the sector of the public affected by the conviction or financially interested in the subject matter of the offense by mail, by advertising in designated areas or through designated media, or by other appropriate means.

(9) This section does not limit civil remedies or defenses available to the victim, survivors of the victim, or offender including support enforcement remedies for support ordered under subsection (6) of this section for a child born as a result of a rape of a child victim. The court shall identify in the judgment and sentence the victim or victims entitled to restitution and what amount is due each victim. The state or victim may enforce the court-ordered restitution in the same manner as a judgment in a civil action. Restitution collected through civil enforcement must be paid through the registry of the court and must be distributed proportionately according to each victim's loss when there is more than one victim.

(10) If a person has caused a victim to lose money or property through the filing of a vehicle report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale, upon conviction or when the offender pleads guilty and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim, the court may order the defendant to pay an amount, fixed by the court, not to exceed double the amount of the defendant's gain or victim's loss from the filing of the vehicle report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale. Such an amount may be used to provide restitution to the victim at the order of the court. It is the duty of the prosecuting attorney to investigate the alternative of restitution, and to recommend it to the court, when the prosecuting attorney believes that restitution is appropriate and feasible. If the court orders restitution, the court must make a finding as to the amount of the victim's loss due to the filing of the report of sale in which the designated buyer had no knowledge of the vehicle transfer or the fraudulent filing of the report of sale, and if the record does not contain sufficient evidence to support such finding, the court may conduct a hearing upon the issue. For purposes of this section, "loss" refers to the amount of money or the value of property or services lost."

On page 1, line 2 of the title, after "vehicle;" strike the remainder of the title and insert "amending RCW 46.12.650, 46.55.105, 19.16.250, and 9.94A.753; and adding a new section to chapter 46.64 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to Engrossed Substitute House Bill No. 2274.

The motion by Senator King carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute House Bill No. 2274, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2274, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2274, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Benton, Danel, Ericksen and Padden

Excused: Senators Darneille and Hargrove

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2591, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Hargrove, Kagi, Walsh, Dent, Caldier, Senn, Frame, Muri, Zeiger, McBride, Ormsby and Gregerson)

Notifying foster parents of dependency hearings and their opportunity to be heard in those hearings.

The measure was read the second time.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Substitute House Bill No. 2591 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2591.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2591 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Ericksen, Fain, Fraser, Frockt,

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

MOTION

Excused: Senators Darneille and Hargrove

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2591, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 71.05.201 and 2015 c 258 s 2 are each amended to read as follows:

SECOND READING

HOUSE BILL NO. 2432, by Representatives Riccelli, Harris, Cody, Calder and Tarleton

Concerning substance abuse monitoring for licensed veterinarians, osteopathic physicians and surgeons, and osteopathic physician assistants.

The measure was read the second time.

(1) If a designated mental health professional decides not to detain a person for evaluation and treatment under RCW 71.05.150 or 71.05.153 or forty-eight hours have elapsed since a designated mental health professional received a request for investigation and the designated mental health professional has not taken action to have the person detained, an immediate family member or guardian or conservator of the person may petition the superior court for the person's initial detention.

(2)(a) The petition must be filed in the county in which the designated mental health professional investigation occurred or was requested to occur and must be submitted on forms developed by the administrative office of the courts for this purpose. The petition must be accompanied by a sworn declaration from the petitioner, and other witnesses if desired, describing why the person should be detained for evaluation and treatment. The description of why the person should be detained may contain, but is not limited to, the information identified in RCW 71.05.212.

MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2432 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2432.

(b) The petition must contain:

(i) A description of the relationship between the petitioner and the person; and

(ii) The date on which an investigation was requested from the designated mental health professional.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2432 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dansel and Ericksen

Excused: Senator Darneille

HOUSE BILL NO. 2432, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

(3) The court shall, within one judicial day, review the petition to determine whether the petition raises sufficient evidence to support the allegation. If the court so finds, it shall provide a copy of the petition to the designated mental health professional agency with an order for the agency to provide the court, within one judicial day, with a written sworn statement describing the basis for the decision not to seek initial detention and a copy of all information material to the designated mental health professional's current decision.

(4) Following the filing of the petition and before the court reaches a decision, any person, including a mental health professional, may submit a sworn declaration to the court in support of or in opposition to initial detention.

(5) The court shall dismiss the petition at any time if it finds that a designated mental health professional has filed a petition for the person's initial detention under RCW 71.05.150 or 71.05.153 or that the person has voluntarily accepted appropriate treatment.

SECOND READING

HOUSE BILL NO. 2808, by Representatives Jinkins and Kilduff

Amending the process for a person's immediate family member, guardian, or conservator to petition the court for the person's initial detention under the involuntary treatment act.

The measure was read the second time.

(6) The court must issue a final ruling on the petition within five judicial days after it is filed. After reviewing all of the information provided to the court, the court may enter an order for initial detention if the court finds that: (a) There is probable cause to support a petition for detention; and (b) the person has refused or failed to accept appropriate evaluation and treatment voluntarily. The court shall transmit its final decision to the petitioner.

(7) If the court enters an order for initial detention, it shall provide the order to the designated mental health professional agency, which shall execute the order without delay. An order for initial detention under this section expires one hundred eighty days from issuance.

(8) Except as otherwise expressly stated in this chapter, all procedures must be followed as if the order had been entered

under RCW 71.05.150. RCW 71.05.160 does not apply if detention was initiated under the process set forth in this section.

(9) For purposes of this section, "immediate family member" means a spouse, domestic partner, child, stepchild, parent, stepparent, grandparent, or sibling."

On page 1, line 3 of the title, after "act;" strike the remainder of the title and insert "and amending RCW 71.05.201."

Senator O'Ban spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to House Bill No. 2808.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2808, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2808, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2808, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

HOUSE BILL NO. 2808, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2773, by Representatives Klippert, Appleton, Haler, Hayes, Dent and Nealey

Repealing the warrant authority of coroners.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2773 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2773.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2773 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 1; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Braun

Absent: Senator Hargrove

Excused: Senator Darneille

HOUSE BILL NO. 2773, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2539, by House Committee on Finance (originally sponsored by Representatives Nealey, Manweller, Hansen, Tharinger, Harris, Walsh, Magendanz, Wilson, Haler, Springer, Johnson, Muri, Hayes and Dent)

Concerning the inheritance exemption for the real estate excise tax.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Substitute House Bill No. 2539 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2539.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2539 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

SUBSTITUTE HOUSE BILL NO. 2539, having received the constitutional majority, was declared passed. There being no

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Habib, and without objection, Senator Hargrove was excused.

PERSONAL PRIVILEGE

SECOND READING

Senator Fain: "Thank you, Mr. President. It's my father's birthday today. He's on the line. I'm waiting to take off to come home and he doesn't want anyone to know how old he is. But I did want to wish him a happy birthday."

SUBSTITUTE HOUSE BILL NO. 2448, by House Committee on Health Care & Wellness (originally sponsored by Representatives Robinson, Harris and Stanford)

(The Senate recognized Mr. Fain with a chorus of "Happy Birthday.")

Concerning the practice of certain East Asian medicine therapies.

PERSONAL PRIVILEGE

The measure was read the second time.

Senator Rolfes: "How did Senator Fain's father hear us?"

MOTION

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2498, by House Committee on Health Care & Wellness (originally sponsored by Representatives Caldier, Cody, DeBolt, Manweller, Walsh, Johnson, Pike, Appleton, Jinkins, Kilduff and Gregerson)

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2448 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Concerning prior authorization for dental services and supplies in medical assistance programs.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The measure was read the second time.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2448.

MOTION

ROLL CALL

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2498 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The Secretary called the roll on the final passage of Substitute House Bill No. 2448 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Senators Becker and Cleveland spoke in favor of passage of the bill.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2498.

Voting nay: Senator Dandel
Excused: Senator Darneille

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2498 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

SUBSTITUTE HOUSE BILL NO. 2448, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SECOND READING

Absent: Senator Hargrove
Excused: Senator Darneille

HOUSE BILL NO. 2694, by Representatives DeBolt, Johnson, Condotta, Sells, Wilson, S. Hunt and Pettigrew

SUBSTITUTE HOUSE BILL NO. 2498, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Concerning background checks in emergency placement situations requested by tribes.

The measure was read the second time.

MOTION

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 26.44.240 and 2008 c 232 s 2 are each amended to read as follows:

(1) During an emergency situation when a child must be placed in out-of-home care due to the absence of appropriate parents or custodians, the department shall, or an authorized agency of a federally recognized tribe may, request a federal name-based criminal history record check of each adult residing in the home of the potential placement resource. Upon receipt of the results of the name-based check, the department shall, or an authorized agency of a federally recognized tribe may, provide a complete set of each adult resident's fingerprints to the Washington state patrol for submission to the federal bureau of investigation within ((fourteen)) fifteen calendar days from the date the name search was conducted. The child shall be removed from the home immediately if any adult resident fails to provide fingerprints and written permission to perform a federal criminal history record check when requested.

(2) When placement of a child in a home is denied as a result of a name-based criminal history record check of a resident, and the resident contests that denial, the resident shall, within fifteen calendar days, submit to the department or an authorized agency of a federally recognized tribe a complete set of the resident's fingerprints with written permission allowing the department or an authorized agency of a federally recognized tribe to forward the fingerprints to the Washington state patrol for submission to the federal bureau of investigation.

(3) The Washington state patrol and the federal bureau of investigation may each charge a reasonable fee for processing a fingerprint-based criminal history record check.

(4) As used in this section, "emergency placement" refers to those limited instances when the department or an authorized agency of a federally recognized tribe is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker."

On page 1, line 2 of the title, after "tribes;" strike the remainder of the title and insert "and amending RCW 26.44.240."

Senator O'Ban spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to House Bill No. 2694.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2694, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2694, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2694, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

HOUSE BILL NO. 2694, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2768, by Representatives Schmick, Cody, Tharinger, Jenkins, Harris and Robinson

Addressing taxes and service charges on certain qualified stand-alone dental plans offered in the individual or small group markets.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2768 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2768.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2768 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Dansel, Ericksen and Padden

Excused: Senator Darneille

HOUSE BILL NO. 2768, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928, by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz, Blake, Schmick, Dunshee, Short, Haler, Stanford and Chandler)

Ensuring that restrictions on outdoor burning for air quality reasons do not impede measures necessary to ensure forest resiliency to catastrophic fires.

The measure was read the second time.

MOTION

Senator Pearson moved that the following committee striking amendment by the Committee on Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The department of natural resources shall conduct a forest resiliency burning pilot project. The goal of the pilot project is to monitor and evaluate the benefits of forest resiliency burning and the impacts on ambient air quality. The department of natural resources is responsible for establishing the processes and procedures necessary to administer the pilot project, including the review and approval of qualifying forest resiliency burning proposals. The department of natural resources may consider forest resiliency burning proposals that include treatments to reduce fuel loads prior to burning, including the thinning of forest stands and grazing to clear brush.

(2) The department of natural resources must, as the primary focus of the pilot project, arrange with interested third parties to perform forest resiliency burning on land prone to forest or wildland fires in coordination with the following forest health collaboratives as recognized by the United States forest service:

- (a) North Central Washington forest health collaborative;
- (b) Northeast Washington forestry collaborative; and
- (c) Tapash sustainable forest collaborative.

(3)(a) The department of natural resources must, as part of the pilot project, approve single day or multiple day forest resiliency burns if the burning is unlikely to significantly contribute to an exceedance of air quality standards established by chapter 70.94 RCW. Once approved, forest resiliency burns spanning multiple days may only be revoked or postponed midway through the duration of the approved burn if necessary for the safety of adjacent property or upon a determination by the department of natural resources or the department of ecology that the burn has significantly contributed to an exceedance of air quality standards under chapter 70.94 RCW.

(b) Approved forest resiliency burning must be initiated no later than twenty-four hours after being approved by the department of natural resources.

(4) Forest resiliency burning, when conducted under the pilot project authorized by this section, is not subject to the outdoor burning restrictions in RCW 70.94.6512 and 70.94.6514.

(5) The implementation of the pilot project authorized in this section is not:

(a) Intended to require the department of natural resources to update the smoke management plan defined in RCW 70.94.6536. However, information obtained through the pilot project's implementation may be used to inform any future updates to the smoke management plan; and

(b) Subject to the provisions of chapter 43.21C RCW.

(6) Forest resiliency burning, and the implementation of the pilot project authorized in this section, must not be conducted at a scale that would require a revision to the state implementation plan under the federal clean air act.

(7) The department of natural resources shall submit a report to the legislature, consistent with RCW 43.01.036, by December 1, 2018. The report must include information and analyses regarding the following elements:

(a) The amount of forest resiliency burns proposed, approved, and conducted;

(b) The quantity and severity of air quality exceedances by pollutant type;

(c) A comparative analysis between the predicted smoke conditions and the actual smoke conditions observed on location by qualified meteorological personnel or trained prescribed burning professionals during the forest resiliency burn; and

(d) Recommendations relating to continuing or expanding forest resiliency burning and creating forest resiliency burning as a new type of outdoor burning permitted by the department of natural resources.

(8) The report to the legislature required by this section may include recommendations for the updating of the smoke management plan defined in RCW 70.94.6536.

(9) For the purposes of this section, "forest resiliency burning" means silvicultural burning carried out under the supervision of qualified silvicultural, ecological, or fire management professionals and used to improve fire dependent ecosystems, mitigate wildfire potential, decrease forest susceptibility to forest insect or disease as defined in RCW 76.06.020, or otherwise enhance forest resiliency to fire.

(10) This section expires July 1, 2019.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 3 of the title, after "fires;" strike the remainder of the title and insert "creating a new section; providing an expiration date; and declaring an emergency."

Senator Pearson spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Natural Resources & Parks to Engrossed Substitute House Bill No. 2928.

The motion by Senator Pearson carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Pearson, the rules were suspended, Engrossed Substitute House Bill No. 2928, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson, Jayapal, Dangel and Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2928, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2928, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dangel, Erickson, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson,

Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Darneille

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Chase, and without objection, Senator Fraser was excused.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2357, by Representatives Peterson, Young, S. Hunt, Fitzgibbon, Kirby, Buys, Pollet and Kretz

Concerning the authority of the pollution liability insurance agency.

The measure was read the second time.

MOTION

On motion of Senator Ericksen, the rules were suspended, Substitute House Bill No. 2357 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ericksen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2357.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2357 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Fraser

SUBSTITUTE HOUSE BILL NO. 2357, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2938, by House Committee on Finance (originally sponsored by Representatives Orcutt and Walkinshaw)

Encouraging participation in Washington trade conventions by modifying tax provisions related to establishing substantial nexus.

The measure was read the second time.

MOTION

Senator Lias moved that the following amendment no. 705 by Senator Lias be adopted:

On page 6, at the beginning of line 18, strike "consider" and insert "make a determination of nexus based solely on"

Senators Lias and Brown spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 705 by Senator Lias on page 6, line 18 to Substitute House Bill No. 2938.

The motion by Senator Lias carried and amendment no. 705 was adopted by voice vote.

MOTION

On motion of Senator Brown, the rules were suspended, Substitute House Bill No. 2938, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2938, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2938, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Fraser

SUBSTITUTE HOUSE BILL NO. 2938, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2317, by Representatives Van De Wege, Tharinger, Pettigrew, Moeller and Magendanz

Expanding the use of neighborhood and medium-speed electric vehicles.

The measure was read the second time.

FIFTY SECOND DAY, MARCH 2, 2016

2016 REGULAR SESSION

MOTION

On motion of Senator King, the rules were suspended, House Bill No. 2317 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2317.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2317 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Sheldon, Takko and Warnick

Voting nay: Senators Dansel, Ericksen and Schoesler
Excused: Senators Darneille and Fraser

HOUSE BILL NO. 2317, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2371, by Representatives Kuderer, Magendanz, Hudgins, McBride, Goodman, Senn, Jinkins, Appleton and Kilduff

Requiring a court that consults the judicial information system in order to render a decision to file a copy of the information used in the court file upon request of a party.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2371 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2371.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2371 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Fraser

HOUSE BILL NO. 2371, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2394, by Representatives Walsh, Senn, Kagi, Moscoso, Kilduff, Kochmar, Dent, Holy, Sawyer, Jinkins, Tharinger, Magendanz, Fey, Tarleton, Zeiger, Sells, McBride, Bergquist, Pollet, Santos, S. Hunt and Goodman

Creating the parent to parent program for individuals with developmental disabilities.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. For over thirty years, parent to parent programs for individuals with either developmental disabilities, or special health care needs, or both, have been providing emotional and informational support by matching parents seeking support with an experienced and trained support parent.

The parent to parent program currently exists in thirty-one counties: Adams, Asotin, Benton, Chelan, Clallam, Clark, Columbia, Cowlitz, Douglas, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Lincoln, Mason, Pacific, Pierce, Skagit, Snohomish, Spokane, Thurston, Walla Walla, Whatcom, Whitman, and Yakima. It is the legislature's goal to continue, support, and enhance the programs in these counties and expand these programs statewide by 2021.

NEW SECTION. Sec. 2. A new section is added to chapter 71A.14 RCW to read as follows:

The goals of the parent to parent program are to:

(1) Provide early outreach, support, and education to parents who have a child with special health care needs;

(2) Match a trained volunteer support parent with a new parent who has a child with similar needs to the child of the support parent; and

(3) Provide parents with tools and resources to be successful as they learn to understand the support and advocacy needs of their children.

NEW SECTION. Sec. 3. A new section is added to chapter 71A.14 RCW to read as follows:

Subject to the availability of funds appropriated for this specific purpose, activities of the parent to parent program may include:

(1) Outreach and support to newly identified parents of children with special health care needs;

(2) Trainings that educate parents in ways to support their child and navigate the complex health, educational, and social systems;

(3) Ongoing peer support from a trained volunteer support parent; and

(4) Regular communication with other local programs to ensure consistent practices.

NEW SECTION. Sec. 4. A new section is added to chapter 71A.14 RCW to read as follows:

(1) Subject to the availability of funds appropriated for this specific purpose, the parent to parent program must be funded through the department and centrally administered through a pass-through to a Washington state lead organization that has extensive experience supporting and training support parents.

(2) Through the contract with the lead organization, each local program must be locally administered by an organization that shall serve as the host organization.

(3) Parents shall serve as advisors to the host organizations.

(4) A parent or grandparent of a child with developmental disabilities or special health care needs shall provide program coordination and local program information.

(5) The lead organization shall provide ongoing training to the host organizations and statewide program oversight and maintain statewide program information.

(6) For the purpose of this act, "special health care needs" means disabilities, chronic illnesses or conditions, health related educational or behavioral problems, or the risk of developing such disabilities, conditions, illnesses or problems."

On page 1, line 2 of the title, after "disabilities;" strike the remainder of the title and insert "adding new sections to chapter 71A.14 RCW; and creating a new section."

Senator O'Ban spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to House Bill No. 2394.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2394, as amended by the Senate, was advanced to

third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2394, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2394, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Ericksen, Fain, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Darneille and Fraser

HOUSE BILL NO. 2394, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 7:01 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Thursday, March 3, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, March 3, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Brendon Daniel DeRuyter and Mr. Jaymin Michael DeRuyter, presented the Colors.

The prayer was offered by Reverend Doctor William Adam, Senior Investigator with the Washington State Attorney General's Office, Olympia.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

Pursuant to Rule 46, on motion of Senator Fain, and without objection, the Committee on Ways & Means was granted special leave to meet during the day's floor session.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 2, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1581,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL
NO. 2872.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

March 2, 2016

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5265,
SENATE BILL NO. 5342,
SENATE BILL NO. 5458,
SENATE BILL NO. 5549,
SUBSTITUTE SENATE BILL NO. 5767,
SUBSTITUTE SENATE BILL NO. 6219,
SENATE BILL NO. 6220,
SUBSTITUTE SENATE BILL NO. 6286,
SUBSTITUTE SENATE BILL NO. 6341,
SUBSTITUTE SENATE BILL NO. 6354,
SENATE BILL NO. 6401,
SUBSTITUTE SENATE BILL NO. 6421,
SUBSTITUTE SENATE BILL NO. 6463,

SUBSTITUTE SENATE BILL NO. 6466,
SENATE BILL NO. 6491,
SUBSTITUTE SENATE BILL NO. 6498,
SUBSTITUTE SENATE BILL NO. 6569,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6606
and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

March 2, 2016

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 6633

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5145,
SUBSTITUTE SENATE BILL NO. 5864,
SENATE BILL NO. 6148,
SENATE BILL NO. 6162,
SENATE BILL NO. 6170,
SUBSTITUTE SENATE BILL NO. 6177,
SENATE BILL NO. 6196,
SENATE BILL NO. 6202,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6206,
SUBSTITUTE SENATE BILL NO. 6281,
SENATE BILL NO. 6282,
SUBSTITUTE SENATE BILL NO. 6284,
SUBSTITUTE SENATE BILL NO. 6290,
SUBSTITUTE SENATE BILL NO. 6295,
SUBSTITUTE SENATE BILL NO. 6326,
SUBSTITUTE SENATE BILL NO. 6342,
SENATE BILL NO. 6376,
SENATE BILL NO. 6398.

MOTION

On motion of Senator Fain, and without objection, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator King moved adoption of the following resolution:

SENATE RESOLUTION
8731

By Senators King, Fraser, Dammeier, Rolfes, Brown, Honeyford, Hobbs, Carlyle, Ranker, Hasegawa, Roach, and Nelson

WHEREAS, Taiwan and the United States are long-standing friends and allies, and both cherish dearly the commonly shared values of freedom, democracy, and human rights; and

WHEREAS, Taiwan has once again demonstrated the strength of their robust and mature democratic system through the smooth implementation of their elections on January 16, 2016; and

WHEREAS, Taiwan is the world's 18th largest economy and the 10th largest trading partner—in the top four in Asia—of the United States, with the two-way trade volume between the two reaching 67 billion United States dollars in 2014; and

WHEREAS, The state of Washington and Taiwan have enjoyed a long and mutually beneficial relationship with the prospect of further growth—Taiwan was Washington's 8th largest export market in 2014, with 2.475 billion dollars' worth of Washington goods shipped to Taiwan, including electric machinery, aircrafts, cereals, iron and steel, inorganic chemicals, apples, cherries, sweet onions, and bulk wheat;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate reaffirm its commitment to the strong and deepening relationship between the state of Washington and Taiwan, and support Taiwan's democracy and participation in organizations that improve trade, health, and public safety; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Director General Andy Chin of the Taipei Economic and Cultural Office in Seattle.

Senators King, Fraser, Ericksen, Benton, Angel and Roach spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8731.

The motion by Senator King carried and the resolution was adopted by voice vote.

MOTION

At 11:23 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:17 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

Senator Rivers moved adoption of the following resolution:

SENATE RESOLUTION
8718

By Senators Rivers, Hobbs, Cleveland, Brown, King, Keiser, Rolfes, Frockt, Conway, Becker, O'Ban, Padden, Hewitt, Dammeier, Parlette, Fraser, Jayapal, Liias, Nelson, and Roach

WHEREAS, Many Washington citizens have literally given the gift of life by donating organs, eyes, and tissue; and

WHEREAS, It is essential that all citizens are aware of the opportunity to save and heal the lives of others through organ, eye, and tissue donation and transplantation; and

WHEREAS, There are more than one hundred twenty thousand courageous Americans awaiting a lifesaving organ transplant, with twenty-two individuals losing their lives every day because of the shortage of donations; and

WHEREAS, Every ten minutes, a person is added to the national organ transplant waiting list; and

WHEREAS, One organ donor can save the lives of up to eight people and heal many more through cornea and tissue donation; and

WHEREAS, Families receive comfort through the grieving process with the knowledge that through organ, eye, and tissue donation, another person's life has been saved or enhanced; and

WHEREAS, Organ donation offers the recipients a second chance at life, enabling them to be with their families and maintain a higher quality of life; and

WHEREAS, The families of organ, eye, and tissue donors receive gratitude from grateful recipients whose lives have been enhanced by transplantation; and

WHEREAS, The example set by those who choose to donate reflects the character and compassion of these individuals, whose voluntary choice saves the lives of others;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor April as National Donate Life Month to remember those who have donated, and celebrate the lives of the recipients.

Senators Rivers, Angel and Takko spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8718.

The motion by Senator Rivers carried and the resolution was adopted by voice vote.

INTRODUCTION OF GUESTS

The President Pro Tempore welcomed and introduced the family of organ donor Mr. Raymond Craig: Mr. Steven Craig, Mrs. Patricia Craig; Ms. Karen Garcia; and Ms. Keilah Hansford, Mr. Craig's organ recipient.

Also introduced was the family of organ donor Mr. Peleiupe Leiataua: Ms. Jacinta Pele; Ms. Sariah Pele; Ms. Frances Leiataua and Mr. Field Titalii.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL
APPOINTMENTS

MOTION

Senator Darneille moved that Elizabeth B. Dunbar, Gubernatorial Appointment No. 9256, be confirmed as a member of the Tacoma Community College Board of Trustees.

Senator Darneille spoke in favor of the motion.

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

APPOINTMENT OF ELIZABETH B. DUNBAR

The President Pro Tempore declared the question before the Senate to be the confirmation of Elizabeth B. Dunbar, Gubernatorial Appointment No. 9256, as a member of the Tacoma Community College Board of Trustees.

The Secretary called the roll on the confirmation of Elizabeth B. Dunbar, Gubernatorial Appointment No. 9256, as a member of the Tacoma Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Elizabeth B. Dunbar, Gubernatorial Appointment No. 9256, having received the constitutional majority was declared confirmed as a member of the Tacoma Community College Board of Trustees.

MOTION

Senator Carlyle moved that Anne Fennessy, Gubernatorial Appointment No. 9257, be confirmed as a member of the State Board for Community and Technical Colleges.

Senator Carlyle spoke in favor of the motion.

MOTION

On motion of Senator Mullet, and without objection, Senator Hobbs was excused.

APPOINTMENT OF ANNE FENNESSY

The President Pro Tempore declared the question before the Senate to be the confirmation of Anne Fennessy, Gubernatorial Appointment No. 9257, as a member of the State Board for Community and Technical Colleges.

The Secretary called the roll on the confirmation of Anne Fennessy, Gubernatorial Appointment No. 9257, as a member of the State Board for Community and Technical Colleges and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hobbs

Anne Fennessy, Gubernatorial Appointment No. 9257, having received the constitutional majority was declared confirmed as a member of the State Board for Community and Technical Colleges.

MOTION

Senator Schoesler moved that Anna C. Franz, Gubernatorial Appointment No. 9263, be confirmed as a member of the Big Bend Community College Board of Trustees.

Senator Schoesler spoke in favor of the motion.

APPOINTMENT OF ANNA C. FRANZ

The President Pro Tempore declared the question before the Senate to be the confirmation of Anna C. Franz, Gubernatorial Appointment No. 9263, as a member of the Big Bend Community College Board of Trustees.

The Secretary called the roll on the confirmation of Anna C. Franz, Gubernatorial Appointment No. 9263, as a member of the Big Bend Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hobbs

Anna C. Franz, Gubernatorial Appointment No. 9263, having received the constitutional majority was declared confirmed as a member of the Big Bend Community College Board of Trustees.

INTRODUCTION OF GUESTS

The President Pro Tempore welcomed and introduced fourth grade students from Wedgwood Elementary School, Seattle, and their advisors Ms. Kelly Clark and Ms. Susan Crawford, guests of Senator Frockt, who were seated in the gallery.

MOTION

Senator Schoesler moved that Charles S. McFadden, Gubernatorial Appointment No. 9236, be confirmed as a member of the Big Bend Community College Board of Trustees.

Senator Schoesler spoke in favor of the motion.

APPOINTMENT OF CHARLES S. MCFADDEN

The President Pro Tempore declared the question before the Senate to be the confirmation of Charles S. McFadden, Gubernatorial Appointment No. 9236, as a member of the Big Bend Community College Board of Trustees.

The Secretary called the roll on the confirmation of Charles S. McFadden, Gubernatorial Appointment No. 9236, as a member of the Big Bend Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette,

Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Charles S. McFadden, Gubernatorial Appointment No. 9236, having received the constitutional majority was declared confirmed as a member of the Big Bend Community College Board of Trustees.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2838, by Representatives Klippert and Hayes

Clarifying the department of corrections' authority to impose conditions prohibiting contact with other persons, even if the offender is not a sex offender.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, House Bill No. 2838 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 2838.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2838 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dansel and Ericksen

HOUSE BILL NO. 2838, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2017, by House Committee on Transportation (originally sponsored by Representatives Klippert, Cody, Blake, Dent, Hayes, Fagan and Kretz)

Creating Washington farmers and ranchers special license plates.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 2017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 2017.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2017 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE HOUSE BILL NO. 2017, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 1918, by Representatives Shea, Orcutt, Hayes and Scott

Modifying provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers.

The measure was read the second time.

MOTION

Senator King moved that the following committee striking amendment by the Committee on Transportation be adopted: Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 38.52.180 and 2011 c 336 s 791 are each amended to read as follows:

(1) There shall be no liability on the part of anyone including any person, partnership, corporation, the state of Washington or any political subdivision thereof who owns or maintains any building or premises which have been designated by a local organization for emergency management as a shelter from destructive operations or attacks by enemies of the United States for any injuries sustained by any person while in or upon said building or premises, as a result of the condition of said building or premises or as a result of any act or omission, or in any way arising from the designation of such premises as a shelter, when such person has entered or gone upon or into said building or premises for the purpose of seeking refuge therein during destructive operations or attacks by enemies of the United States or during tests ordered by lawful authority, except for an act of willful negligence by such owner or occupant or his or her servants, agents, or employees.

(2) All legal liability for damage to property or injury or death to persons (except an emergency worker, regularly enrolled and

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

acting as such), caused by acts done or attempted during or while traveling to or from an emergency or disaster, search and rescue, or training or exercise authorized by the department in preparation for an emergency or disaster or search and rescue, under the color of this chapter in a bona fide attempt to comply therewith, except as provided in subsections (3), (4), and (5) of this section regarding covered volunteer emergency workers, shall be the obligation of the state of Washington. Suits may be instituted and maintained against the state for the enforcement of such liability, or for the indemnification of persons appointed and regularly enrolled as emergency workers while actually engaged in emergency management duties, or as members of any agency of the state or political subdivision thereof engaged in emergency management activity, or their dependents, for damage done to their private property, or for any judgment against them for acts done in good faith in compliance with this chapter: PROVIDED, That the foregoing shall not be construed to result in indemnification in any case of willful misconduct, gross negligence, or bad faith on the part of any agent of emergency management: PROVIDED, That should the United States or any agency thereof, in accordance with any federal statute, rule, or regulation, provide for the payment of damages to property and/or for death or injury as provided for in this section, then and in that event there shall be no liability or obligation whatsoever upon the part of the state of Washington for any such damage, death, or injury for which the United States government assumes liability.

(3) No act or omission by a covered volunteer emergency worker while engaged in a covered activity shall impose any liability for civil damages resulting from such an act or omission upon:

- (a) The covered volunteer emergency worker;
 - (b) The supervisor or supervisors of the covered volunteer emergency worker;
 - (c) Any facility or their officers or employees;
 - (d) The employer of the covered volunteer emergency worker;
 - (e) The owner of the property or vehicle where the act or omission may have occurred during the covered activity;
 - (f) Any local organization that registered the covered volunteer emergency worker; and
 - (g) The state or any state or local governmental entity.
- (4) The immunity in subsection (3) of this section applies only when the covered volunteer emergency worker was engaged in a covered activity:
- (a) Within the scope of his or her assigned duties;
 - (b) Under the direction of a local emergency management organization or the department, or a local law enforcement agency for search and rescue; and
 - (c) The act or omission does not constitute gross negligence or willful or wanton misconduct.

(5) For purposes of this section:

(a) "Covered volunteer emergency worker" means an emergency worker as defined in RCW 38.52.010 who (i) is not receiving or expecting compensation as an emergency worker from the state or local government, or (ii) is not a state or local government employee unless on leave without pay status.

(b) "Covered activity" means:

(i) Providing assistance or transportation authorized by the department during an emergency or disaster or search and rescue as defined in RCW 38.52.010, whether such assistance or transportation is provided at the scene of the emergency or disaster or search and rescue, at an alternative care site, at a hospital, or while in route to or from such sites or between sites; or

(ii) Participating in training or exercise authorized by the department in preparation for an emergency or disaster or search and rescue.

(6) Any requirement for a license to practice any professional, mechanical, or other skill shall not apply to any authorized emergency worker who shall, in the course of performing his or her duties as such, practice such professional, mechanical, or other skill during an emergency described in this chapter.

(7) The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under this chapter, or under the workers' compensation law, or under any pension or retirement law, nor the right of any such person to receive any benefits or compensation under any act of congress.

(8) Any act or omission by a covered volunteer emergency worker while engaged in a covered activity using an off-road vehicle, nonhighway vehicle, or wheeled all-terrain vehicle does not impose any liability for civil damages resulting from such an act or omission upon the covered volunteer emergency worker or the worker's sponsoring organization.

Sec. 2. RCW 46.09.320 and 2011 c 171 s 24 are each amended to read as follows:

((The department shall issue a certificate of title to the owner of an off-road vehicle. The owner shall pay the fee established under RCW 46.17.100. Issuance of the certificate of title does not qualify the vehicle for registration under chapter 46.16A RCW.))

(1) The application for a certificate of title of an off-road vehicle must be made by the owner or owner's representative to the department, county auditor or other agent, or subagent appointed by the director on a form furnished or approved by the department and must contain:

(a) A description of the off-road vehicle, including make, model, vehicle identification number or engine serial number if no vehicle identification number exists, type of body, and model year of the vehicle;

(b) The name and address of the person who is the registered owner of the off-road vehicle and, if the off-road vehicle is subject to a security interest, the name and address of the secured party; and

(c) Other information the department may require.

(2) The application for a certificate of title must be signed by the person applying to be the registered owner and be sworn to by that person in the manner described under RCW 9A.72.085.

(3) The owner must pay the fee established under RCW 46.17.100.

(4) Issuance of the certificate of title does not qualify the off-road vehicle for registration under chapter 46.16A RCW.

Sec. 3. RCW 46.09.442 and 2013 2nd sp.s. c 23 s 4 are each amended to read as follows:

(1) Any wheeled all-terrain vehicle operated within this state must display a metal tag to be affixed to the rear of the wheeled all-terrain vehicle. The initial metal tag must be issued with an original off-road vehicle registration and upon payment of the initial vehicle license fee under RCW 46.17.350(1)(s). The metal tag must be replaced every seven years at a cost of two dollars. Revenue from replacement metal tags must be deposited into the nonhighway and off-road vehicle activities program account. The department must design the metal tag, which must:

(a) Be the same size as a motorcycle license plate;

(b) Have the words "RESTRICTED VEHICLE" listed at the top of the tag;

(c) Contain designated identification through a combination of letters and numbers;

(d) Leave space at the bottom left corner of the tag for an off-road tab issued under subsection (2) of this section; and

(e) Leave space at the bottom right corner of the tag for an on-road tab, when required, issued under subsection (3) of this section.

(2) Except as provided in subsection (6)(b) of this section, a person who operates a wheeled all-terrain vehicle must have a current and proper off-road vehicle registration, with the appropriate off-road tab, and pay the annual vehicle license fee as provided in RCW 46.17.350(1)(s), which must be deposited into the nonhighway and off-road vehicle activities program account. The off-road tab must be issued annually by the department upon payment of initial and renewal vehicle license fees under RCW 46.17.350(1)(s).

(3) Except as provided in subsection (6)(a) of this section, a person who operates a wheeled all-terrain vehicle upon a public roadway must have a current and proper on-road vehicle registration, with the appropriate on-road tab, which must be of a bright color that can be seen from a reasonable distance, and pay the annual vehicle license fee as provided in RCW 46.17.350(1)(r). The on-road tab must be issued annually by the department upon payment of initial and renewal vehicle license fees under RCW 46.17.350(1)(r).

(4) Beginning July 1, 2017, for purposes of subsection (3) of this section, a special year tab issued pursuant to chapter 46.19 RCW to a person with a disability may be displayed on a wheeled all-terrain vehicle in lieu of an on-road tab.

(5) A wheeled all-terrain vehicle may not be registered for commercial use.

(6)(a) A wheeled all-terrain vehicle registration and a metal tag are not required under this chapter for a wheeled all-terrain vehicle that meets the definition in RCW 46.09.310(19), is owned by a resident of another state, and has a vehicle registration and metal tag or license plate issued in accordance with the laws of the other state allowing for on-road travel in that state. This exemption applies only to the extent that: (i) A similar exemption or privilege is granted under the laws of that state for wheeled all-terrain vehicles registered in Washington, and (ii) the other state has equipment requirements for on-road use that meet or exceed the requirements listed in RCW 46.09.457. The department may publish on its web site a list of states that meet the exemption requirements under this subsection.

(b) Off-road operation in Washington state of a wheeled all-terrain vehicle owned by a resident of another state and meeting the definition in RCW 46.09.310(19) is governed by RCW 46.09.420(4).

Sec. 4. RCW 46.09.457 and 2015 c 160 s 1 are each amended to read as follows:

(1) A person may operate a wheeled all-terrain vehicle upon any public roadway of this state, not including nonhighway roads and trails, subject to RCW 46.09.455 and the following equipment and declaration requirements:

(a) A person who operates a wheeled all-terrain vehicle must comply with the following equipment requirements:

(i) Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion upon a highway;

(ii) One tail lamp meeting the requirements of RCW 46.37.525 and used at all times when the vehicle is in motion upon a highway; however, a utility-type vehicle, as described under RCW 46.09.310, must have two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a highway;

(iii) A stop lamp meeting the requirements of RCW 46.37.200;

(iv) Reflectors meeting the requirements of RCW 46.37.060;

(v) During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200.

Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;

(vi) A mirror attached to either the right or left handlebar, which must be located to give the operator a complete view of the highway for a distance of at least two hundred feet to the rear of the vehicle; however, a utility-type vehicle, as described under RCW 46.09.310(19), must have two mirrors meeting the requirements of RCW 46.37.400;

(vii) A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington state patrol;

(viii) A horn or warning device meeting the requirements of RCW 46.37.380;

(ix) Brakes in working order;

(x) A spark arrester and muffling device meeting the requirements of RCW 46.09.470; and

(xi) For utility-type vehicles, as described under RCW 46.09.310(19), seat belts meeting the requirements of RCW 46.37.510.

(b) A person who operates a wheeled all-terrain vehicle upon a public roadway must provide a declaration that includes the following:

(i) Documentation of a safety inspection to be completed by a licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop in the state of Washington that must outline the vehicle information and certify under oath that all wheeled all-terrain vehicle equipment as required under this section meets the requirements outlined in state and federal law. A person who makes a false statement regarding the inspection of equipment required under this section is guilty of false swearing, a gross misdemeanor, under RCW 9A.72.040;

(ii) Documentation that the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop did not charge more than fifty dollars per safety inspection and that the entire safety inspection fee is paid directly and only to the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop;

(iii) A statement that the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop is entitled to the full amount charged for the safety inspection;

(iv) A vehicle identification number verification that must be completed by a licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop in the state of Washington;

(v) A release, on a form to be supplied by the department, signed by the owner of the wheeled all-terrain vehicle and verified by the department, county auditor or other agent, or subagent appointed by the director that releases the state, counties, cities, and towns from any liability; and

(vi) A statement that outlines that the owner understands that the original wheeled all-terrain vehicle was not manufactured for on-road use and that it has been modified for use on public roadways.

(2) This section does not apply to emergency services vehicles, vehicles used for emergency management purposes, or vehicles used in the production of agricultural and timber products on and across lands owned, leased, or managed by the owner or operator of the wheeled all-terrain vehicle or the operator's employer.

Sec. 5. RCW 46.19.030 and 2014 c 124 s 4 are each amended to read as follows:

(1) The department shall design special license plates for persons with disabilities, parking placards, and year tabs displaying the international symbol of access.

(2) Special license plates for persons with disabilities must be displayed on the motor vehicle as standard issue license plates as described in RCW 46.16A.200.

(3) Parking placards must include both a serial number and the expiration date on the face of the placard. The expiration date and serial number must be of a sufficient size as to be easily visible from a distance of ten feet from where the placard is displayed.

(4) Parking placards must be displayed when the motor vehicle is parked by suspending it from the rearview mirror. In the absence of a rearview mirror, the parking placard must be displayed on the dashboard. The parking placard must be displayed in a manner that allows for the entire placard to be viewed through the vehicle windshield.

(5) Special year tabs for persons with disabilities must be displayed on license plates or metal tags issued pursuant to RCW 46.09.442, in a manner as defined by the department.

(6) Persons who have been issued special license plates for persons with disabilities, parking placards, or special license plates with a special year tab for persons with disabilities may park in places reserved for persons with physical disabilities.

NEW SECTION. Sec. 6. Sections 2 and 5 of this act take effect July 1, 2017."

On page 1, line 2 of the title, after "drivers;" strike the remainder of the title and insert "amending RCW 38.52.180, 46.09.320, 46.09.442, 46.09.457, and 46.19.030; and providing an effective date."

The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to Engrossed House Bill No. 1918.

The motion by Senator King carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed House Bill No. 1918 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Hobbs spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed House Bill No. 1918, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1918, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 39; Nays, 10; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Chase, Cleveland, Darneille, Frockt, Hasegawa, Jayapal, Liias, McCoy and Pedersen

ENGROSSED HOUSE BILL NO. 1918, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2541, by House Committee on Judiciary (originally sponsored by Representatives Frame, Rodne, Jinkins, Walkinshaw, Riccelli, Senn, Orwall, Muri, S. Hunt, Gregerson, Sawyer, Caldier, Goodman, Haler, Hansen, Kuderer, Appleton, Kilduff, Reykdal, Rossetti, Magendanz, Ormsby, Bergquist and Stanford)

Providing for less restrictive involuntary treatment orders.

The measure was read the second time.

MOTION

On motion of Senator O'Ban, the rules were suspended, Substitute House Bill No. 2541 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Darneille spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 2541.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2541 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE HOUSE BILL NO. 2541, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2741, by Representatives Kuderer, Hickel and Stanford

Addressing state and local government fiscal agents.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Bill No. 2741 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 2741.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2741 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

HOUSE BILL NO. 2741, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senator Ranker was excused.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2681, by House Committee on Appropriations (originally sponsored by Representatives Stambaugh, Manweller, Short, Kochmar, Wilson, Magendanz, Griffey, Riccelli, Cody and Robinson)

Authorizing pharmacists to prescribe and dispense contraceptives. Revised for 2nd Substitute: Authorizing pharmacists to prescribe and dispense contraceptives.

The measure was read the second time.

MOTION

Senator Dammeier moved that the following committee striking amendment by the Committee on Health Care be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 18.64 RCW to read as follows:

To increase awareness of the availability of contraceptives in pharmacies, the pharmacy quality assurance commission shall develop a sticker or sign to be displayed on the window or door of a pharmacy that initiates or modifies drug therapy related to self-administered contraception."

On page 1, line 2 of the title, after "contraceptives;" strike the remainder of the title and insert "and adding a new section to chapter 18.64 RCW."

The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health Care to Second Substitute House Bill No. 2681.

The motion by Senator Dammeier carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Dammeier, the rules were suspended, Second Substitute House Bill No. 2681, as amended by the

Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier, Cleveland and Parlette spoke in favor of passage of the bill.

Senator Ericksen spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2681 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2681 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick
Voting nay: Senators Dansel, Ericksen and Padden

SECOND SUBSTITUTE HOUSE BILL NO. 2681 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553, by House Committee on Public Safety (originally sponsored by Representatives Walkinshaw, MacEwen, Ryu, Appleton, Moscoso, Holy, Gregerson, Zeiger, Peterson, Farrell, Walsh, Reykdal, Orwall, Pettigrew, Tharinger, Fitzgibbon and Kagi)

Encouraging certificates of restoration of opportunity.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Second Engrossed Substitute House Bill No. 1553 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 1553.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute House Bill No. 1553 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs,

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Fain announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 2:26 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:34 p.m. by the President of the Senate, Lt. Governor Owen presiding.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5265,
SENATE BILL NO. 5342,
SENATE BILL NO. 5458,
SENATE BILL NO. 5549,
SUBSTITUTE SENATE BILL NO. 5767,
SUBSTITUTE SENATE BILL NO. 6219,
SENATE BILL NO. 6220,
SUBSTITUTE SENATE BILL NO. 6286,
SUBSTITUTE SENATE BILL NO. 6341,
SUBSTITUTE SENATE BILL NO. 6354,
SENATE BILL NO. 6401,
SUBSTITUTE SENATE BILL NO. 6421,
SUBSTITUTE SENATE BILL NO. 6463,
SUBSTITUTE SENATE BILL NO. 6466,
SENATE BILL NO. 6491,
SUBSTITUTE SENATE BILL NO. 6498,
SUBSTITUTE SENATE BILL NO. 6569,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6606,
SENATE BILL NO. 6633.

MOTION

On motion of Senator Habib, and without objection, Senators Carlyle and McAuliffe were excused.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2584, by House Committee on Commerce & Gaming (originally sponsored by Representatives Vick, Van De Wege, Blake, Harris and Tarleton)

Concerning public disclosure of information submitted to the liquor and cannabis board regarding marijuana product traceability and operations.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Substitute House Bill No. 2584 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2584.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2584 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dangel, Ericksen, Hargrove and Hasegawa

Excused: Senators Carlyle and McAuliffe

SUBSTITUTE HOUSE BILL NO. 2584, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2350, by Representatives Cody and Jinkins

Defining the administration of medication by medical assistants.

The measure was read the second time.

MOTION

On motion of Senator Dammeier, the rules were suspended, House Bill No. 2350 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier and Cleveland spoke in favor of passage of the bill.

Senator Conway spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2350.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2350 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Cleveland, Dammeier, Dangel, Darneille, Ericksen, Fain, Frockt, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy,

Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Conway, Fraser, Habib, Hasegawa and Jayapal

Excused: Senator Carlyle

HOUSE BILL NO. 2350, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2449, by House Committee on Judiciary (originally sponsored by Representatives Orwall, Magendanz, Kagi, Santos, Senn, Peterson, Appleton, Moscoso, Goodman, Jinkins, Walkinshaw, Stanford, Clibborn, Sells, Fitzgibbon, Kilduff, Ryu, Bergquist, Pollet and S. Hunt)

Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that all children and youth in Washington state are entitled to a basic education and to an equal opportunity to learn. The legislature recognizes that there are many causes of truancy and that truancy is an indicator of future school dropout and delinquent behavior. The legislature recognizes that early engagement of parents in the education process is an important measure in preventing truancy. It is the intent of the legislature to encourage the systematic identification of truant behavior as early as possible and to encourage the use of best practices and evidence-based interventions to reduce truant behavior in every school in Washington state. The legislature intends that schools, parents, juvenile courts, and communities share resources within and across school districts where possible to enhance the availability of best practices and evidence-based intervention for truant children and youth.

By taking a three-pronged approach and providing additional tools to schools, courts, communities, and families, the legislature hopes to reduce excessive absenteeism, strengthen family engagement with schools, involve communities, promote academic achievement, reduce educational opportunity gaps, and increase high school graduation rates.

First, with respect to absenteeism in general, the legislature intends to put in place consistent practices and procedures, beginning in kindergarten, pursuant to which schools share information with families about the importance of consistent attendance and the consequences of excessive absences, involve families early, and provide families with information, services, and tools that they may access to improve and maintain their children's school attendance.

Second, the legislature recognizes the success that has been had by school districts and county juvenile courts around the state that have worked in tandem with one another to establish truancy boards capable of prevention and intervention and that regularly stay truancy petitions in order to first allow these boards to

identify barriers to school attendance, cooperatively solve problems, and connect students and their families with needed community-based services. While keeping petition filing requirements in place, the legislature intends to require an initial stay of truancy petitions in order to allow for appropriate intervention and prevention before using a court order to enforce attendance laws. The legislature also intends to encourage efforts by county juvenile courts and school districts to establish and maintain community truancy boards and to employ other best practices, including the provision of training for board members and other school and court personnel on trauma-informed approaches to discipline, the use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, and the provision of evidence-based treatments that have been found to be effective in supporting at-risk youth and their families.

Third, the legislature recognizes that there are instances in which individual barriers to school attendance that have led to truancy may be best addressed by providing access to a bed in a HOPE center. The legislature further recognizes that even when a truant student is found in contempt of a court order to attend school, it is best practice that the truant student not be placed in juvenile detention but, where feasible and available, instead be placed in a crisis residential center. The legislature intends to increase the number of beds in HOPE centers and crisis residential centers in order to facilitate their use for truant students.

Sec. 2. RCW 28A.225.005 and 2009 c 556 s 5 are each amended to read as follows:

(1) Each school within a school district shall inform the students and the parents of the students enrolled in the school about: The benefits of regular school attendance; the potential effects of excessive absenteeism, whether excused or unexcused, on academic achievement, and graduation and dropout rates; the school's expectations of the parents and guardians to ensure regular school attendance by the child; the resources available to assist the child and the parents and guardians; the role and responsibilities of the school; and the consequences of truancy, including the compulsory education requirements under this chapter. The school shall provide access to the information ((at least annually.)) before or at the time of enrollment of the child at a new school and at the beginning of each school year. If the school regularly and ordinarily communicates most other information to parents online, providing online access to the information required by this section satisfies the requirements of this section unless a parent or guardian specifically requests information to be provided in written form. Reasonable efforts must be made to enable parents to request and receive the information in a language in which they are fluent. A parent must date and acknowledge review of this information online or in writing before or at the time of enrollment of the child at a new school and at the beginning of each school year.

(2) The office of the superintendent of public instruction shall develop a template that schools may use to satisfy the requirements of subsection (1) of this section and shall post the information on its web site.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.225 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, in the event that a child in elementary school is required to attend school under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused absences in a single month during the current school year, or ten or more excused absences in the current school year, the school district shall schedule a conference or conferences with the parent and child at a time reasonably convenient for all persons included for the purpose of identifying the barriers to the

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

child's regular attendance, and the supports and resources that may be made available to the family so that the child is able to regularly attend school. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the absences, the school district may schedule this conference on that day. To satisfy the requirements of this section, the conference must include at least one school district employee such as a nurse, counselor, social worker, teacher, or community human services provider, except in those instances regarding the attendance of a child who has an individualized education program or a plan developed under section 504 of the rehabilitation act of 1973, in which case the reconvening of the team that created the program or plan is required.

(2) A conference pursuant to subsection (1) of this section is not required in the event of excused absences for which prior notice has been given to the school or a doctor's note has been provided and an academic plan is put in place so that the child does not fall behind.

Sec. 4. RCW 28A.225.020 and 2009 c 266 s 1 are each amended to read as follows:

(1) If a child required to attend school under RCW 28A.225.010 fails to attend school without valid justification, the public school in which the child is enrolled shall:

(a) Inform the child's ((custodial)) parent((, parents, or guardian)) by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence within any month during the current school year. School officials shall inform the parent of the potential consequences of additional unexcused absences. If the ((custodial)) parent((, parents, or guardian)) is not fluent in English, the ((preferred practice is to)) school must make reasonable efforts to provide this information in a language in which the ((custodial)) parent((, parents, or guardian)) is fluent;

(b) Schedule a conference or conferences with the ((custodial)) parent((, parents, or guardian)) and child at a time reasonably convenient for all persons included for the purpose of analyzing the causes of the child's absences after two unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the second unexcused absence, then the school district may schedule this conference on that day; and

(c) Take data-informed steps to eliminate or reduce the child's absences. These steps shall include the use of the Washington assessment of the risks and needs of students (WARNS), and where appropriate, providing an available approved best practice or research-based intervention, or both, consistent with the WARNS profile, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, providing appropriate vocational courses or work experience, referring the child to a community truancy board, ((if available,)) requiring the child to attend an alternative school or program, or assisting the parent or child to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school. If the child's parent does not attend the scheduled conference, the conference may be conducted with the student and school official. However, the parent shall be notified of the steps to be taken to eliminate or reduce the child's absence.

(2) For purposes of this chapter, an "unexcused absence" means that a child:

(a) Has failed to attend the majority of hours or periods in an average school day or has failed to comply with a more restrictive school district policy; and

(b) Has failed to meet the school district's policy for excused absences.

(3) If a child transfers from one school district to another during the school year, the receiving school or school district shall include the unexcused absences accumulated at the previous school or from the previous school district for purposes of this section, RCW 28A.225.030, and 28A.225.015, along with a copy of any previous assessment as required under subsection (1)(c) of this section, history of any best practices or researched-based intervention previously provided to the child by the child's current school district, and a copy of the most recent truancy information including any online or written acknowledgment by the parent and child, as provided for in RCW 28A.225.005.

Sec. 5. RCW 28A.225.025 and 2009 c 266 s 2 are each amended to read as follows:

(1) For purposes of this chapter, "community truancy board" means a board composed of members of the local community in which the child attends school. ((Juvenile courts may establish and operate community truancy boards. If the juvenile court and the school district agree, a school district may)) All members of a community truancy board must receive training regarding the identification of barriers to school attendance, the use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, trauma-informed approaches to discipline, evidence-based treatments that have been found effective in supporting at-risk youth and their families, and the specific services and treatment available in the particular school, court, community, and elsewhere. Pursuant to a memorandum of understanding between a school district and a juvenile court, all school districts must establish and operate a community truancy board under the jurisdiction of the juvenile court. ((Juvenile courts may create a community truancy board or may use other entities that exist or are created, such as diversion units. However, a diversion unit or other existing entity must agree before it is used as a truancy board.)) Duties of a community truancy board shall include, but not be limited to: Identifying barriers to school attendance, recommending methods for improving ((school)) attendance such as ((assisting the parent or the child to obtain supplementary services that might eliminate or ameliorate the causes for the absences or)) connecting students and their families with community services and evidence-based services such as functional family therapy, multisystemic therapy, and aggression replacement training, suggesting to the school district that the child enroll in another school, an alternative education program, an education center, a skill center, a dropout prevention program, or another public or private educational program, or referring a child to a HOPE center.

(2) The legislature finds that utilization of community truancy boards((, or other diversion units that fulfill a similar function,)) is the preferred means of intervention when preliminary methods ((of notice and parent conferences and taking appropriate steps)) to eliminate or reduce unexcused absences have not been effective in securing the child's attendance at school. The legislature intends to encourage and support the development and expansion of community truancy boards ((and other diversion programs which are effective in promoting school attendance and preventing the need for more intrusive intervention by the court)). All school districts must establish a community truancy board by August 1, 2017. Operation of a school truancy board does not excuse a district from the obligation of filing a petition within the requirements of RCW 28A.225.015(3).

Sec. 6. RCW 28A.225.030 and 2012 c 157 s 1 are each amended to read as follows:

(1) If a child under the age of seventeen is required to attend school under RCW 28A.225.010 and if the actions taken by a school district under RCW 28A.225.020 are not successful in

substantially reducing an enrolled student's absences from public school, not later than the seventh unexcused absence by a child within any month during the current school year or not later than the tenth unexcused absence during the current school year the school district shall file a petition and supporting affidavit for a civil action with the juvenile court alleging a violation of RCW 28A.225.010: (a) By the parent; (b) by the child; or (c) by the parent and the child. The petition must include a list of all interventions that have been attempted as set forth in RCW 28A.225.020, include a copy of any previous truancy assessment completed by the child's current school district, the history of approved best practices intervention or research-based intervention previously provided to the child by the child's current school district, and a copy of the most recent truancy information document signed by the parent and child, pursuant to RCW 28A.225.005. Except as provided in this subsection, no additional documents need be filed with the petition. Nothing in this subsection requires court jurisdiction to terminate when a child turns seventeen or precludes a school district from filing a petition for a child that is seventeen years of age.

(2) The district shall not later than the fifth unexcused absence in a month:

(a) Enter into an agreement with a student and parent that establishes school attendance requirements;

(b) Refer a student to a community truancy board((, if available,)) as defined in RCW 28A.225.025. The community truancy board shall enter into an agreement with the student and parent that establishes school attendance requirements and take other appropriate actions to reduce the child's absences; or

(c) File a petition under subsection (1) of this section.

(3) The petition may be filed by a school district employee who is not an attorney.

(4) If the school district fails to file a petition under this section, the parent of a child with five or more unexcused absences in any month during the current school year or upon the tenth unexcused absence during the current school year may file a petition with the juvenile court alleging a violation of RCW 28A.225.010.

(5) Petitions filed under this section may be served by certified mail, return receipt requested. If such service is unsuccessful, or the return receipt is not signed by the addressee, personal service is required.

Sec. 7. RCW 28A.225.035 and 2012 c 157 s 2 are each amended to read as follows:

(1) A petition for a civil action under RCW 28A.225.030 or 28A.225.015 shall consist of a written notification to the court alleging that:

(a) The child has unexcused absences as described in RCW 28A.225.030(1) during the current school year;

(b) Actions taken by the school district have not been successful in substantially reducing the child's absences from school; and

(c) Court intervention and supervision are necessary to assist the school district or parent to reduce the child's absences from school.

(2) The petition shall set forth the name, date of birth, school, address, gender, race, and ethnicity of the child and the names and addresses of the child's parents, and shall set forth ((whether)) the languages in which the child and parent are fluent ((in English)), whether there is an existing individualized education program, and the child's current academic status in school.

(3) The petition shall set forth facts that support the allegations in this section and shall generally request relief available under this chapter and provide information about what the court might order under RCW 28A.225.090.

(4)(a) When a petition is filed under RCW 28A.225.030 or 28A.225.015, it shall initially be stayed by the juvenile court.

(b) By August 1, 2017, the child and the child's parent must be referred to a community truancy board as described in RCW 28A.225.025.

(c) Between August 1, 2016, and July 31, 2017, intervention and prevention efforts must be employed to substantially reduce the child's unexcused absences. Intervention and prevention efforts under this subsection may include referral to an existing community truancy board, use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, the provision of community-based services, and the provision of evidence-based treatments that have been found to be effective in supporting at-risk youth and their families. The school district must provide to the court a description of the intervention and prevention efforts to be employed to substantially reduce the child's unexcused absences, along with a timeline for completion. School districts with fewer than two hundred students may work cooperatively with other school districts, the county court, or the school district's educational service district to provide a community truancy board or other interventions approved by the juvenile court and associated screenings and services to its students.

(d) If intervention and prevention efforts under this subsection are unsuccessful at substantially reducing the child's unexcused absences within a reasonable time frame set by the school district, the stay shall be lifted and the juvenile court shall schedule a hearing at which the court shall consider the petition((, or if the court determines that a referral to an available community truancy board would substantially reduce the child's unexcused absences, the court may refer the case to a community truancy board under the jurisdiction of the juvenile court)).

(5) ((If)) When a referral is made to a community truancy board, the truancy board must meet with the child, a parent, and the school district representative and enter into an agreement with the petitioner and respondent regarding expectations and any actions necessary to address the child's truancy within twenty days of the referral. If the petition is based on RCW 28A.225.015, the child shall not be required to attend and the agreement under this subsection shall be between the truancy board, the school district, and the child's parent. The court may permit the truancy board or truancy prevention counselor to provide continued supervision over the student, or parent if the petition is based on RCW 28A.225.015.

(6) If the community truancy board fails to reach an agreement, or the parent or student does not comply with the agreement, the truancy board shall return the case to the juvenile court for a hearing.

(7)(a) Notwithstanding the provisions in subsection (4)(a) of this section, a hearing shall not be required if other actions by the court would substantially reduce the child's unexcused absences. When a juvenile court hearing is held, the court shall:

(i) Separately notify the child, the parent of the child, and the school district of the hearing. If the parent is not fluent in English, ((the preferred practice is for)) notice ((to)) should be provided in a language in which the parent is fluent as indicated on the petition pursuant to RCW 28A.225.030(1);

(ii) Notify the parent and the child of their rights to present evidence at the hearing; and

(iii) Notify the parent and the child of the options and rights available under chapter 13.32A RCW.

(b) If the child is not provided with counsel, the advisement of rights must take place in court by means of a colloquy between the court, the child if eight years old or older, and the parent.

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

(8)(a) The court may require the attendance of the child if eight years old or older, the parents, and the school district at any hearing on a petition filed under RCW 28A.225.030.

(b) The court may not issue a bench warrant for a child for failure to appear at a hearing on an initial truancy petition filed under RCW 28A.225.030. If there has been proper service, the court may instead enter a default order assuming jurisdiction under the terms specified in subsection (12) of this section.

(9) A school district is responsible for determining who shall represent the school district at hearings on a petition filed under RCW 28A.225.030 or 28A.225.015.

(10) The court may permit the first hearing to be held without requiring that either party be represented by legal counsel, and to be held without a guardian ad litem for the child under RCW 4.08.050. At the request of the school district, the court shall permit a school district representative who is not an attorney to represent the school district at any future hearings.

(11) If the child is in a special education program or has a diagnosed mental or emotional disorder, the court shall inquire as to what efforts the school district has made to assist the child in attending school.

(12) If the allegations in the petition are established by a preponderance of the evidence, the court shall grant the petition and enter an order assuming jurisdiction to intervene for the period of time determined by the court, after considering the facts alleged in the petition and the circumstances of the juvenile, to most likely cause the juvenile to return to and remain in school while the juvenile is subject to this chapter. In no case may the order expire before the end of the school year in which it is entered.

(13)(a) If the court assumes jurisdiction, the school district shall periodically report to the court any additional unexcused absences by the child, actions taken by the school district, and an update on the child's academic status in school at a schedule specified by the court.

(b) The first report under this subsection (13) must be received no later than three months from the date that the court assumes jurisdiction.

(14) Community truancy boards and the courts shall coordinate, to the extent possible, proceedings and actions pertaining to children who are subject to truancy petitions and at-risk youth petitions in RCW 13.32A.191 or child in need of services petitions in RCW 13.32A.140.

(15) If after a juvenile court assumes jurisdiction in one county the child relocates to another county, the juvenile court in the receiving county shall, upon the request of a school district or parent, assume jurisdiction of the petition filed in the previous county.

Sec. 8. RCW 28A.225.090 and 2009 c 266 s 4 are each amended to read as follows:

(1) A court may order a child subject to a petition under RCW 28A.225.035 to do one or more of the following:

(a) Attend the child's current school, and set forth minimum attendance requirements, ((including suspensions)) which shall not consider a suspension day as an unexcused absence;

(b) If there is space available and the program can provide educational services appropriate for the child, order the child to attend another public school, an alternative education program, center, a skill center, dropout prevention program, or another public educational program;

(c) Attend a private nonsectarian school or program including an education center. Before ordering a child to attend an approved or certified private nonsectarian school or program, the court shall: (i) Consider the public and private programs available; (ii) find that placement is in the best interest of the child; and (iii) find

that the private school or program is willing to accept the child and will not charge any fees in addition to those established by contract with the student's school district. If the court orders the child to enroll in a private school or program, the child's school district shall contract with the school or program to provide educational services for the child. The school district shall not be required to contract for a weekly rate that exceeds the state general apportionment dollars calculated on a weekly basis generated by the child and received by the district. A school district shall not be required to enter into a contract that is longer than the remainder of the school year. A school district shall not be required to enter into or continue a contract if the child is no longer enrolled in the district;

(d) ((Be referred to a community truancy board, if available; or

(e))) Submit to ((testing for the use of controlled substances or alcohol based on a determination that such testing)) a substance abuse assessment if the court finds on the record that such assessment is appropriate to the circumstances and behavior of the child and will facilitate the child's compliance with the mandatory attendance law and, if any assessment, including a urinalysis test ordered under this subsection indicates the use of controlled substances or alcohol, order the minor to abstain from the unlawful consumption of controlled substances or alcohol and adhere to the recommendations of the ((drug)) substance abuse assessment at no expense to the school;

(e) Submit to a mental health evaluation or other diagnostic evaluation and adhere to the recommendations of the drug assessment, at no expense to the school, if the court finds on the court records that such evaluation is appropriate to the circumstances and behavior of the child, and will facilitate the child's compliance with the mandatory attendance law; or

(f) Submit to a temporary placement in a crisis residential center if the court determines there is an immediate health and safety concern, or a family conflict with the need for mediation.

(2) If the child fails to comply with the court order, the court may order the child to be subject to detention, as provided in RCW 7.21.030(2)(e), or may impose alternatives to detention such as community restitution. Failure by a child to comply with an order issued under this subsection shall not be subject to detention for a period greater than that permitted pursuant to a civil contempt proceeding against a child under chapter 13.32A RCW. Detention ordered under this subsection may be for no longer than seven days. Detention ordered under this subsection shall preferably be served at a secure crisis residential center close to the child's home rather than in a juvenile detention facility. A warrant of arrest for a child under this subsection may not be served on a child inside of school during school hours in a location where other students are present.

(3) Any parent violating any of the provisions of either RCW 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. The court shall remit fifty percent of the fine collected under this section to the child's school district. It shall be a defense for a parent charged with violating RCW 28A.225.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the child's school did not perform its duties as required in RCW 28A.225.020. The court may order the parent to provide community restitution instead of imposing a fine. Any fine imposed pursuant to this section may be suspended upon the condition that a parent charged with violating RCW 28A.225.010 shall participate with the school and the child in a supervised plan for the child's attendance at school or upon condition that the

parent attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

(4) If a child continues to be truant after entering into a court-approved order with the truancy board under RCW 28A.225.035, the juvenile court shall find the child in contempt, and the court may order the child to be subject to detention, as provided in RCW 7.21.030(2)(e), or may impose alternatives to detention such as meaningful community restitution. Failure by a child to comply with an order issued under this subsection may not subject a child to detention for a period greater than that permitted under a civil contempt proceeding against a child under chapter 13.32A RCW.

(5) Subsections (1), (2), and (4) of this section shall not apply to a six or seven year old child required to attend public school under RCW 28A.225.015.

Sec. 9. RCW 43.185C.315 and 2015 c 69 s 22 are each amended to read as follows:

(1) The department shall establish HOPE centers that provide no more than seventy-five beds across the state and may establish HOPE centers by contract, within funds appropriated by the legislature specifically for this purpose. HOPE centers shall be operated in a manner to reasonably assure that street youth placed there will not run away. Street youth may leave a HOPE center during the course of the day to attend school or other necessary appointments, but the street youth must be accompanied by an administrator or an administrator's designee. The street youth must provide the administration with specific information regarding his or her destination and expected time of return to the HOPE center. Any street youth who runs away from a HOPE center shall not be readmitted unless specifically authorized by the street youth's placement and liaison specialist, and the placement and liaison specialist shall document with specific factual findings an appropriate basis for readmitting any street youth to a HOPE center. HOPE centers are required to have the following:

((1)) (a) A license issued by the department of social and health services;

((2)) (b) A professional with a master's degree in counseling, social work, or related field and at least one year of experience working with street youth or a bachelor of arts degree in social work or a related field and five years of experience working with street youth. This professional staff person may be contractual or a part-time employee, but must be available to work with street youth in a HOPE center at a ratio of one to every fifteen youth staying in a HOPE center. This professional shall be known as a placement and liaison specialist. Preference shall be given to those professionals cross-credentialed in mental health and chemical dependency. The placement and liaison specialist shall:

((a)) (i) Conduct an assessment of the street youth that includes a determination of the street youth's legal status regarding residential placement;

((b)) (ii) Facilitate the street youth's return to his or her legally authorized residence at the earliest possible date or initiate processes to arrange legally authorized appropriate placement. Any street youth who may meet the definition of dependent child under RCW 13.34.030 must be referred to the department of social and health services. The department of social and health services shall determine whether a dependency petition should be filed under chapter 13.34 RCW. A shelter care hearing must be held within seventy-two hours to authorize out-of-home placement for any youth the department of social and health services determines is appropriate for out-of-home placement under chapter 13.34 RCW. All of the provisions of chapter 13.32A RCW must be followed for children in need of services or at-risk youth;

((3)) (iii) Interface with other relevant resources and system representatives to secure long-term residential placement and other needed services for the street youth;

((d)) (iv) Be assigned immediately to each youth and meet with the youth within eight hours of the youth receiving HOPE center services;

((e)) (v) Facilitate a physical examination of any street youth who has not seen a physician within one year prior to residence at a HOPE center and facilitate evaluation by a county-designated mental health professional, a chemical dependency specialist, or both if appropriate; and

((f)) (vi) Arrange an educational assessment to measure the street youth's competency level in reading, writing, and basic mathematics, and that will measure learning disabilities or special needs;

((3)) (c) Staff trained in development needs of street youth as determined by the department, including an administrator who is a professional with a master's degree in counseling, social work, or a related field and at least one year of experience working with street youth, or a bachelor of arts degree in social work or a related field and five years of experience working with street youth, who must work with the placement and liaison specialist to provide appropriate services on site;

((4)) (d) A data collection system that measures outcomes for the population served, and enables research and evaluation that can be used for future program development and service delivery. Data collection systems must have confidentiality rules and protocols developed by the department;

((5)) (e) Notification requirements that meet the notification requirements of chapter 13.32A RCW. The youth's arrival date and time must be logged at intake by HOPE center staff. The staff must immediately notify law enforcement and dependency caseworkers if a street youth runs away from a HOPE center. A child may be transferred to a secure facility as defined in RCW 13.32A.030 whenever the staff reasonably believes that a street youth is likely to leave the HOPE center and not return after full consideration of the factors set forth in RCW 43.185C.290(2)(a) (i) and (ii). The street youth's temporary placement in the HOPE center must be authorized by the court or the secretary of the department of social and health services if the youth is a dependent of the state under chapter 13.34 RCW or the department of social and health services is responsible for the youth under chapter 13.32A RCW, or by the youth's parent or legal custodian, until such time as the parent can retrieve the youth who is returning to home;

((6)) (f) HOPE centers must identify to the department of social and health services any street youth it serves who is not returning promptly to home. The department of social and health services then must contact the missing children's clearinghouse identified in chapter 13.60 RCW and either report the youth's location or report that the youth is the subject of a dependency action and the parent should receive notice from the department of social and health services; and

((7)) (g) Services that provide counseling and education to the street youth(, and).

((8)) (2) The department shall award contracts for the operation of HOPE center beds with the goal of facilitating the coordination of services provided for youth by such programs and those services provided by secure and semi-secure crisis residential centers.

(3) Subject to funds appropriated for this purpose, the department must incrementally increase the number of available HOPE beds by at least seventeen beds in fiscal year 2017, at least seventeen beds in fiscal year 2018, and at least seventeen beds in fiscal year 2019, such that by July 1, 2019, seventy-five HOPE

beds are established and operated throughout the state as set forth in subsection (1) of this section.

(4) Subject to funds appropriated for this purpose, the beds available in HOPE centers shall be increased incrementally beyond the limit of seventy-five set forth in subsection (1) of this section. The additional capacity shall be distributed around the state based upon need and, to the extent feasible, shall be geographically situated so that HOPE beds are available across the state. In determining the need for increased numbers of HOPE beds in a particular county or counties, one of the considerations should be the volume of truancy petitions filed there.

Sec. 10. RCW 43.185C.320 and 2015 c 69 s 23 are each amended to read as follows:

To be eligible for placement in a HOPE center, a minor must be either a street youth, as that term is defined in this chapter, or a youth who, without placement in a HOPE center, will continue to participate in increasingly risky behavior, including truancy. Youth may also self-refer to a HOPE center. Payment for a HOPE center bed is not contingent upon prior approval by the department; however, approval from the department of social and health services is needed if the youth is dependent under chapter 13.34 RCW.

NEW SECTION. Sec. 11. A new section is added to chapter 43.185C RCW to read as follows:

Subject to funds appropriated for this purpose, the capacity available in crisis residential centers established pursuant to this chapter shall be increased incrementally by no fewer than ten beds per fiscal year through fiscal year 2019 in order to accommodate truant students found in contempt of a court order to attend school. The additional capacity shall be distributed around the state based upon need and, to the extent feasible, shall be geographically situated to expand the use of crisis residential centers as set forth in this chapter so they are available for use by all courts for housing truant youth.

Sec. 12. RCW 28A.165.005 and 2013 2nd sp.s. c 18 s 201 are each amended to read as follows:

(1) This chapter is designed to: (a) Promote the use of data when developing programs to assist underachieving students and reduce disruptive behaviors in the classroom; and (b) guide school districts in providing the most effective and efficient practices when implementing supplemental instruction and services to assist underachieving students and reduce disruptive behaviors in the classroom.

(2) School districts implementing a learning assistance program shall focus first on addressing the needs of students:

(a) In grades kindergarten through four who are deficient in reading or reading readiness skills to improve reading literacy; and

(b) Referred to community truancy boards as defined in RCW 28A.225.025.

Sec. 13. RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each amended to read as follows:

(1) Beginning in the 2015-16 school year, expenditure of funds from the learning assistance program must be consistent with the provisions of RCW 28A.655.235.

(2) Use of best practices that have been demonstrated through research to be associated with increased student achievement magnifies the opportunities for student success. To the extent they are included as a best practice or strategy in one of the state menus or an approved alternative under this section or RCW 28A.655.235, the following are services and activities that may be supported by the learning assistance program:

(a) Extended learning time opportunities occurring:

(i) Before or after the regular school day;

(ii) On Saturday; and

(iii) Beyond the regular school year;

(b) Services under RCW 28A.320.190;

(c) Professional development for certificated and classified staff that focuses on:

(i) The needs of a diverse student population;

(ii) Specific literacy and mathematics content and instructional strategies; and

(iii) The use of student work to guide effective instruction and appropriate assistance;

(d) Consultant teachers to assist in implementing effective instructional practices by teachers serving participating students;

(e) Tutoring support for participating students;

(f) Outreach activities and support for parents of participating students, including employing parent and family engagement coordinators; ((and))

(g) Up to five percent of a district's learning assistance program allocation may be used for development of partnerships with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports to participating students who are significantly at risk of not being successful in school to reduce barriers to learning, increase student engagement, and enhance students' readiness to learn. The office of the superintendent of public instruction must approve any community-based organization or local agency before learning assistance funds may be expended; and

(h) Up to two percent of a district's learning assistance program allocation may be used to fund community truancy board activities and student supports as described in RCW 28A.225.025.

(3) In addition to the state menu developed under RCW 28A.655.235, the office of the superintendent of public instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop additional state menus of best practices and strategies for use in the learning assistance program to assist struggling students at all grade levels in English language arts and mathematics and reduce disruptive behaviors in the classroom. The office of the superintendent of public instruction shall publish the state menus by July 1, 2015, and update the state menus by each July 1st thereafter.

(4)(a) Beginning in the 2016-17 school year, except as provided in (b) of this subsection, school districts must use a practice or strategy that is on a state menu developed under subsection (3) of this section or RCW 28A.655.235.

(b) Beginning in the 2016-17 school year, school districts may use a practice or strategy that is not on a state menu developed under subsection (3) of this section for two school years initially. If the district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction shall approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is dependent on the district continuing to demonstrate increased improved outcomes for participating students.

(c) Beginning in the 2016-17 school year, school districts may enter cooperative agreements with state agencies, local governments, or school districts for administrative or operational costs needed to provide services in accordance with the state menus developed under this section and RCW 28A.655.235.

(5) School districts are encouraged to implement best practices and strategies from the state menus developed under this section and RCW 28A.655.235 before the use is required.

Sec. 14. RCW 28A.655.235 and 2013 2nd sp.s. c 18 s 106 are each amended to read as follows:

(1)(a) Beginning in the 2015-16 school year, except as otherwise provided in this subsection (1), for any student who received a score of basic or below basic on the third grade statewide student assessment in English language arts in the previous school year, the school district must implement an intensive reading and literacy improvement strategy from a state menu of best practices established in accordance with subsection (3) of this section or an alternative strategy in accordance with subsection (4) of this section.

(b) Beginning August 1, 2017, the school district must implement a community truancy board as provided in RCW 28A.165.035.

(c) Reading and literacy improvement strategies for students with disabilities whose individualized education program includes specially designed instruction in reading or English language arts shall be as provided in the individualized education program.

(2)(a) Also beginning in the 2015-16 school year, in any school where more than forty percent of the tested students received a score of basic or below basic on the third grade statewide student assessment in English language arts in the previous school year, as calculated under this subsection (2), the school district must implement an intensive reading and literacy improvement strategy from a state menu of best practices established in accordance with subsection (3) of this section or an alternative strategy in accordance with subsection (4) of this section for all students in grades kindergarten through four at the school.

(b) For the purposes of this subsection (2), the office of the superintendent of public instruction shall exclude the following from the calculation of a school's percentage of tested students receiving a score of basic or below basic on the third grade statewide student assessment:

(i) Students enrolled in the transitional bilingual instruction program unless the student has participated in the transitional bilingual instruction program for three school years;

(ii) Students with disabilities whose individualized education program specifies a different standard to measure reading performance than is required for the statewide student assessment; and

(iii) Schools with fewer than ten students in third grade.

(3) The office of the superintendent of public instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop a state menu of best practices and strategies for intensive reading and literacy improvement designed to assist struggling students in reaching grade level in reading by the end of fourth grade. The state menu must also include best practices and strategies to improve the reading and literacy of students who are English language learners and for system improvements that schools and school districts can implement to improve reading instruction for all students. The office of the superintendent of public instruction shall publish the state menu by July 1, 2014, and update the state menu by each July 1st thereafter.

(4) School districts may use an alternative practice or strategy that is not on a state menu developed under subsection (3) of this section for two school years initially. If the district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction must approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is

dependent on the district continuing to demonstrate an increase in improved outcomes for participating students.

NEW SECTION. Sec. 15. The office of the superintendent of public instruction shall develop recommendations as to how mandatory school attendance and truancy amelioration provisions under chapter 28A.225 RCW should be applied to online schools and report back to the relevant committees of the legislature by November 1, 2016.

NEW SECTION. Sec. 16. A new section is added to chapter 43.330 RCW to read as follows:

(1) By requiring an initial stay of truancy petitions for diversion to community truancy boards, the legislature intends to achieve the following outcomes:

(a) Increased access to community truancy boards and other truancy early intervention programs for parents and children throughout the state;

(b) Increased quantity and quality of truancy intervention and prevention efforts in the community;

(c) A reduction in the number of truancy petitions that result in further proceedings by juvenile courts, other than dismissal of the petition, after the initial stay and diversion to a community truancy board;

(d) A reduction in the number of truancy petitions that result in a civil contempt proceeding or detention order; and

(e) Increased school attendance.

(2) No later than January 1, 2021, the Washington state institute for public policy is directed to evaluate the effectiveness of chapter . . . , Laws of 2016 (this act). An initial report scoping of the methodology to be used to review chapter . . . , Laws of 2016 (this act) shall be submitted to the fiscal committees of the legislature by January 1, 2018. The initial report must identify any data gaps that could hinder the ability of the institute to conduct its review.

NEW SECTION. Sec. 17. Sections 12 through 14 of this act take effect September 1, 2016."

On page 1, line 2 of the title, after "truancy;" strike the remainder of the title and insert "amending RCW 28A.225.005, 28A.225.020, 28A.225.025, 28A.225.030, 28A.225.035, 28A.225.090, 43.185C.315, 43.185C.320, 28A.165.005, 28A.165.035, and 28A.655.235; adding a new section to chapter 28A.225 RCW; adding a new section to chapter 43.185C RCW; adding a new section to chapter 43.330 RCW; creating new sections; and providing an effective date."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing to Second Substitute House Bill No. 2449.

The motion by Senator O'Ban carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Second Substitute House Bill No. 2449, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2449, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2449, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dansel and McAuliffe
Excused: Senator Carlyle

SECOND SUBSTITUTE HOUSE BILL NO. 2449, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2519, by House Committee on Local Government (originally sponsored by Representatives McCaslin, Gregerson, Shea, Appleton, Tharinger, Peterson, McBride, Manweller, Stokesbary, Reykdal, Sells, Fitzgibbon, Springer, Kochmar, Orwall, Nealey, Pike, Van De Wege and Stanford)

Allowing nuisance abatement cost recovery for cities.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Substitute House Bill No. 2519 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2519.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2519 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

SUBSTITUTE HOUSE BILL NO. 2519, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763, by House Committee on General Government & Information Technology (originally sponsored by Representatives Van De Wege, Lytton, Riccelli and Tharinger)

Regulating music licensing agencies.

The measure was read the second time.

MOTION

Senator Fain moved that the following committee striking amendment by the Committee on Commerce & Labor be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Copyright owner" means the owner of a copyright of a nondramatic musical work recognized and enforceable under the copyright laws of the United States pursuant to Title 17 of the United States Code (17 U.S.C. Sec. 101 et seq.). "Copyright owner" does not include the owner of a copyright in a motion picture or audiovisual work, or in part of a motion picture or audiovisual work.

(2) "Music licensing agency" means a performing rights society.

(3) "Performing rights society" means an association or corporation that licenses the public performance of non-dramatic musical works on behalf of copyright owners, such as the American Society of Composers, Authors and Publishers (ASCAP), Broadcast Music, Inc. (BMI), and SESAC, Inc.

(4) "Proprietor" means the owner of a retail establishment, restaurant, inn, bar, tavern, sports or entertainment facility, or any other similar place of business or professional office located in this state in which the public may assemble and in which nondramatic musical works or similar copyrighted works may be performed, broadcast, or otherwise transmitted for the enjoyment of members of the public there assembled.

(5) "Royalty" or "royalties" means the fees payable to a copyright owner or performing rights society for the public performance of nondramatic musical works or other similar works.

"NEW SECTION. Sec. 2. A performing rights society that licenses the performing rights to music may not license or attempt to license the use of or collect or attempt to collect any compensation on account of any sale, license, or other disposition regarding the performance rights of music unless the performing rights society:

(1) Registers and files annually with the department of licensing an electronic copy of each performing rights form agreement providing for the payment of royalties made available from the performing rights society to any proprietor within the state; and

(2) Has a valid Washington unified business identifier number.

"NEW SECTION. Sec. 3. A performing rights society must make available electronically to business proprietors the most current available list of members and affiliates represented by the performing rights society and the most current available list of the performed works that the performing rights society licenses.

NEW SECTION. Sec. 4. A person who willfully violates any of the provisions of this chapter may be liable for a civil penalty of not more than one thousand dollars per violation. Multiple violations on a single day may be considered separate violations. The attorney general, acting in the name of the state, may seek recovery of all such penalties in a civil action. The attorney general may issue civil investigative demands for the inspection of documents, interrogatory responses, and oral testimony in the enforcement of this section.

NEW SECTION. Sec. 5. (1) Before seeking payment or a contract for payment of royalties for the use of copyrighted works by that proprietor, a representative or agent for a performing rights society must:

Identify himself or herself to the proprietor or the proprietor's employees, disclose that he or she is acting on behalf of a performing rights society, and disclose the purpose for being on the premises.

(2) A representative or agent of a performing rights society must not:

(a) Use obscene, abusive, or profane language when communicating with the proprietor or his or her employees;

(b) Communicate by telephone or in-person with a proprietor other than at the proprietor's place of business during the hours when the proprietor's business is open to the public. However, such communications may occur at a location other than the proprietor's place of business or during hours when the proprietor's business is not open to the public if the proprietor or the proprietor's agents, employees, or representatives so authorizes;

(c) Engage in any coercive conduct, act, or practice that is substantially disruptive to a proprietor's business;

(d) Use or attempt to use any unfair or deceptive act or practice in negotiating with a proprietor; or

(e) Communicate with an unlicensed proprietor about licensing performances of musical works at the proprietor's establishment after receiving notification in writing from an attorney representing the proprietor that all further communications related to the licensing of the proprietor's establishment by the performing rights society should be addressed to the attorney. However, the performing rights society may resume communicating directly with the proprietor if the attorney fails to respond to communications from the performing rights society within sixty days, or the attorney becomes nonresponsive for a period of sixty days or more.

NEW SECTION. Sec. 6. (1) The department of revenue shall inform proprietors of their rights and responsibilities regarding the public performance of copyrighted music as part of the business licensing service.

(2) Performing rights societies are encouraged to conduct outreach campaigns to educate existing proprietors on their rights and responsibilities regarding the public performance of copyrighted music.

NEW SECTION. Sec. 7. (1) No performing rights society may enter into, or offer to enter into, a contract for the payment of royalties by a proprietor unless at least seventy-two hours prior to the execution of that contract it provides to the proprietor or the proprietor's employees, in writing, the following:

(a) A schedule of the rates and terms of royalties under the contract; and

(b) Notice that the proprietor is entitled to the information contained in section 3 of this act.

(2) A contract for the payment of royalties executed in this state must:

(a) Be in writing;

(b) Be signed by the parties; and

(c) Include, at least, the following information:

(i) The proprietor's name and business address;

(ii) The name and location of each place of business to which the contract applies;

(iii) The duration of the contract; and

(iv) The schedule of rates and terms of the royalties to be collected under the contract, including any sliding scale or schedule for any increase or decrease of those rates for the duration of that contract.

NEW SECTION. Sec. 8. Nothing in this act may be construed to prohibit a performing rights society from conducting investigations to determine the existence of music use by a proprietor's business or informing a proprietor of the proprietor's obligations under the copyright laws of the United States pursuant to Title 17 of the United States Code (17 U.S.C. Sec. 101 et seq.).

NEW SECTION. Sec. 9. Sections 1 through 8 of this act constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 10. This act takes effect January 1, 2017."

On page 1, line 1 of the title, after "agencies;" strike the remainder of the title and insert "adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Commerce & Labor to Engrossed Second Substitute House Bill No. 1763.

The motion by Senator Fain carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Fain, the rules were suspended, Engrossed Second Substitute House Bill No. 1763, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain, Mullet and Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1763, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1763, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Hargrove: “Thank you, Mr. President. I just wanted to let everybody know that today is my mother’s ninety-third birthday. Before you clap, some of you have had to put up with me for thirty-two years, she’s had to put up with me for sixty-two years. Quite the lady. Her name’s Marlene and I will let you know that some of my most endearing qualities come from her. Mom, if you’re watching, or one of your friends is watching, happy ninety-third birthday.”

PERSONAL PRIVILEGE

Senator Dansel: “On this momentous day that Senator Hargrove talked about, it just dawned on me that he has been here as long as I’ve been alive.”

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2335, by House Committee on General Government & Information Technology (originally sponsored by Representatives Cody, Appleton and Jenkins)

Addressing health care provider credentialing.

The measure was read the second time.

MOTION

Senator Dammeier moved that the following committee striking amendment by the Committee on Health Care not be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 48.43 RCW to read as follows:

(1)(a) A health carrier may use the database selected pursuant to RCW 48.165.035 to accept and manage credentialing applications from health care providers.

(b) Effective June 1, 2018, a health carrier shall make a determination approving or denying a credentialing application submitted to the carrier no later than ninety days after receiving a complete application from a health care provider.

(c) Effective June 1, 2020, a health carrier shall make a determination approving or denying a credentialing application submitted to the carrier no later than ninety days after receiving a complete application from a health care provider. All determinations made by a health carrier in approving or denying credentialing applications must average no more than sixty days.

(d) This section does not require health carriers to approve a credentialing application or to place providers into a network.

(2) This section does not apply to health care entities that utilize credentialing delegation arrangements in the credentialing of their health care providers with health carriers.

(3) For purposes of this section, "credentialing" means the collection, verification, and assessment of whether a health care provider meets relevant licensing, education, and training requirements.

(4) Nothing in this section creates an oversight or enforcement duty on behalf of the office of the insurance commissioner against a health carrier for failure to comply with the terms of this section.

NEW SECTION. Sec. 2. A new section is added to chapter 43.70 RCW to read as follows:

(1) When submitting a credentialing application to a health carrier, a health care provider may submit the application to health carriers using the database selected pursuant to RCW 48.165.035.

(2) A health care provider shall update credentialing information as necessary to provide for the purposes of recredentialing.

(3) This section does not apply to providers practicing at entities that utilize credentialing delegation arrangements in the credentialing of their health care providers with health carriers.

(4) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Credentialing" has the same meaning as in section 1 of this act.

(b) "Health care provider" has the same meaning as in RCW 48.43.005(23)(a).

(c) "Health carrier" has the same meaning as in RCW 48.43.005.

NEW SECTION. Sec. 3. This act takes effect June 1, 2018."

On page 1, line 1 of the title, after "credentialing;" strike the remainder of the title and insert "adding a new section to chapter 48.43 RCW; adding a new section to chapter 43.70 RCW; and providing an effective date."

The President declared the question before the Senate to be that the committee striking amendment by the Committee on Health Care to House Bill No. 2335 not be adopted.

The motion by Senator Dammeier carried and the committee striking amendment was not adopted by voice vote.

MOTION

On motion of Senator Dammeier, the rules were suspended, Second Substitute House Bill No. 2335 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2335.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2335 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

SECOND SUBSTITUTE HOUSE BILL NO. 2335, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1351, by House Committee on Agriculture & Natural Resources

(originally sponsored by Representatives Blake, Harris, DeBolt and Stanford)

Concerning license fees for national guard members under Title 77 RCW.

The measure was read the second time.

MOTION

Senator Pearson moved that the following committee striking amendment by the Committee on Natural Resources & Parks be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 77.32.480 and 2013 c 101 s 1 are each amended to read as follows:

(1) Upon written application, a combination fishing license shall be issued at the reduced rate of five dollars and all hunting licenses shall be issued at the reduced rate of a youth hunting license fee for the following individuals:

(a) A resident sixty-five years old or older who is an honorably discharged veteran of the United States armed forces having a service-connected disability;

(b) A resident who is an honorably discharged veteran of the United States armed forces with a thirty percent or more service-connected disability;

(c) A resident with a disability who permanently uses a wheelchair;

(d) A resident who is blind or visually impaired; and

(e) A resident with a developmental disability as defined in RCW 71A.10.020 with documentation of the disability certified by a physician licensed to practice in this state.

(2) Upon department verification of eligibility, a nonstate resident veteran with a disability who otherwise satisfies the criteria of subsection (1)(a) and (b) of this section must be issued a combination fishing license or any hunting license at the same cost charged to a nondisabled Washington resident for the same license.

(3) Upon written application and department verification, the following recreational hunting licenses must be issued at no cost to a resident member of the state guard or national guard, as defined in RCW 38.04.010, as long as the state guard or national guard member is: An active full-time state guard or national guard employee; or a state guard or national guard member whose status requires the state guard or national guard member to participate in drill training on a part-time basis:

(a) A small game hunting license under RCW 77.32.460(1);

(b) A supplemental migratory bird permit under RCW 77.32.350; and

(c) A big game hunting license under RCW 77.32.450 (1) and (2)."

On page 1, line 2 of the title, after "77 RCW;" strike the remainder of the title and insert "and amending RCW 77.32.480."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Natural Resources & Parks to Engrossed Substitute House Bill No. 1351.

The motion by Senator Pearson carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Pearson, the rules were suspended, Engrossed Substitute House Bill No. 1351, as amended by the

Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pearson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1351, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1351, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liiias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1351, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439, by House Committee on Appropriations (originally sponsored by Representatives Kagi, Walsh, Senn, Johnson, Orwall, Dent, McBride, Reykdal, Jinkins, Tharinger, Fey, Tarleton, Stanford, Springer, Frame, Kilduff, Sells, Bergquist and Goodman)

Increasing access to adequate and appropriate mental health services for children and youth.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be not adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** (1) The legislature understands that adverse childhood experiences, such as family mental health issues, substance abuse, serious economic hardship, and domestic violence, all increase the likelihood of developmental delays and later health and mental health problems. The legislature further understands that early intervention services for children and families at high risk for adverse childhood experience help build secure parent-child attachment and bonding, which allows young children to thrive and form strong relationships in the future. The legislature finds that early identification and intervention are critical for children exhibiting aggressive or depressive behaviors indicative of early mental health problems. The legislature intends to improve access to adequate, appropriate, and culturally responsive mental health services for children and youth. The legislature further intends to encourage the use of behavioral health therapies and other therapies that are empirically supported

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

or evidence-based and discourage the overuse of psychotropic medications for children and youth.

(2) The legislature finds that nearly half of Washington's children are enrolled in medicaid and have a higher incidence of serious health problems compared to children who have commercial insurance. The legislature recognizes that disparities also exist in the diagnosis and initiation of treatment services for children of color, with studies demonstrating that children of color are diagnosed and begin receiving early interventions at a later age. The legislature finds that within the current system of care, families face barriers to receiving a full range of services for children experiencing behavioral health problems. The legislature intends to identify what network adequacy requirements, if strengthened, would increase access, continuity, and coordination of behavioral health services for children and families. The legislature further intends to encourage managed care plans and behavioral health organizations to contract with the same providers that serve children so families are not required to duplicate mental health screenings, and to recommend provider rates for mental health services to children and youth which will ensure an adequate network and access to quality based care.

(3) The legislature recognizes that early and accurate recognition of behavioral health issues coupled with appropriate and timely intervention enhances health outcomes while minimizing overall expenditures. The legislature intends to assure that annual depression screenings are done consistently with the highly vulnerable medicaid population and that children and families benefit from earlier access to services.

NEW SECTION. Sec. 2. (1) The children's mental health work group is established to identify barriers to accessing mental health services for children and families, and to advise the legislature on statewide mental health services for this population.

(2)(a) The work group shall include diverse, statewide representation from the public and nonprofit and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(b) The work group shall consist of not more than twenty-six members, as follows:

(i) The president of the senate shall appoint one member and one alternative member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member and one alternative member from each of the two largest caucuses in the house of representatives.

(iii) The governor shall appoint at least one representative from each of the following: The department of early learning, the department of social and health services, the health care authority, the department of health, and a representative of the governor.

(iv) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction.

(v) The governor shall request participation by a representative of tribal governments.

(vi) The governor shall appoint one representative from each of the following: Behavioral health organizations, community mental health agencies, medicaid managed care organizations, pediatricians or primary care providers, providers that specialize in early childhood mental health, child health advocacy groups, early learning and child care providers, the managed health care plan for foster children, the evidence-based practice institute, parents or caregivers who have been a recipient of early childhood mental health services, and foster parents.

(c) The work group shall seek input and participation from stakeholders interested in the improvement of statewide mental health services for children and families.

(d) The work group shall choose two cochairs, one from among its legislative membership and one representative of a state agency. The representative from the health care authority shall convene the initial meeting of the work group.

(3) The children's mental health work group shall review the barriers that exist to identifying and treating mental health issues in children with a particular focus on birth to five and report to the appropriate committees of the legislature. At a minimum the work group must:

(a) Review and recommend developmentally, culturally, and linguistically appropriate assessment tools and diagnostic approaches that managed care plans and behavioral health organizations should use as the mechanism to establish eligibility for services;

(b) Identify and review billing issues related to serving the parent or caregiver in a treatment dyad and the billing issues related to services that are appropriate for serving children, including children birth to five;

(c) Review workforce issues related to serving children and families, including issues specifically related to birth to five;

(d) Recommend strategies for increasing workforce diversity and the number of professionals qualified to provide children's mental health services;

(e) Review and make recommendations on the development and adoption of standards for training and endorsement of professionals to become qualified to provide mental health services to children birth to five and their parents or caregivers;

(f) Analyze, in consultation with the department of early learning, the health care authority, and the department of social and health services, existing and potential mental health supports for child care providers to reduce expulsions of children in child care and preschool; and

(g) Identify outreach strategies that will successfully disseminate information to parents, providers, schools, and other individuals who work with children and youth on the mental health services offered through the health care plans, including referrals to parenting programs, community providers, and behavioral health organizations.

(4) Legislative members of the work group are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the work group must be paid jointly by the senate and the house of representatives. Work group expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The work group shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2016.

(7) Staff support for the committee must be provided by the house of representatives office of program research, the senate committee services, and the office of financial management.

(8) This section expires December 1, 2017.

NEW SECTION. Sec. 3. A new section is added to chapter 74.09 RCW to read as follows:

To better assure and understand issues related to network adequacy and access to services, the authority and the department shall report to the appropriate committees of the legislature by

December 1, 2017, and annually thereafter, on the status of access to behavioral health services for children birth through age seventeen using data collected pursuant to RCW 70.320.050. At a minimum, the report must include the following components broken down by age, gender, and race and ethnicity:

(1) The percentage of discharges for patients ages six through seventeen who had a visit to the emergency room with a primary diagnosis of mental health or alcohol or other drug dependence during the measuring year and who had a follow-up visit with any provider with a corresponding primary diagnosis of mental health or alcohol or other drug dependence within thirty days of discharge;

(2) The percentage of health plan members with an identified mental health need who received mental health services during the reporting period; and

(3) The percentage of children served by behavioral health organizations, including the types of services provided.

NEW SECTION. Sec. 4. (1) The joint legislative audit and review committee shall conduct an inventory of the mental health service models available to students in schools, school districts, and educational service districts and report its findings by October 31, 2016. The report must be submitted to the appropriate committees of the house of representatives and the senate, in accordance with RCW 43.01.036.

(2) The committee must perform the inventory using data that is already collected by schools, school districts, and educational service districts. The committee must not collect or review student-level data and must not include student-level data in the report.

(3) The inventory and report must include information on the following:

(a) How many students are served by mental health services funded with nonbasic education appropriations in each school, school district, or educational service district;

(b) How many of these students are participating in medicaid programs;

(c) How the mental health services are funded, including federal, state, local, and private sources;

(d) Information on who provides the mental health services, including district employees and contractors; and

(e) Any other available information related to student access and outcomes.

(4) The duties of this section must be carried out within existing appropriations.

(5) This section expires July 1, 2017.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "youth;" strike the remainder of the title and insert "adding a new section to chapter 74.09 RCW; creating new sections; and providing expiration dates."

The President declared the question before the Senate to be that the committee striking amendment by the Committee on Human Services, Mental Health & Housing to Engrossed Second Substitute House Bill No. 2439 be not adopted.

The motion by Senator O'Ban carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator O'Ban moved that the following striking amendment no. 697 by Senators O'Ban and Hargrove be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature understands that adverse childhood experiences, such as family mental health issues, substance abuse, serious economic hardship, and domestic violence, all increase the likelihood of developmental delays and later health and mental health problems. The legislature further understands that early intervention services for children and families at high risk for adverse childhood experience help build secure parent-child attachment and bonding, which allows young children to thrive and form strong relationships in the future. The legislature finds that early identification and intervention are critical for children exhibiting aggressive or depressive behaviors indicative of early mental health problems. The legislature intends to improve access to adequate, appropriate, and culturally responsive mental health services for children and youth. The legislature further intends to encourage the use of behavioral health therapies and other therapies that are empirically supported or evidence-based and only prescribe medications for children and youth as a last resort.

(2) The legislature finds that nearly half of Washington's children are enrolled in medicaid and have a higher incidence of serious health problems compared to children who have commercial insurance. The legislature recognizes that disparities also exist in the diagnosis and initiation of treatment services for children of color, with studies demonstrating that children of color are diagnosed and begin receiving early interventions at a later age. The legislature finds that within the current system of care, families face barriers to receiving a full range of services for children experiencing behavioral health problems. The legislature intends to identify what network adequacy requirements, if strengthened, would increase access, continuity, and coordination of behavioral health services for children and families. The legislature further intends to encourage managed care plans and behavioral health organizations to contract with the same providers that serve children so families are not required to duplicate mental health screenings, and to recommend provider rates for mental health services to children and youth which will ensure an adequate network and access to quality based care.

(3) The legislature recognizes that early and accurate recognition of behavioral health issues coupled with appropriate and timely intervention enhances health outcomes while minimizing overall expenditures. The legislature intends to assure that annual depression screenings are done consistently with the highly vulnerable medicaid population and that children and families benefit from earlier access to services.

NEW SECTION. Sec. 2. (1) The children's mental health work group is established to identify barriers to accessing mental health services for children and families, and to advise the legislature on statewide mental health services for this population.

(2)(a) The work group shall include diverse, statewide representation from the public and nonprofit and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(b) The work group shall consist of not more than twenty-five members, as follows:

(i) The president of the senate shall appoint one member and one alternative member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member and one alternative member from each of the two largest caucuses in the house of representatives.

(iii) The governor shall appoint at least one representative from each of the following: The department of early learning, the

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

department of social and health services, the health care authority, the department of health, and a representative of the governor.

(iv) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction.

(v) The governor shall request participation by a representative of tribal governments.

(vi) The governor shall appoint one representative from each of the following: Behavioral health organizations, community mental health agencies, medicaid managed care organizations, pediatricians or primary care providers, providers that specialize in early childhood mental health, child health advocacy groups, early learning and child care providers, the managed health care plan for foster children, the evidence-based practice institute, parents or caregivers who have been a recipient of early childhood mental health services, and foster parents.

(c) The work group shall seek input and participation from stakeholders interested in the improvement of statewide mental health services for children and families.

(d) The work group shall choose two cochairs, one from among its legislative membership and one representative of a state agency. The representative from the health care authority shall convene the initial meeting of the work group.

(3) The children's mental health work group shall review the barriers that exist to identifying and treating mental health issues in children with a particular focus on birth to five and report to the appropriate committees of the legislature. At a minimum the work group must:

(a) Review and recommend developmentally, culturally, and linguistically appropriate assessment tools and diagnostic approaches that managed care plans and behavioral health organizations should use as the mechanism to establish eligibility for services;

(b) Identify and review billing issues related to serving the parent or caregiver in a treatment dyad and the billing issues related to services that are appropriate for serving children, including children birth to five;

(c) Evaluate and identify barriers to billing and payment for behavioral health services provided within primary care settings in an effort to promote and increase the use of behavioral health professionals within primary care settings;

(d) Review workforce issues related to serving children and families, including issues specifically related to birth to five;

(e) Recommend strategies for increasing workforce diversity and the number of professionals qualified to provide children's mental health services;

(f) Review and make recommendations on the development and adoption of standards for training and endorsement of professionals to become qualified to provide mental health services to children birth to five and their parents or caregivers;

(g) Analyze, in consultation with the department of early learning, the health care authority, and the department of social and health services, existing and potential mental health supports for child care providers to reduce expulsions of children in child care and preschool; and

(h) Identify outreach strategies that will successfully disseminate information to parents, providers, schools, and other individuals who work with children and youth on the mental health services offered through the health care plans, including referrals to parenting programs, community providers, and behavioral health organizations.

(4) Legislative members of the work group are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on

behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the work group must be paid jointly by the senate and the house of representatives. Work group expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The work group shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2016.

(7) Staff support for the committee must be provided by the house of representatives office of program research, the senate committee services, and the office of financial management.

(8) This section expires December 1, 2017.

NEW SECTION. Sec. 3. A new section is added to chapter 74.09 RCW to read as follows:

To better assure and understand issues related to network adequacy and access to services, the authority and the department shall report to the appropriate committees of the legislature by December 1, 2017, and annually thereafter, on the status of access to behavioral health services for children birth through age seventeen using data collected pursuant to RCW 70.320.050. At a minimum, the report must include the following components broken down by age, gender, and race and ethnicity:

(1) The percentage of discharges for patients ages six through seventeen who had a visit to the emergency room with a primary diagnosis of mental health or alcohol or other drug dependence during the measuring year and who had a follow-up visit with any provider with a corresponding primary diagnosis of mental health or alcohol or other drug dependence within thirty days of discharge;

(2) The percentage of health plan members with an identified mental health need who received mental health services during the reporting period; and

(3) The percentage of children served by behavioral health organizations, including the types of services provided.

NEW SECTION. Sec. 4. (1) The joint legislative audit and review committee shall conduct an inventory of the mental health service models available to students in schools, school districts, and educational service districts and report its findings by October 31, 2016. The report must be submitted to the appropriate committees of the house of representatives and the senate, in accordance with RCW 43.01.036.

(2) The committee must perform the inventory using data that is already collected by schools, school districts, and educational service districts. The committee must not collect or review student-level data and must not include student-level data in the report.

(3) The inventory and report must include information on the following:

(a) How many students are served by mental health services funded with nonbasic education appropriations in each school, school district, or educational service district;

(b) How many of these students are participating in medicaid programs;

(c) How the mental health services are funded, including federal, state, local, and private sources;

(d) Information on who provides the mental health services, including district employees and contractors; and

(e) Any other available information related to student access and outcomes.

(4) The duties of this section must be carried out within existing appropriations.

(5) This section expires July 1, 2017.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

On page 1, line 2 of the title, after "youth;" strike the remainder of the title and insert "adding a new section to chapter 74.09 RCW; creating new sections; and providing expiration dates."

Senator O'Ban spoke in favor of adoption of the striking amendment.

MOTION

Senator Frockt moved that the following amendment no. 699 by Senators Frockt and O'Ban on page 5, after line 13 to the striking amendment be adopted:

On page 5, after line 13 of the amendment, insert the following:

"NEW SECTION. Sec. 4. (1)(a) Subject to appropriation, health care authority shall expand the partnership access line service by selecting a rural inclusive region of the state to offer an additional level of child mental health care support services for primary care, to be referred to as the PAL plus pilot program.

(b) For purposes of the PAL plus pilot program, the health care authority shall work in collaboration with faculty from the University of Washington working on the integration of mental health and medical care.

(2)(a) The PAL plus service is targeted to help children and families with medicaid coverage who have mental health concerns not already being served by the regional support network system or other local specialty care providers, and who instead receive treatment from their primary care providers. Services must be offered by regionally based and multipractice shared mental health service providers who deliver in person and over the telephone the following services upon primary care request:

- (i) Evaluation and diagnostic support;
- (ii) Individual patient care progress tracking;
- (iii) Behavior management coaching; and
- (iv) Other evidence supported psychosocial care supports which are delivered as an early and easily accessed intervention for families.

(b) The PAL team of child psychiatrists and psychologists shall provide mental health service providers with training and support, weekly care plan reviews and support on their caseloads, direct patient evaluations for selected enhanced assessments, and must utilize a shared electronic reporting and tracking system to ensure that children not improving are identified as such and helped to receive additional services. The PAL team shall promote the appropriate use of cognitive behavioral therapies and other treatments which are empirically supported or evidence-based and encourage providers to use psychotropic medications as a last resort.

(3)(a) The health care authority shall monitor PAL plus service outcomes, including, but not limited to:

- (i) Characteristics of the population being served;
- (ii) Process measures of service utilization;
- (iii) Behavioral health symptom rating scale outcomes of individuals and aggregate rating scale outcomes of populations of children served;
- (iv) Claims data comparison of implementation versus nonimplementation regions;
- (v) Service referral patterns to local specialty mental health care providers; and
- (vi) Family and provider feedback.

(b) By December 31, 2017, the health care authority shall make a preliminary evaluation of the viability of a statewide PAL plus service program and report to the appropriate committees of the legislature, with a final evaluation report due by December 31, 2018. The final report must include recommendations on sustainability and leveraging funds through behavioral health and managed care organizations.

(4) This section expires December 31, 2019."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Frockt, O'Ban, Dandel and Brown spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 699 by Senators Frockt and O'Ban on page 5, after line 13 to the striking amendment to Engrossed Second Substitute House Bill No. 2439.

The motion by Senator Frockt carried and amendment no. 699 was adopted by voice vote.

MOTION

Senator Litzow moved that the following amendment no. 722 by Senators Litzow and McAuliffe on page 6, beginning on line 2 of the striking amendment be adopted:

On page 6, beginning on line 2 of the amendment, strike all of section 5 and insert the following:

"Sec. 5. RCW 28A.310.500 and 2013 c 197 s 6 are each amended to read as follows:

(1) Each educational service district shall develop and maintain the capacity to offer training for educators and other school district staff on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. An educational service district may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training may be offered on a fee-for-service basis, or at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources.

(2)(a) Subject to the availability of amounts appropriated for this specific purpose, Forefront at the University of Washington shall convene a one-day in-person training of student support staff from the educational service districts to deepen the staff's capacity to assist schools in their districts in responding to concerns about suicide. Educational service districts shall send staff members to the one-day in-person training within existing resources.

(b) Subject to the availability of amounts appropriated for this specific purpose, after establishing these relationships with the educational service districts, Forefront at the University of Washington must continue to meet with the educational service districts via videoconference on a monthly basis to answer questions that arise for the educational service districts, and to assess the feasibility of collaborating with the educational service districts to develop a multiyear, statewide rollout of a comprehensive school suicide prevention model involving regional trainings, on-site coaching, and cohorts of participating schools in each educational service district.

(c) Subject to the availability of amounts appropriated for this specific purpose, Forefront at the University of Washington must work to develop public-private partnerships to support the rollout of a comprehensive school suicide prevention model across Washington's middle and high schools.

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

(d) The comprehensive school suicide prevention model must consist of:

(i) School-specific revisions to safe school plans required under RCW 28A.320.125, to include procedures for suicide prevention, intervention, assessment, referral, reentry, and intervention and recovery after a suicide attempt or death;

(ii) Developing, within the school, capacity to train staff, teachers, parents, and students in how to recognize and support a student who may be struggling with behavioral health issues;

(iii) Improved identification such as screening, and response systems such as family counseling, to support students who are at risk;

(iv) Enhanced community-based linkages of support; and

(v) School selection of appropriate curricula and programs to enhance student awareness of behavioral health issues to reduce stigma, and to promote resilience and coping skills.

(e) Subject to the availability of amounts appropriated for this specific purpose, and by December 15, 2017, Forefront at the University of Washington shall report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, with the outcomes of the educational service district trainings, any public-private partnership developments, and recommendations on ways to work with the educational service districts or others to implement suicide prevention.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, with the exception of section 5 of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act, except for section 5 of this act, is null and void."

On page 6, line 7 of the title amendment, before "adding" insert "amending RCW 28A.310.500;"

Senators Litzow, McAuliffe and O'Ban spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 722 by Senators Litzow and McAuliffe on page 6, line 2 to the striking amendment to Engrossed Second Substitute House Bill No. 2439.

The motion by Senator Litzow carried and amendment no. 722 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 697 by Senators O'Ban and Hargrove, as amended, to Engrossed Second Substitute House Bill No. 2439.

The motion by Senator O'Ban carried and striking amendment no. 697 as amended was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Second Substitute House Bill No. 2439, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2439, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2439 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2785, by House Committee on Environment (originally sponsored by Representatives Shea, Short, Schmick, Taylor, Scott and McCaslin)

Ensuring that restrictions on the use of solid fuel burning devices do not prohibit the installation or replacement of solid fuel burning devices or the use of these devices during temporary outages of other sources of heat.

The measure was read the second time.

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Substitute House Bill No. 2785 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen, McCoy, Sheldon and Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2785.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2785 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2785, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2320, by Representatives Stokesbary, Hurst, Peterson, Caldier, Schmick, Stambaugh and Wilcox

Providing that the horse racing commission operating account is a nonappropriated account.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Bill No. 2320 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2320.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2320 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Hargrove and Liias

Excused: Senator Carlyle

HOUSE BILL NO. 2320, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2841, by House Committee on Local Government (originally sponsored by Representatives Senn and Buys)

Concerning the state building code council.

The measure was read the second time.

MOTION

Senator Roach moved that the following committee striking amendment by the Committee on Government Operations & Security be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.27.070 and 2011 1st sp.s. c 43 s 244 are each amended to read as follows:

There is hereby established in the department of enterprise services a state building code council, to be appointed by the governor.

(1) The state building code council shall consist of fifteen members:

(a) Two members must be county elected legislative body members or elected executives;

(b) Two members must be city elected legislative body members or mayors;

(c) One member must be a local government building code enforcement official;

(d) One member must be a local government fire service official;

(e) One member must be a person with a physical disability and shall represent the disability community;

(f) One member must represent the general public; and

(g) Seven members must represent the private sector as follows:

(i) One member shall represent general construction, specializing in commercial and industrial building construction;

((f)) (ii) One member shall represent general construction, specializing in residential and multifamily building construction;

((g)) (iii) One member shall represent the architectural design profession;

((h)) (iv) One member shall represent the structural engineering profession;

((i)) (v) One member shall represent the mechanical engineering profession;

((j)) (vi) One member shall represent the construction building trades;

((k)) (vii) One member shall represent manufacturers, installers, or suppliers of building materials and components(;

(l) One member must be a person with a physical disability and shall represent the disability community; and

(m) One member shall represent the general public)).

(2) At least six of these fifteen members shall reside east of the crest of the Cascade mountains.

(3) The council shall include: Two members of the house of representatives appointed by the speaker of the house, one from each caucus; two members of the senate appointed by the president of the senate, one from each caucus; and an employee of the electrical division of the department of labor and industries, as ex officio, nonvoting members with all other privileges and rights of membership.

(4)(a) Terms of office shall be for three years, or for so long as the member remains qualified for the appointment.

(b) The council shall elect a member to serve as chair of the council for one-year terms of office.

(c) Any member who is appointed by virtue of being an elected official or holding public employment shall be removed from the council if he or she ceases being such an elected official or holding such public employment.

(d) Any member who is appointed to represent a specific private sector industry must maintain sufficiently similar private sector employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement or unemployment is not cause for termination. However, if a councilmember appointed to represent a specific private sector industry enters into employment outside of the industry, or outside of the private sector, he or she has been appointed to represent, then he or she shall be removed from the council.

(e) Any member who no longer qualifies for appointment under this section may not vote on council actions, but may participate as an ex officio, nonvoting member until a replacement member is appointed. A member must notify the council staff and the governor's office within thirty days of the date the member no longer qualifies for appointment under this section. The governor shall appoint a qualified replacement for the member within sixty days of notice.

(5) Before making any appointments to the building code council, the governor shall seek nominations from recognized organizations which represent the entities or interests identified in this section.

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

(6) Members shall not be compensated but shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

((7) The department of enterprise services shall provide administrative and clerical assistance to the building code council.))

Sec. 2. RCW 19.27.074 and 1989 c 266 s 3 are each amended to read as follows:

(1) The state building code council shall:

(a) Adopt and maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes as deemed appropriate by the council;

(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply to single-family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Propose a budget for the operation of the state building code council to be submitted to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory committees which may include members of the council;

(b) ((Employ permanent and temporary staff and)) Contract for services; and

(c) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.

(3)(a) All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of statewide applicability shall be pursuant to the administrative procedure act, chapter 34.05 RCW.

(b) All council decisions relating to the codes enumerated in RCW 19.27.031 shall require approval by at least a majority of the members of the council.

(c) All decisions to adopt or amend codes of statewide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

(4) The department of enterprise services shall employ permanent and temporary staff and contract for services for the state building code council.

Sec. 3. RCW 19.27A.020 and 2015 c 11 s 3 are each amended to read as follows:

(1) The state building code council established in the department of enterprise services shall adopt rules to be known as the Washington state energy code as part of the state building code.

(2) The council shall follow the legislature's standards set forth in this section to adopt rules to be known as the Washington state energy code. The Washington state energy code shall be designed to:

(a) Construct increasingly energy efficient homes and buildings that help achieve the broader goal of building zero fossil-fuel greenhouse gas emission homes and buildings by the year 2031;

(b) Require new buildings to meet a certain level of energy efficiency, but allow flexibility in building design, construction, and heating equipment efficiencies within that framework; and

(c) Allow space heating equipment efficiency to offset or substitute for building envelope thermal performance.

(3) The Washington state energy code shall take into account regional climatic conditions. One climate zone includes: Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Skamania, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties. The other climate zone includes all other counties not listed in this subsection (3). The assignment of a county to a climate zone may not be changed by adoption of a model code or rule. Nothing in this section prohibits the council from adopting the same rules or standards for each climate zone.

(4) The Washington state energy code for residential buildings shall be the 2006 edition of the Washington state energy code, or as amended by rule by the council.

(5) The minimum state energy code for new nonresidential buildings shall be the Washington state energy code, 2006 edition, or as amended by the council by rule.

(6)(a) Except as provided in (b) of this subsection, the Washington state energy code for residential structures shall preempt the residential energy code of each city, town, and county in the state of Washington.

(b) The state energy code for residential structures does not preempt a city, town, or county's energy code for residential structures which exceeds the requirements of the state energy code and which was adopted by the city, town, or county prior to March 1, 1990. Such cities, towns, or counties may not subsequently amend their energy code for residential structures to exceed the requirements adopted prior to March 1, 1990.

(7) The state building code council shall consult with the department of enterprise services as provided in RCW 34.05.310 prior to publication of proposed rules. The director of the department of enterprise services shall recommend to the state building code council any changes necessary to conform the proposed rules to the requirements of this section.

(8) The state building code council shall evaluate and consider adoption of the international energy conservation code in Washington state in place of the existing state energy code.

(9) The definitions in RCW 19.27A.140 apply throughout this section.

NEW SECTION. Sec. 4. A new section is added to chapter 19.27 RCW to read as follows:

(1)(a) A legislative task force on the state building code council's administration and operations is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall appoint two current members of the building code council representing the private sector and two current members of the state building code council representing local government.

(iv) The director of the department of enterprise services shall appoint one member from each of the department of enterprise services and department of commerce energy program.

(v) The director of the department of enterprise services shall appoint six members who regularly work with the state building code council, of which two members must represent local government, two members must represent private sector interests, and two members must represent labor interests.

(b) The task force shall choose its chair from among its legislative membership. The legislative members of the task force shall convene the initial meeting of the task force.

(2) The task force shall review and provide recommendations regarding the following issues:

(a) The current structure, operations, and resources of the state building code council;

(b) The building code development process, including the policy and procedure, technical, and economic aspects of review and adoption of the state building code;

(c) Economic aspects, including fiscal impact on private and public sector construction;

(d) The current code cycle length;

(e) The state building code council's membership and composition, including interests and industries represented;

(f) Total resources necessary for an effective state building code development process, including staffing and needs;

(g) Options for long-term, reliable funding of the state building code council; and

(h) The powers, duties, and support services of the department of enterprise services relevant to the state building code council.

(3) Staff support for the task force must be provided by senate committee services and the house of representatives office of program research.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the appropriate committees of the legislature consistent with RCW 43.01.036 by October 1, 2017.

(7) This section expires October 1, 2017."

On page 1, line 1 of the title, after "council;" strike the remainder of the title and insert "amending RCW 19.27.070, 19.27.074, and 19.27A.020; creating a new section; and providing an expiration date."

Senator Roach spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Government Operations & Security to Substitute House Bill No. 2841.

The motion by Senator Roach carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Roach, the rules were suspended, Substitute House Bill No. 2841, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2841, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2841, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Conway, Danel, Hargrove and Hasegawa

Excused: Senator Carlyle

SUBSTITUTE HOUSE BILL NO. 2841 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2730, by House Committee on Health Care & Wellness (originally sponsored by Representatives Peterson, Walkinshaw, Ortiz-Self, Bergquist, Kagi, Gregerson, Kilduff, Frame and Pollet)

Concerning the prescription drug monitoring program. Revised for 1st Substitute: Concerning the prescription monitoring program.

The measure was read the second time.

MOTION

On motion of Senator Dammeier, the rules were suspended, Substitute House Bill No. 2730 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2730.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2730 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Danel

Excused: Senator Carlyle

SUBSTITUTE HOUSE BILL NO. 2730, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

SECOND READING

HOUSE BILL NO. 2856, by Representatives DeBolt, Tharinger, Van De Wege and Stanford

Establishing the office of Chehalis river basin flood risk reduction.

The measure was read the second time.

MOTION

Senator Braun moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The office of Chehalis basin is established in the department. The primary purpose of the office is to aggressively pursue implementation of an integrated strategy and administer funding for long-term flood damage reduction and aquatic species restoration in the Chehalis river basin.

(2) The office of Chehalis basin must be funded from appropriations specified for Chehalis river basin-related flood hazard reduction and habitat recovery activities.

(3) In operating the office, the department must follow, to the greatest extent practicable, the model being used to administer the Columbia river basin water supply program established in chapter 6, Laws of 2006.

NEW SECTION. Sec. 2. (1) The Chehalis board is created consisting of seven members.

(2)(a) Four members of the board must be voting members who are appointed by the governor, subject to confirmation by the senate. One member must represent the Chehalis Indian tribe and one member must represent the Quinault Indian nation. Three board members must be selected by the Chehalis basin flood authority. No member may have a financial or regulatory interest in the work of the board. The governor shall appoint one of the flood authority appointees as the chair. The voting members of the board must be appointed for terms of four years, except that two members initially must be appointed for terms of two years and three members must initially be appointed for terms of three years. In making the appointments, the governor shall seek a board membership that collectively provides the expertise necessary to provide strong oversight for implementation of the Chehalis basin strategy, that provides extensive knowledge of local government processes and functions, and that has an understanding of issues relevant to reducing flood damages and restoring aquatic species.

(b) In addition to the seven voting members of the board, the following five state officials must serve as ex officio nonvoting members of the board: The director of the department of fish and wildlife, the executive director of the Washington state conservation commission, the secretary of the department of transportation, the director of the department of ecology, and the commissioner of public lands. The state officials serving in an ex officio capacity may designate a representative of their respective agencies to serve on the board in their behalf. These designations must be made in writing and in such a manner as is specified by the board.

(3) Staff support to the board must be provided by the department. For administrative purposes, the board is located within the department.

(4) Members of the board who do not represent state agencies must be compensated as provided by RCW 43.03.250. Members of the board shall be reimbursed for travel expenses as provided by RCW 43.03.050 and 43.03.060.

(5) The board is responsible for oversight of a long-term strategy resulting from the department's programmatic environmental impact statement for the Chehalis river basin to reduce flood damages and restore aquatic species habitat.

(6) The board is responsible for overseeing the implementation of the strategy and developing biennial and supplemental budget recommendations to the governor.

NEW SECTION. Sec. 3. The Chehalis basin strategy must include a detailed set of actions to reduce flood damage and improve aquatic species habitat. The strategy must be amended by the Chehalis board as necessary to include new scientific information and needed changes to the actions to achieve the overall purpose of the strategy. The strategy must include an implementation schedule and quantified measures for evaluating the success of implementation.

NEW SECTION. Sec. 4. The Chehalis basin account is created in the state treasury. All receipts from direct appropriations from the legislature, including the proceeds of tax exempt bonds, or moneys directed to the account from any other sources must be deposited in the account. Interest earned by deposits in the account will be retained in the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes set out in section 1 of this act and for the payment of expenses incurred in the issuance and sale of bonds.

Sec. 5. RCW 43.84.092 and 2015 3rd sp.s. c 44 s 107 and 2015 3rd sp.s. c 12 s 3 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the Alaskan Way viaduct replacement project account, the brownfield redevelopment trust fund account, the budget stabilization account, the capital vessel replacement account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the Chehalis basin account, the cleanup settlement account, the Columbia river basin water supply development account, the Columbia river basin taxable bond water supply development account, the Columbia river basin water supply revenue recovery account, the common school construction fund, the community forest trust account, the connecting Washington account, the county arterial preservation account, the county criminal justice assistance account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the diesel idle reduction account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the Interstate 405 express toll lanes operations account, the education construction fund, the education legacy trust account, the election account, the electric vehicle charging infrastructure account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety fund, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multimodal transportation account, the multiuse roadway safety account, the municipal criminal justice assistance account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puget Sound taxpayer accountability account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural mobility grant program account, the rural Washington loan fund, the site closure account, the skilled nursing facility safety net trust fund, the small city pavement and sidewalk account, the special category C account,

the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the state wildlife account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the toll facility bond retirement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation future funding program account, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving administration account, the water pollution control revolving fund, the Western Washington University capital projects account, the Yakima integrated plan implementation account, the Yakima integrated plan implementation revenue recovery account, and the Yakima integrated plan implementation taxable bond account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, the state university permanent fund, and the state reclamation revolving account shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 6. Sections 1 through 4 of this act are each added to chapter 43.21A RCW."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "establishing the office of Chehalis basin; reenacting and amending RCW 43.84.092; and adding new sections to chapter 43.21A RCW."

Senator Braun spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to House Bill No. 2856.

The motion by Senator Braun carried and the committee striking amendment was adopted by voice vote.

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

MOTION

On motion of Senator Braun, the rules were suspended, House Bill No. 2856, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Chase and Takko spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2856, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2856, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner and Hasegawa
Excused: Senator Carlyle

HOUSE BILL NO. 2856, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Walkinshaw, Walsh, Kagi, Senn, Frame, Kilduff, Sawyer, McBride, Goodman, Ormsby and Tarleton)

Concerning mental health and chemical dependency treatment for juvenile offenders.

The measure was read the second time.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Substitute House Bill No. 2746 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2746.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2746 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2427, by House Committee on Local Government (originally sponsored by Representatives Springer, Stokesbary, Fitzgibbon, Muri, Appleton and Kilduff)

Concerning local government modernization.

The measure was read the second time.

MOTION

Senator Roach moved that the following committee striking amendment by the Committee on Government Operations & Security be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Local governments must be efficient and prudent stewards of our residents' tax resources. To best serve our communities, certain local government statutes must be amended to reflect technological and organizational change. It is the intent of the legislature to clarify current authorities so that local government can better serve their residents, and it is the intent of the legislature that the following sections allow local government to pursue modern methods of serving their residents while preserving the public's right to access public records, and judiciously using scarce county resources to achieve maximum benefit.

Sec. 2. RCW 19.360.020 and 2015 c 72 s 2 are each amended to read as follows:

(1) Unless specifically provided otherwise by law or agency rule, whenever the use of a written signature is authorized or required by this code with a state or local agency, an electronic signature may be used with the same force and effect as the use of a signature affixed by hand, as long as the electronic signature conforms to the definition in RCW 19.360.030 and the writing conforms to RCW 19.360.040.

(2) Except as otherwise provided by law, each state or local agency may determine whether, and to what extent, the agency will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures. Nothing in this act requires a state or local agency to send or accept electronic records or electronic signatures when a writing or signature is required by statute.

(3) Except as otherwise provided by law, for governmental affairs and governmental transactions with state agencies, each state agency electing to send and accept shall establish the method

that must be used for electronic submissions and electronic signatures. The method and process for electronic submissions and the use of electronic signatures must be established by policy or rule and be consistent with the policies, standards, or guidance established by the chief information officer required in subsection (4) of this section.

(4)(a) The chief information officer, in coordination with state agencies, must establish standards, guidelines, or policies for the electronic submittal and receipt of electronic records and electronic signatures for governmental affairs and governmental transactions. The standards, policies, or guidelines must take into account reasonable access by and ability of persons to participate in governmental affairs or governmental transactions and be able to rely on transactions that are conducted electronically with agencies. Through the standards, policies, or guidelines, the chief information officer should encourage and promote consistency and interoperability among state agencies.

(b) In order to provide a single point of access, the chief information officer must establish a web site that maintains or links to the agency rules and policies established pursuant to subsection (3) of this section.

(5) Except as otherwise provided by law, for governmental affairs and governmental transactions with local agencies, each local agency electing to send and accept shall establish the method that must be used for electronic submissions and electronic signatures. The method and process for electronic submissions and the use of electronic signatures must be established by ordinance, resolution, policy, or rule. The local agency shall also establish standards, guidelines, or policies for the electronic submittal and receipt of electronic records and electronic signatures for governmental affairs and governmental transactions. The standards, policies, or guidelines must take into account reasonable access by and ability of persons to participate in governmental affairs or governmental transactions and be able to rely on transactions that are conducted electronically with agencies.

Sec. 3. RCW 19.360.030 and 2015 c 72 s 3 are each amended to read as follows:

(1) Unless specifically provided otherwise by law or rule or unless the context clearly indicates otherwise, whenever the term "signature" is used in this code for governmental affairs and is authorized by state or local agency ordinance, resolution, rule, or policy pursuant to RCW 19.360.020, the term includes an electronic signature as defined in subsection (2) of this section.

(2) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

Sec. 4. RCW 19.360.040 and 2015 c 72 s 4 are each amended to read as follows:

(1) Unless specifically provided otherwise by law or rule or unless the context clearly indicates otherwise, whenever the term "writing" is used in this code for governmental affairs and is authorized by state or local agency ordinance, resolution, rule, or policy pursuant to RCW 19.360.020, the term means a record.

(2) "Record," as used in subsection (1) of this section, means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form, except as otherwise defined for the purpose of state or local agency record retention, preservation, or disclosure.

Sec. 5. RCW 19.360.050 and 2015 c 72 s 5 are each amended to read as follows:

(1) Unless specifically provided otherwise by law or rule or unless the context clearly indicates otherwise, whenever the term "mail" is used in this code and authorized by state or local agency ordinance, resolution, rule, or policy pursuant to RCW

19.360.020 to transmit a writing with a state or local agency, the term includes the use of mail delivered through an electronic system such as email or secure mail transfer if authorized by the state agency in rule.

(2) For the purposes of this section, "electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

Sec. 6. RCW 19.360.060 and 2015 c 72 s 6 are each amended to read as follows:

For purposes of RCW 19.360.020 through 19.360.050, "state agency" means any state board, commission, bureau, committee, department, institution, division, or tribunal in the executive branch of state government, including statewide elected offices and institutions of higher education created and supported by the state government. "Local agency" means every county, city, town, municipal corporation, quasi-municipal corporation, special purpose district, or other local public agency.

Sec. 7. RCW 36.62.252 and 1984 c 26 s 20 are each amended to read as follows:

Every county which maintains a county hospital or infirmary shall establish a "county hospital fund" into which fund shall be deposited all unrestricted moneys received from any source for hospital or infirmary services including money received for services to recipients of public assistance and other persons without income and resources sufficient to secure such services. The county may maintain other funds for restricted moneys. Obligations incurred by the hospital shall be paid from such funds by the county treasurer in the same manner as general county obligations are paid, except that in counties where a contract has been executed in accordance with RCW 36.62.290, warrants may be issued by the hospital administrator for the hospital, if authorized by the county legislative authority and the county treasurer. The county treasurer shall furnish to the county legislative authority a monthly report of receipts and disbursements in the county hospital funds which report shall also show the balance of cash on hand.

Sec. 8. RCW 36.32.235 and 2009 c 229 s 6 are each amended to read as follows:

(1) In each county with a population of four hundred thousand or more which by resolution establishes a county purchasing department, the purchasing department shall enter into leases of personal property on a competitive basis and purchase all supplies, materials, and equipment on a competitive basis, for all departments of the county, as provided in this chapter and chapter 39.04 RCW, except that the county purchasing department is not required to make purchases that are paid from the county road fund or equipment rental and revolving fund.

(2) As used in this section, "public works" has the same definition as in RCW 39.04.010.

(3) Except as otherwise specified in this chapter or in chapter 36.77 RCW, all counties subject to these provisions shall contract on a competitive basis for all public works after bids have been submitted to the county upon specifications therefor. Such specifications shall be in writing and shall be filed with the clerk of the county legislative authority for public inspection.

(4) An advertisement shall be published in the county official newspaper stating the time and place where bids will be opened, the time after which bids will not be received, the character of the work to be done, the materials and equipment to be furnished, and that specifications therefor may be seen at the office of the clerk of the county legislative authority. An advertisement shall also be published in a legal newspaper of general circulation in or as near as possible to that part of the county in which such work is to be done. If the county official newspaper is a newspaper of general circulation covering at least forty percent of the residences in that part of the county in which such public works are to be done, then

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

the publication of an advertisement of the applicable specifications in the county official newspaper is sufficient. Such advertisements shall be published at least once at least thirteen days prior to the last date upon which bids will be received.

(5) The bids shall be in writing, may be in either hard copy or electronic form as specified by the county, shall be filed with the clerk, shall be opened and read in public at the time and place named therefor in the advertisements, and after being opened, shall be filed for public inspection. No bid may be considered for public work unless it is accompanied by a bid deposit in the form of a surety bond, postal money order, cash, cashier's check, or certified check in an amount equal to five percent of the amount of the bid proposed.

(6) The contract for the public work shall be awarded to the lowest responsible bidder. Any or all bids may be rejected for good cause. The county legislative authority shall require from the successful bidder for such public work a contractor's bond in the amount and with the conditions imposed by law.

(7) If the bidder to whom the contract is awarded fails to enter into the contract and furnish the contractor's bond as required within ten days after notice of the award, exclusive of the day of notice, the amount of the bid deposit shall be forfeited to the county and the contract awarded to the next lowest and best bidder. The bid deposit of all unsuccessful bidders shall be returned after the contract is awarded and the required contractor's bond given by the successful bidder is accepted by the county legislative authority. Immediately after the award is made, the bid quotations obtained shall be recorded and open to public inspection and shall be available by telephone inquiry.

(8) As limited by subsection (10) of this section, a county subject to these provisions may have public works performed by county employees in any annual or biennial budget period equal to a dollar value not exceeding ten percent of the public works construction budget, including any amount in a supplemental public works construction budget, over the budget period.

Whenever a county subject to these provisions has had public works performed in any budget period up to the maximum permitted amount for that budget period, all remaining public works except emergency work under subsection (12) of this section within that budget period shall be done by contract pursuant to public notice and call for competitive bids as specified in subsection (3) of this section. The state auditor shall report to the state treasurer any county subject to these provisions that exceeds this amount and the extent to which the county has or has not reduced the amount of public works it has performed by public employees in subsequent years.

(9) If a county subject to these provisions has public works performed by public employees in any budget period that are in excess of this ten percent limitation, the amount in excess of the permitted amount shall be reduced from the otherwise permitted amount of public works that may be performed by public employees for that county in its next budget period. Ten percent of the motor vehicle fuel tax distributions to that county shall be withheld if two years after the year in which the excess amount of work occurred, the county has failed to so reduce the amount of public works that it has performed by public employees. The amount withheld shall be distributed to the county when it has demonstrated in its reports to the state auditor that the amount of public works it has performed by public employees has been reduced as required.

(10) In addition to the percentage limitation provided in subsection (8) of this section, counties subject to these provisions containing a population of four hundred thousand or more shall not have public employees perform a public works project in excess of ninety thousand dollars if more than a single craft or

trade is involved with the public works project, or a public works project in excess of forty-five thousand dollars if only a single craft or trade is involved with the public works project. A public works project means a complete project. The restrictions in this subsection do not permit the division of the project into units of work or classes of work to avoid the restriction on work that may be performed by public employees on a single project.

The cost of a separate public works project shall be the costs of materials, supplies, equipment, and labor on the construction of that project. The value of the public works budget shall be the value of all the separate public works projects within the budget.

(11) In addition to the accounting and recordkeeping requirements contained in chapter 39.04 RCW, any county which uses public employees to perform public works projects under RCW 36.32.240(1) shall prepare a year-end report to be submitted to the state auditor indicating the total dollar amount of the county's public works construction budget and the total dollar amount for public works projects performed by public employees for that year.

The year-end report submitted pursuant to this subsection to the state auditor shall be in accordance with the standard form required by RCW 43.09.205.

(12) Notwithstanding any other provision in this section, counties may use public employees without any limitation for emergency work performed under an emergency declared pursuant to RCW 36.32.270, and any such emergency work shall not be subject to the limitations of this section. Publication of the description and estimate of costs relating to correcting the emergency may be made within seven days after the commencement of the work. Within two weeks of the finding that such an emergency existed, the county legislative authority shall adopt a resolution certifying the damage to public facilities and costs incurred or anticipated relating to correcting the emergency. Additionally this section shall not apply to architectural and engineering or other technical or professional services performed by public employees in connection with a public works project.

(13) In lieu of the procedures of subsections (3) through (11) of this section, a county may let contracts using the small works roster process provided in RCW 39.04.155.

Whenever possible, the county shall invite at least one proposal from a minority or woman contractor who shall otherwise qualify under this section.

(14) The allocation of public works projects to be performed by county employees shall not be subject to a collective bargaining agreement.

(15) This section does not apply to performance-based contracts, as defined in RCW 39.35A.020(4), that are negotiated under chapter 39.35A RCW.

(16) Nothing in this section prohibits any county from allowing for preferential purchase of products made from recycled materials or products that may be recycled or reused.

(17) This section does not apply to contracts between the public stadium authority and a team affiliate under RCW 36.102.060(4), or development agreements between the public stadium authority and a team affiliate under RCW 36.102.060(7) or leases entered into under RCW 36.102.060(8).

Sec. 9. RCW 36.32.245 and 2007 c 88 s 1 are each amended to read as follows:

(1) No contract for the purchase of materials, equipment, or supplies may be entered into by the county legislative authority or by any elected or appointed officer of the county until after bids have been submitted to the county. Bid specifications shall be in writing and shall be filed with the clerk of the county legislative authority for public inspection. An advertisement shall be published in the official newspaper of the county stating the time

and place where bids will be opened, the time after which bids will not be received, the materials, equipment, supplies, or services to be purchased, and that the specifications may be seen at the office of the clerk of the county legislative authority. The advertisement shall be published at least once at least thirteen days prior to the last date upon which bids will be received.

(2) The bids shall be in writing, may be in either hard copy or electronic form as specified by the county, and shall be filed with the clerk. The bids shall be opened and read in public at the time and place named in the advertisement. Contracts requiring competitive bidding under this section may be awarded only to the lowest responsible bidder. Immediately after the award is made, the bid quotations shall be recorded and open to public inspection and shall be available by telephone inquiry. Any or all bids may be rejected for good cause.

(3) For advertisement and formal sealed bidding to be dispensed with as to purchases between ((five)) ten thousand and ((twenty-five)) fifty thousand dollars, the county legislative authority must use the uniform process to award contracts as provided in RCW 39.04.190. Advertisement and formal sealed bidding may be dispensed with as to purchases of less than ((five)) ten thousand dollars upon the order of the county legislative authority.

(4) This section does not apply to performance-based contracts, as defined in RCW 39.35A.020(4), that are negotiated under chapter 39.35A RCW; or contracts and purchases for the printing of election ballots, voting machine labels, and all other election material containing the names of candidates and ballot titles.

(5) Nothing in this section shall prohibit the legislative authority of any county from allowing for preferential purchase of products made from recycled materials or products that may be recycled or reused.

(6) This section does not apply to contracting for public defender services by a county.

Sec. 10. RCW 35.58.585 and 2008 c 123 s 2 are each amended to read as follows:

(1) Both a metropolitan municipal corporation and a city-owned transit system may establish, by resolution, a schedule of fines and penalties for civil infractions established in RCW 35.58.580. Fines established shall not exceed those imposed for class 1 infractions under RCW 7.80.120.

(2)(a) Both a metropolitan municipal corporation and a city-owned transit system may designate persons to monitor fare payment who are equivalent to, and are authorized to exercise all the powers of, an enforcement officer as defined in RCW 7.80.040. Both a metropolitan municipal corporation and a city-owned transit system may employ personnel to either monitor fare payment or contract for such services, or both.

(b) In addition to the specific powers granted to enforcement officers under RCW 7.80.050 and 7.80.060, persons designated to monitor fare payment may also take the following actions:

(i) Request proof of payment from passengers;

(ii) Request personal identification from a passenger who does not produce proof of payment when requested;

(iii) Issue a citation for a civil infraction established in RCW 35.58.580 conforming to the requirements established in RCW 7.80.070, except that the form for the notice of civil infraction must be approved by the administrative office of the courts and must not include vehicle information; and

(iv) Request that a passenger leave the bus or other mode of public transportation when the passenger has not produced proof of payment after being asked to do so by a person designated to monitor fare payment.

(3) Both a metropolitan municipal corporation and a city-owned transit system shall keep records of citations in the manner

prescribed by RCW 7.80.150. All civil infractions established by this section and RCW 35.58.580 and 35.58.590 shall be heard and determined by a district court as provided in RCW 7.80.010 (1) and (4).

Sec. 11. RCW 36.57A.030 and 1977 ex.s. c 44 s 1 are each amended to read as follows:

Any conference which finds it desirable to establish a public transportation benefit area or change the boundaries of any existing public transportation benefit area shall fix a date for a public hearing thereon, or the legislative bodies of any two or more component cities or the county legislative body by resolution may require the public transportation improvement conference to fix a date for a public hearing thereon. Prior to the convening of the public hearing, the county governing body shall delineate the area of the county proposed to be included within the transportation benefit area, and shall furnish a copy of such delineation to each incorporated city within such area. Each city shall advise the county governing body, on a preliminary basis, of its desire to be included or excluded from the transportation benefit area by means of an ordinance adopted by the legislative body of that city. The county governing body shall cause the delineations to be revised to reflect the wishes of such incorporated cities. This delineation shall be considered by the conference at the public hearing for inclusion in the public transportation benefit area.

Notice of such hearing shall be published once a week for at least four consecutive weeks in one or more newspapers of general circulation within the area. The notice shall contain a description and map of the boundaries of the proposed public transportation benefit area and shall state the time and place of the hearing and the fact that any changes in the boundaries of the public transportation benefit area will be considered at such time and place. At such hearing or any continuation thereof, any interested person may appear and be heard on all matters relating to the effect of the formation of the proposed public transportation benefit area.

The conference may make such changes in the boundaries of the public transportation benefit area as they shall deem reasonable and proper, but may not delete any portion of the proposed area which will create an island of included or excluded lands, and may not delete a portion of any city. If the conference shall determine that any additional territory should be included in the public transportation benefit area, a second hearing shall be held and notice given in the same manner as for the original hearing. The conference may adjourn the hearing on the formation of a public transportation benefit area from time to time not exceeding thirty days in all.

Following the conclusion of such hearing the conference shall adopt a resolution fixing the boundaries of the proposed public transportation benefit area, declaring that the formation of the proposed public transportation benefit area will be conducive to the welfare and benefit of the persons and property therein.

Within thirty days of the adoption of such conference resolution, the county legislative authority of each county wherein a conference has established proposed boundaries of a public transportation benefit area, may by resolution, upon making a legislative finding that the proposed benefit area includes portions of the county which could not be reasonably expected to benefit from such benefit area or excludes portions of the county which could be reasonably expected to benefit from its creation, disapprove and terminate the establishment of such public transportation benefit area within such county."

On page 1, line 1 of the title, after "modernization;" strike the remainder of the title and insert "amending RCW 19.360.020, 19.360.030, 19.360.040, 19.360.050, 19.360.060, 36.62.252,

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

36.32.235, 36.32.245, 35.58.585, and 36.57A.030; and creating a new section."

WITHDRAWAL OF AMENDMENT

On motion of Senator Hasegawa, and without objection, the following amendment no. 710 by Senators Hasegawa and Roach on page 9, line 7 to the committee striking amendment to Substitute House Bill No. 2427 was withdrawn:

On page 9, line 7, after "authority.", insert "Each county must report the percentage of purchases under this section by certified minority business enterprises in the previous calendar year to the office of minority and women's business enterprises by March 1 of each year."

WITHDRAWAL OF AMENDMENT

On motion of Senator Hasegawa, and without objection, the following amendment no. 726 by Senator Hasegawa on page 9, line 26 to the committee striking amendment to Substitute House Bill No. 2427 was withdrawn:

Beginning on page 9, line 26 of the amendment, strike all material through "(3)" on page 10, line 10 and insert the following:

~~"(2)((a) Both a metropolitan municipal corporation and a city owned transit system may designate persons to monitor fare payment who are equivalent to, and are authorized to exercise all the powers of, an enforcement officer as defined in RCW 7.80.040. Both a metropolitan municipal corporation and a city owned transit system may employ personnel to either monitor fare payment or contract for such services, or both.~~

~~(b) In addition to the specific powers granted to enforcement officers under RCW 7.80.050 and 7.80.060, persons designated to monitor fare payment may also take the following actions:~~

~~(i) Request proof of payment from passengers;~~

~~(ii) Request personal identification from a passenger who does not produce proof of payment when requested;~~

~~(iii) Issue a citation conforming to the requirements established in RCW 7.80.070; and~~

~~(iv) Request that a passenger leave the bus or other mode of public transportation when the passenger has not produced proof of payment after being asked to do so by a person designated to monitor fare payment.~~

~~(3))"~~

Correct any internal references accordingly.

MOTION

Senator Benton moved that the following amendment no. 723 by Senators Benton, Cleveland and Roach on page 11, after line 30 of the committee striking amendment be adopted:

On page 11, after line 30 of the amendment, insert the following:

"**Sec. 12.** RCW 36.70A.030 and 2012 c 21 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Adopt a comprehensive land use plan" means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.

(2) "Agricultural land" means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.100 through 84.33.140, finfish in upland

hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

(3) "City" means any city or town, including a code city.

(4) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.

(5) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.

(6) "Department" means the department of commerce.

(7) "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.

(8) "Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.

(9) "Freight rail dependent uses" means buildings and other infrastructure that are used in the fabrication, processing, storage, and transport of goods where the use is dependent on and makes use of an adjacent short line railroad in a county that has a population greater than three hundred fifty thousand, is bordered by the Columbia river, is west of the Cascade mountain range, and borders another state to the south. Such facilities are both urban and rural development for purposes of this chapter.

(10) "Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.

((10)) (11) "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.

((11)) (12) "Minerals" include gravel, sand, and valuable metallic substances.

((12))) (13) "Public facilities" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.

((13))) (14) "Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.

((14))) (15) "Recreational land" means land so designated under RCW 36.70A.1701 and that, immediately prior to this designation, was designated as agricultural land of long-term commercial significance under RCW 36.70A.170. Recreational land must have playing fields and supporting facilities existing before July 1, 2004, for sports played on grass playing fields.

((15))) (16) "Rural character" refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:

(a) In which open space, the natural landscape, and vegetation predominate over the built environment;

(b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas, including railroad tracks and freight rail dependent uses;

(c) That provide visual landscapes that are traditionally found in rural areas and communities;

(d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;

(e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;

(f) That generally do not require the extension of urban governmental services; and

(g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.

((16))) (17) "Rural development" refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development includes railroad tracks and freight rail dependent uses. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.

((17))) (18) "Rural governmental services" or "rural services" include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).

((18))) (19) "Short line railroad" means those railroad lines designated Class II or Class III by the United States Surface Transportation Board.

(20) "Urban governmental services" or "urban services" include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.

((19))) (21) "Urban growth" refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other

agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. "Characterized by urban growth" refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.

((20))) (22) "Urban growth areas" means those areas designated by a county pursuant to RCW 36.70A.110.

((21))) (23) "Wetland" or "wetlands" means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

Sec. 13. RCW 36.70A.060 and 2014 c 147 s 2 are each amended to read as follows:

(1)(a) Each county that is required or chooses to plan under RCW 36.70A.040, and each city within such county, shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. Regulations adopted under this subsection may not prohibit uses legally existing on any parcel prior to their adoption and shall remain in effect until the county or city adopts development regulations pursuant to RCW 36.70A.040. Such regulations shall assure that the use of lands adjacent to agricultural, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner and in accordance with best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals. Each county and city may adopt development regulations to assure that agriculture, forest, and mineral resource lands adjacent to short line railroads may be developed for freight rail dependent uses.

(b) Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

(c) Each county that adopts a resolution of partial planning under RCW 36.70A.040(2)(b), and each city within such county, shall adopt development regulations within one year after the adoption of the resolution of partial planning to assure the conservation of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. Regulations adopted under

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

this subsection (1)(c) must comply with the requirements governing regulations adopted under (a) of this subsection.

(d)(i) A county that adopts a resolution of partial planning under RCW 36.70A.040(2)(b) and that is not in compliance with the planning requirements of this section, RCW 36.70A.040(4), 36.70A.070(5), 36.70A.170, and 36.70A.172 at the time the resolution is adopted must, by January 30, 2017, apply for a determination of compliance from the department finding that the county's development regulations, including development regulations adopted to protect critical areas, and comprehensive plans are in compliance with the requirements of this section, RCW 36.70A.040(4), 36.70A.070(5), 36.70A.170, and 36.70A.172. The department must approve or deny the application for a determination of compliance within one hundred twenty days of its receipt or by June 30, 2017, whichever date is earlier.

(ii) If the department denies an application under (d)(i) of this subsection, the county and each city within is obligated to comply with all requirements of this chapter and the resolution for partial planning adopted under RCW 36.70A.040(2)(b) is no longer in effect.

(iii) A petition for review of a determination of compliance under (d)(i) of this subsection may only be appealed to the growth management hearings board within sixty days of the issuance of the decision by the department.

(iv) In the event of a filing of a petition in accordance with (d)(iii) of this subsection, the county and the department must equally share the costs incurred by the department for defending an approval of determination of compliance that is before the growth management hearings board.

(v) The department may implement this subsection (1)(d) by adopting rules related to determinations of compliance. The rules may address, but are not limited to: The requirements for applications for a determination of compliance; charging of costs under (d)(iv) of this subsection; procedures for processing applications; criteria for the evaluation of applications; issuance and notice of department decisions; and applicable timelines.

(2) Each county and city shall adopt development regulations that protect critical areas that are required to be designated under RCW 36.70A.170. For counties and cities that are required or choose to plan under RCW 36.70A.040, such development regulations shall be adopted on or before September 1, 1991. For the remainder of the counties and cities, such development regulations shall be adopted on or before March 1, 1992.

(3) Such counties and cities shall review these designations and development regulations when adopting their comprehensive plans under RCW 36.70A.040 and implementing development regulations under RCW 36.70A.120 and may alter such designations and development regulations to insure consistency.

(4) Forest land and agricultural land located within urban growth areas shall not be designated by a county or city as forest land or agricultural land of long-term commercial significance under RCW 36.70A.170 unless the city or county has enacted a program authorizing transfer or purchase of development rights.

Sec. 14. RCW 36.70A.070 and 2010 1st sp.s. c 26 s 6 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140.

Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing, including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas, and freight rail dependent uses. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties

may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

(i) Containing or otherwise controlling rural development;

(ii) Assuring visual compatibility of rural development with the surrounding rural area;

(iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;

(iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and

(v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area shall be subject to the requirements of (d)(iv) of this subsection, but shall not be subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030((15))(16). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business

conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030((15))(16). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

Sec. 15. RCW 36.70A.070 and 2015 c 241 s 2 are each amended to read as follows:

The comprehensive plan of a county or city that is required or chooses to plan under RCW 36.70A.040 shall consist of a map or maps, and descriptive text covering objectives, principles, and standards used to develop the comprehensive plan. The plan shall be an internally consistent document and all elements shall be consistent with the future land use map. A comprehensive plan shall be adopted and amended with public participation as provided in RCW 36.70A.140. Each comprehensive plan shall include a plan, scheme, or design for each of the following:

(1) A land use element designating the proposed general distribution and general location and extent of the uses of land, where appropriate, for agriculture, timber production, housing, commerce, industry, recreation, open spaces, general aviation airports, public utilities, public facilities, and other land uses. The land use element shall include population densities, building intensities, and estimates of future population growth. The land use element shall provide for protection of the quality and quantity of groundwater used for public water supplies. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. Where applicable, the land use element shall review drainage, flooding, and storm water run-off in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute waters of the state, including Puget Sound or waters entering Puget Sound.

(2) A housing element ensuring the vitality and character of established residential neighborhoods that: (a) Includes an inventory and analysis of existing and projected housing needs that identifies the number of housing units necessary to manage projected growth; (b) includes a statement of goals, policies, objectives, and mandatory provisions for the preservation, improvement, and development of housing, including single-family residences; (c) identifies sufficient land for housing,

including, but not limited to, government-assisted housing, housing for low-income families, manufactured housing, multifamily housing, and group homes and foster care facilities; and (d) makes adequate provisions for existing and projected needs of all economic segments of the community.

(3) A capital facilities plan element consisting of: (a) An inventory of existing capital facilities owned by public entities, showing the locations and capacities of the capital facilities; (b) a forecast of the future needs for such capital facilities; (c) the proposed locations and capacities of expanded or new capital facilities; (d) at least a six-year plan that will finance such capital facilities within projected funding capacities and clearly identifies sources of public money for such purposes; and (e) a requirement to reassess the land use element if probable funding falls short of meeting existing needs and to ensure that the land use element, capital facilities plan element, and financing plan within the capital facilities plan element are coordinated and consistent. Park and recreation facilities shall be included in the capital facilities plan element.

(4) A utilities element consisting of the general location, proposed location, and capacity of all existing and proposed utilities, including, but not limited to, electrical lines, telecommunication lines, and natural gas lines.

(5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:

(a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.

(b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas, and freight rail dependent uses. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.

(c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:

- (i) Containing or otherwise controlling rural development;
- (ii) Assuring visual compatibility of rural development with the surrounding rural area;
- (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;
- (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and
- (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.

(d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:

(i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential,

or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

(A) A commercial, industrial, residential, shoreline, or mixed-use area are subject to the requirements of (d)(iv) of this subsection, but are not subject to the requirements of (c)(ii) and (iii) of this subsection.

(B) Any development or redevelopment other than an industrial area or an industrial use within a mixed-use area or an industrial area under this subsection (5)(d)(i) must be principally designed to serve the existing and projected rural population.

(C) Any development or redevelopment in terms of building size, scale, use, or intensity shall be consistent with the character of the existing areas. Development and redevelopment may include changes in use from vacant land or a previously existing use so long as the new use conforms to the requirements of this subsection (5);

(ii) The intensification of development on lots containing, or new development of, small-scale recreational or tourist uses, including commercial facilities to serve those recreational or tourist uses, that rely on a rural location and setting, but that do not include new residential development. A small-scale recreation or tourist use is not required to be principally designed to serve the existing and projected rural population. Public services and public facilities shall be limited to those necessary to serve the recreation or tourist use and shall be provided in a manner that does not permit low-density sprawl;

(iii) The intensification of development on lots containing isolated nonresidential uses or new development of isolated cottage industries and isolated small-scale businesses that are not principally designed to serve the existing and projected rural population and nonresidential uses, but do provide job opportunities for rural residents. Rural counties may allow the expansion of small-scale businesses as long as those small-scale businesses conform with the rural character of the area as defined by the local government according to RCW 36.70A.030((15))(16). Rural counties may also allow new small-scale businesses to utilize a site previously occupied by an existing business as long as the new small-scale business conforms to the rural character of the area as defined by the local government according to RCW 36.70A.030((15))(16). Public services and public facilities shall be limited to those necessary to serve the isolated nonresidential use and shall be provided in a manner that does not permit low-density sprawl;

(iv) A county shall adopt measures to minimize and contain the existing areas or uses of more intensive rural development, as appropriate, authorized under this subsection. Lands included in such existing areas or uses shall not extend beyond the logical outer boundary of the existing area or use, thereby allowing a new pattern of low-density sprawl. Existing areas are those that are clearly identifiable and contained and where there is a logical boundary delineated predominately by the built environment, but that may also include undeveloped lands if limited as provided in this subsection. The county shall establish the logical outer boundary of an area of more intensive rural development. In establishing the logical outer boundary, the county shall address (A) the need to preserve the character of existing natural neighborhoods and communities, (B) physical boundaries, such as bodies of water, streets and highways, and land forms and contours, (C) the prevention of abnormally irregular boundaries, and (D) the ability to provide public facilities and public services in a manner that does not permit low-density sprawl;

(v) For purposes of (d) of this subsection, an existing area or existing use is one that was in existence:

(A) On July 1, 1990, in a county that was initially required to plan under all of the provisions of this chapter;

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

(B) On the date the county adopted a resolution under RCW 36.70A.040(2), in a county that is planning under all of the provisions of this chapter under RCW 36.70A.040(2); or

(C) On the date the office of financial management certifies the county's population as provided in RCW 36.70A.040(5), in a county that is planning under all of the provisions of this chapter pursuant to RCW 36.70A.040(5).

(e) Exception. This subsection shall not be interpreted to permit in the rural area a major industrial development or a master planned resort unless otherwise specifically permitted under RCW 36.70A.360 and 36.70A.365.

(6) A transportation element that implements, and is consistent with, the land use element.

(a) The transportation element shall include the following subelements:

(i) Land use assumptions used in estimating travel;

(ii) Estimated traffic impacts to state-owned transportation facilities resulting from land use assumptions to assist the department of transportation in monitoring the performance of state facilities, to plan improvements for the facilities, and to assess the impact of land-use decisions on state-owned transportation facilities;

(iii) Facilities and services needs, including:

(A) An inventory of air, water, and ground transportation facilities and services, including transit alignments and general aviation airport facilities, to define existing capital facilities and travel levels as a basis for future planning. This inventory must include state-owned transportation facilities within the city or county's jurisdictional boundaries;

(B) Level of service standards for all locally owned arterials and transit routes to serve as a gauge to judge performance of the system. These standards should be regionally coordinated;

(C) For state-owned transportation facilities, level of service standards for highways, as prescribed in chapters 47.06 and 47.80 RCW, to gauge the performance of the system. The purposes of reflecting level of service standards for state highways in the local comprehensive plan are to monitor the performance of the system, to evaluate improvement strategies, and to facilitate coordination between the county's or city's six-year street, road, or transit program and the office of financial management's ten-year investment program. The concurrency requirements of (b) of this subsection do not apply to transportation facilities and services of statewide significance except for counties consisting of islands whose only connection to the mainland are state highways or ferry routes. In these island counties, state highways and ferry route capacity must be a factor in meeting the concurrency requirements in (b) of this subsection;

(D) Specific actions and requirements for bringing into compliance locally owned transportation facilities or services that are below an established level of service standard;

(E) Forecasts of traffic for at least ten years based on the adopted land use plan to provide information on the location, timing, and capacity needs of future growth;

(F) Identification of state and local system needs to meet current and future demands. Identified needs on state-owned transportation facilities must be consistent with the statewide multimodal transportation plan required under chapter 47.06 RCW;

(iv) Finance, including:

(A) An analysis of funding capability to judge needs against probable funding resources;

(B) A multiyear financing plan based on the needs identified in the comprehensive plan, the appropriate parts of which shall serve as the basis for the six-year street, road, or transit program required by RCW 35.77.010 for cities, RCW 36.81.121 for

counties, and RCW 35.58.2795 for public transportation systems. The multiyear financing plan should be coordinated with the ten-year investment program developed by the office of financial management as required by RCW 47.05.030;

(C) If probable funding falls short of meeting identified needs, a discussion of how additional funding will be raised, or how land use assumptions will be reassessed to ensure that level of service standards will be met;

(v) Intergovernmental coordination efforts, including an assessment of the impacts of the transportation plan and land use assumptions on the transportation systems of adjacent jurisdictions;

(vi) Demand-management strategies;

(vii) Pedestrian and bicycle component to include collaborative efforts to identify and designate planned improvements for pedestrian and bicycle facilities and corridors that address and encourage enhanced community access and promote healthy lifestyles.

(b) After adoption of the comprehensive plan by jurisdictions required to plan or who choose to plan under RCW 36.70A.040, local jurisdictions must adopt and enforce ordinances which prohibit development approval if the development causes the level of service on a locally owned transportation facility to decline below the standards adopted in the transportation element of the comprehensive plan, unless transportation improvements or strategies to accommodate the impacts of development are made concurrent with the development. These strategies may include increased public transportation service, ride sharing programs, demand management, and other transportation systems management strategies. For the purposes of this subsection (6), "concurrent with the development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years. If the collection of impact fees is delayed under RCW 82.02.050(3), the six-year period required by this subsection (6)(b) must begin after full payment of all impact fees is due to the county or city.

(c) The transportation element described in this subsection (6), the six-year plans required by RCW 35.77.010 for cities, RCW 36.81.121 for counties, and RCW 35.58.2795 for public transportation systems, and the ten-year investment program required by RCW 47.05.030 for the state, must be consistent.

(7) An economic development element establishing local goals, policies, objectives, and provisions for economic growth and vitality and a high quality of life. The element shall include: (a) A summary of the local economy such as population, employment, payroll, sectors, businesses, sales, and other information as appropriate; (b) a summary of the strengths and weaknesses of the local economy defined as the commercial and industrial sectors and supporting factors such as land use, transportation, utilities, education, workforce, housing, and natural/cultural resources; and (c) an identification of policies, programs, and projects to foster economic growth and development and to address future needs. A city that has chosen to be a residential community is exempt from the economic development element requirement of this subsection.

(8) A park and recreation element that implements, and is consistent with, the capital facilities plan element as it relates to park and recreation facilities. The element shall include: (a) Estimates of park and recreation demand for at least a ten-year period; (b) an evaluation of facilities and service needs; and (c) an evaluation of intergovernmental coordination opportunities to provide regional approaches for meeting park and recreational demand.

(9) It is the intent that new or amended elements required after January 1, 2002, be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Requirements to incorporate any such new or amended elements shall be null and void until funds sufficient to cover applicable local government costs are appropriated and distributed by the state at least two years before local government must update comprehensive plans as required in RCW 36.70A.130.

Sec. 16. RCW 36.70A.108 and 2005 c 328 s 1 are each amended to read as follows:

(1) The transportation element required by RCW 36.70A.070 may include, in addition to improvements or strategies to accommodate the impacts of development authorized under RCW 36.70A.070(6)(b), multimodal transportation improvements or strategies that are made concurrent with the development. These transportation improvements or strategies may include, but are not limited to, measures implementing or evaluating:

(a) Multiple modes of transportation with peak and nonpeak hour capacity performance standards for locally owned transportation facilities; and

(b) Modal performance standards meeting the peak and nonpeak hour capacity performance standards.

(2) The transportation element required by RCW 36.70A.070 may include development of freight rail dependent uses on land adjacent to a short line railroad. Development regulations may be modified to include development of freight rail dependent uses that do not require urban governmental services in rural lands.

(3) Nothing in this section or RCW 36.70A.070(6)(b) shall be construed as prohibiting a county or city planning under RCW 36.70A.040 from exercising existing authority to develop multimodal improvements or strategies to satisfy the concurrency requirements of this chapter.

((3)) (4) Nothing in this section is intended to affect or otherwise modify the authority of jurisdictions planning under RCW 36.70A.040.

NEW SECTION. Sec. 17. Section 14 of this act expires September 1, 2016.

NEW SECTION. Sec. 18. Section 15 of this act takes effect September 1, 2016."

On page 12, line 2 of the title amendment, after "35.58.585," strike all material through "section." and insert "36.57A.030, 36.70A.030, 36.70A.060, 36.70A.070, 36.70A.070, and 36.70A.108; creating a new section; providing an effective date; and providing an expiration date."

Senator Benton spoke in favor of adoption of the amendment.

POINT OF ORDER

Senator Liias: "Mr. President, I believe this amendment lies outside the original scope and object of the bill. It raises growth management and land use questions on a bill that's intended to streamline and modernize the operations of local governments."

Senator Benton: "Thank you, Mr. President. I understand you allow an argument on each side of the scope issue?"

REPLY BY THE PRESIDENT

President Owen: "That's right. A brief argument on each side."

POINT OF ORDER

Senator Benton: "Thank you, Mr. President. Having been in the Senate for many years I know that the argument about title

doesn't carry a lot of weight with you so I won't raise it. Although it is a pretty broad title. The bottom line here is the content of the bill is what's important. The scope and the object of the underlying bill. If you look at the underlying bill, you will find that it jumps all over the RCWs, in terms of local powers and local control. This bill has to do with allowing cities and counties to have additional powers, to do additional things on transit, on rail, on modernization of many of their operations. So it's very broad in terms of the object and the scope of the bill. It doesn't just cover one subject, or two subjects, it covers multiple subjects. In multiple sections of the RCW. This amendment is very appropriate for is bill because it simply follows the pattern of the underlying bill in bringing in yet one more authority for local governments. Thank you, Mr. President."

POINT OF ORDER

Senator Liias: "Thank you, Mr. President. If I could make an explanatory statement as well. The underlying bill, and I would draw your attention to section one that sets out the intent of the legislation, is really designed to make better uses of local government tax resources and local government operational resources. Senator Benton's amendment, I don't want to debate the merits of it, we did pass the bill off the Senate floor, but I believe it's attempting to amend the Growth Management Act in various ways that may be useful or not. But they don't fall under the title and scope of the bill that's before us. I would ask that you reject the amendment."

MOTION

On motion of Senator Fain, further consideration of Substitute House Bill No. 2427 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2530, by House Committee on Appropriations (originally sponsored by Representatives Orwall, McCabe, Appleton, Wylie, Tarleton, Senn, McBride, Kagi, Ryu, Hudgins, S. Hunt, Gregerson, Reykdal, Farrell, Pollet, Ortiz-Self, Harris, Bergquist, Lytton, Kochmar, Blake, Cody, Stambaugh, Wilson, Jinkins, Kuderer, Muri, Van De Wege, Frame, Hargrove, Ormsby, Sells, Pettigrew and Stanford)

Protecting victims of sex crimes.

The measure was read the second time.

MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice be adopted:

Strike everything after the enacting clause and insert the following:

"PART I - TRACKING AND TESTING OF SEXUAL ASSAULT KITS

NEW SECTION. Sec. 1. The legislature recognizes the deep pain and suffering experienced by victims of sexual assault. Sexual assault is an extreme violation of a person's body and sense of self and safety. Sexual violence is a pervasive social problem. National studies indicate that approximately one in four women will be sexually assaulted in their lifetimes. Survivors often turn to hospitals and local law enforcement for help, and many volunteer to have professionals collect a sexual assault kit

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

to preserve physical evidence from their bodies. The process of collecting a sexual assault kit is extremely invasive and difficult.

The legislature finds that, when forensic analysis is completed, the biological evidence contained inside sexual assault kits can be an incredibly powerful tool for law enforcement to solve and prevent crime. Forensic analysis of all sexual assault kits sends a message to survivors that they matter. It sends a message to perpetrators that they will be held accountable for their crimes. The legislature is committed to bringing healing and justice to survivors of sexual assault.

The legislature recognizes the laudable and successful efforts of law enforcement in the utilization of forensic analysis of sexual assault kits in the investigation and prosecution of crimes in Washington state. In 2015, the legislature enhanced utilization of this tool by requiring the preservation and forensic analysis of sexual assault kits. The legislature intends to continue building on its efforts through the establishment of the statewide sexual assault kit tracking system. The system will be designed to track all sexual assault kits in Washington state, regardless of when they were collected, in order to further empower survivors with information, assist law enforcement with investigations and crime prevention, and create transparency and foster public trust.

NEW SECTION. Sec. 2. A new section is added to chapter 43.43 RCW to read as follows:

(1) The Washington state patrol shall create and operate a statewide sexual assault kit tracking system. The Washington state patrol may contract with state or nonstate entities including, but not limited to, private software and technology providers, for the creation, operation, and maintenance of the system.

(2) The statewide sexual assault kit tracking system must:

(a) Track the location and status of sexual assault kits throughout the criminal justice process, including the initial collection in examinations performed at medical facilities, receipt and storage at law enforcement agencies, receipt and analysis at forensic laboratories, and storage and any destruction after completion of analysis;

(b) Allow medical facilities performing sexual assault forensic examinations, law enforcement agencies, prosecutors, the Washington state patrol bureau of forensic laboratory services, and other entities in the custody of sexual assault kits to update and track the status and location of sexual assault kits;

(c) Allow victims of sexual assault to anonymously track or receive updates regarding the status of their sexual assault kits; and

(d) Use electronic technology or technologies allowing continuous access.

(3) The Washington state patrol may use a phased implementation process in order to launch the system and facilitate entry and use of the system for required participants. The Washington state patrol may phase initial participation according to region, volume, or other appropriate classifications. All entities in the custody of sexual assault kits shall fully participate in the system no later than June 1, 2018. The Washington state patrol shall submit a report on the current status and plan for launching the system, including the plan for phased implementation, to the joint legislative task force on sexual assault forensic examination best practices, the appropriate committees of the legislature, and the governor no later than January 1, 2017.

(4) The Washington state patrol shall submit a semiannual report on the statewide sexual assault kit tracking system to the joint legislative task force on sexual assault forensic examination best practices, the appropriate committees of the legislature, and the governor. The Washington state patrol may publish the current report on its web site. The first report is due July 31, 2018,

and subsequent reports are due January 31st and July 31st of each year. The report must include the following:

(a) The total number of sexual assault kits in the system statewide and by jurisdiction;

(b) The total and semiannual number of sexual assault kits where forensic analysis has been completed statewide and by jurisdiction;

(c) The number of sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(d) The total and semiannual number of sexual assault kits where forensic analysis has been requested but not completed statewide and by jurisdiction;

(e) The average and median length of time for sexual assault kits to be submitted for forensic analysis after being added to the system, including separate sets of data for all sexual assault kits in the system statewide and by jurisdiction and for sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(f) The average and median length of time for forensic analysis to be completed on sexual assault kits after being submitted for analysis, including separate sets of data for all sexual assault kits in the system statewide and by jurisdiction and for sexual assault kits added to the system in the reporting period statewide and by jurisdiction;

(g) The total and semiannual number of sexual assault kits destroyed or removed from the system statewide and by jurisdiction;

(h) The total number of sexual assault kits, statewide and by jurisdiction, where forensic analysis has not been completed and six months or more have passed since those sexual assault kits were added to the system; and

(i) The total number of sexual assault kits, statewide and by jurisdiction, where forensic analysis has not been completed and one year or more has passed since those sexual assault kits were added to the system.

(5) For the purpose of reports under subsection (4) of this section, a sexual assault kit must be assigned to the jurisdiction associated with the law enforcement agency anticipated to receive the sexual assault kit or otherwise in the custody of the sexual assault kit.

(6) Any public agency or entity, including its officials and employees, and any hospital and its employees providing services to victims of sexual assault may not be held civilly liable for damages arising from any release of information or the failure to release information related to the statewide sexual assault kit tracking system, so long as the release was without gross negligence.

NEW SECTION. Sec. 3. A new section is added to chapter 35.21 RCW to read as follows:

Local law enforcement agencies shall participate in the statewide sexual assault kit tracking system established in section 2 of this act for the purpose of tracking the status of all sexual assault kits in the custody of local law enforcement agencies and other entities contracting with local law enforcement agencies. Local law enforcement agencies shall begin full participation in the system according to the implementation schedule established by the Washington state patrol.

NEW SECTION. Sec. 4. A new section is added to chapter 36.28 RCW to read as follows:

A sheriff and his or her deputies shall participate in the statewide sexual assault kit tracking system established in section 2 of this act for the purpose of tracking the status of all sexual assault kits in the custody of the department and other entities contracting with the department. A sheriff shall begin full

participation in the system according to the implementation schedule established by the Washington state patrol.

NEW SECTION. Sec. 5. A new section is added to chapter 43.43 RCW to read as follows:

The Washington state patrol bureau of forensic laboratory services shall participate in the statewide sexual assault kit tracking system established in section 2 of this act for the purpose of tracking the status of all sexual assault kits in the custody of the Washington state patrol and other entities contracting with the Washington state patrol. The Washington state patrol bureau of forensic laboratory services shall begin full participation in the system according to the implementation schedule established by the Washington state patrol.

NEW SECTION. Sec. 6. A new section is added to chapter 70.41 RCW to read as follows:

Hospitals licensed under this chapter shall participate in the statewide sexual assault kit tracking system established in section 2 of this act for the purpose of tracking the status of all sexual assault kits collected by or in the custody of hospitals and other entities contracting with hospitals. Hospitals shall begin full participation in the system according to the implementation schedule established by the Washington state patrol.

Sec. 7. RCW 36.27.020 and 2012 1st sp.s. c 5 s 2 are each amended to read as follows:

The prosecuting attorney shall:

(1) Be legal adviser of the legislative authority, giving it his or her written opinion when required by the legislative authority or the chairperson thereof touching any subject which the legislative authority may be called or required to act upon relating to the management of county affairs;

(2) Be legal adviser to all county and precinct officers and school directors in all matters relating to their official business, and when required draw up all instruments of an official nature for the use of said officers;

(3) Appear for and represent the state, county, and all school districts subject to the supervisory control and direction of the attorney general in all criminal and civil proceedings in which the state or the county or any school district in the county may be a party;

(4) Prosecute all criminal and civil actions in which the state or the county may be a party, defend all suits brought against the state or the county, and prosecute actions upon forfeited recognizances and bonds and actions for the recovery of debts, fines, penalties, and forfeitures accruing to the state or the county;

(5) Attend and appear before and give advice to the grand jury when cases are presented to it for consideration and draw all indictments when required by the grand jury;

(6) Institute and prosecute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of felonies when the prosecuting attorney has information that any such offense has been committed and the prosecuting attorney shall for that purpose attend when required by them if the prosecuting attorney is not then in attendance upon the superior court;

(7) Carefully tax all cost bills in criminal cases and take care that no useless witness fees are taxed as part of the costs and that the officers authorized to execute process tax no other or greater fees than the fees allowed by law;

(8) Receive all cost bills in criminal cases before district judges at the trial of which the prosecuting attorney was not present, before they are lodged with the legislative authority for payment, whereupon the prosecuting attorney may retax the same and the prosecuting attorney must do so if the legislative authority deems any bill exorbitant or improperly taxed;

(9) Present all violations of the election laws which may come to the prosecuting attorney's knowledge to the special consideration of the proper jury;

(10) Examine once in each year the official bonds of all county and precinct officers and report to the legislative authority any defect in the bonds of any such officer;

(11) Seek to reform and improve the administration of criminal justice and stimulate efforts to remedy inadequacies or injustice in substantive or procedural law;

(12) Participate in the statewide sexual assault kit tracking system established in section 2 of this act for the purpose of tracking the status of all sexual assault kits connected to criminal investigations and prosecutions within the county. Prosecuting attorneys shall begin full participation in the system according to the implementation schedule established by the Washington state patrol.

Sec. 8. RCW 42.56.240 and 2015 c 224 s 3 and 2015 c 91 s 1 are each reenacted and amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) Information contained in a local or regionally maintained gang database as well as the statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and email address;

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business;

(10) The felony firearm offense conviction database of felony firearm offenders established in RCW 43.43.822;

(11) The identity of a state employee or officer who has in good faith filed a complaint with an ethics board, as provided in RCW 42.52.410, or who has in good faith reported improper governmental action, as defined in RCW 42.40.020, to the auditor or other public official, as defined in RCW 42.40.020;

(12) The following security threat group information collected and maintained by the department of corrections pursuant to RCW 72.09.745: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the number of security threat group members, affiliates, or associates; ((and))

(13) The global positioning system data that would indicate the location of the residence of an employee or worker of a criminal justice agency as defined in RCW 10.97.030; and

(14) Any records and information contained within the statewide sexual assault kit tracking system established in section 2 of this act.

PART II - ACCEPTING DONATIONS FOR PROTECTING VICTIMS

NEW SECTION. Sec. 9. A new section is added to chapter 43.31 RCW to read as follows:

(1) The Washington sexual assault kit program is created within the department for the purpose of accepting private funds conducting forensic analysis of sexual assault kits in the possession of law enforcement agencies but not submitted for analysis as of July 24, 2015. The director may accept gifts, grants, donations, or moneys from any source for deposit in the Washington sexual assault kit account created under subsection (2) of this section.

(2) The Washington sexual assault kit account is created in the custody of the state treasurer. Funds deposited in the Washington sexual assault kit account may be used for the Washington sexual assault kit program established under this section. The Washington sexual assault kit account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(3) Funds deposited in the Washington sexual assault kit account must be transferred and used exclusively for the following:

(a) Eighty-five percent of the funds for the Washington state patrol bureau of forensic laboratory services for the purpose of conducting forensic analysis of sexual assault kits in the possession of law enforcement agencies but not submitted for forensic analysis as of July 24, 2015; and

(b) Fifteen percent of the funds for the office of crime victims advocacy in the department for the purpose of funding grants for sexual assault nurse examiner services and training.

(4) This section expires June 30, 2022.

PART III - SEXUALLY ORIENTED BUSINESS FEE

NEW SECTION. Sec. 10. The legislature finds the state has a substantial interest in protecting and preserving the quality of life for its communities against the adverse secondary effects of live adult entertainment. The legislature recognizes local governments have an important role in regulating businesses engaged in live adult entertainment, including reasonable location and licensing restrictions, for the purpose of minimizing adverse secondary effects. However, the adoption of a statewide fee can

provide further assistance to the victims of crimes directly and indirectly resulting from these businesses.

The legislature finds that in Washington state, sexually oriented businesses featuring live adult entertainment earn more than twenty-five million dollars per year in revenue. Of the millions of female victims of human trafficking, seventy percent are trafficked into the commercial sex industry, including being recruited to work as hostesses, waitresses, or exotic dancers in sexually oriented businesses featuring adult entertainment. Exotic dancers are more likely to be victims of sexual violence, including sexual assault and rape. The office of crime victims advocacy plays a critical role in providing support to victims of both human trafficking and sexual assault.

The legislature hereby establishes the sexually oriented business fee to fund policies and programming for investigating sex crimes and supporting trafficking and sex crime victims in Washington. The sexually oriented business fee does not regulate or prohibit any kind of speech. The legislature's interest in preventing harmful secondary effects is not related to the suppression of expression in nude dancing. Citizens are still free to engage in such forms of expression to the extent it complies with other legally established time, place, and manner restrictions. Instead, the sexually oriented business fee offsets the impacts of crime and the other deleterious effects caused by the presence of sexually oriented businesses in Washington.

NEW SECTION. Sec. 11. (1) There is levied and collected a fee upon the admission to a sexually oriented live adult entertainment establishment, in an amount equal to four dollars. The fee imposed under this section must be paid by the patron to the operator of the establishment. Each operator must collect from the patron the full amount of the fee in respect to each admission and without respect to any cover charges that the operator may charge. The fee collected from the patron by the operator must be paid to the department of revenue in accordance with RCW 82.32.045.

(2) All other applicable provisions of chapter 82.32 RCW have full force and application with respect to the fee imposed under this section. The department of revenue must administer this section.

(3) Receipts from the fee imposed in this section must be deposited into the Washington sexually oriented business fee account established in section 13 of this act.

(4) For the purposes of this section, the following definitions apply:

(a) "Adult entertainment" means:

(i) Any live exhibition, performance, or dance of any type conducted by an individual who is unclothed or in such costume, attire, or clothing as to expose any portion of the female breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva, or genitals;

(ii) Any performance of the following acts or of acts which simulate, or use artificial devices or inanimate objects which depict:

(A) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, or any sexual acts that are prohibited by law;

(B) The touching, caressing, or fondling of the breast, buttocks, anus, or genitals; or

(C) The displaying of the pubic hair, anus, vulva, or genitals.

(b) "Cover charge" means a charge, regardless of its label, to enter a sexually oriented live adult entertainment establishment or added to the patron's bill by an operator of an establishment or otherwise collected after entrance to the establishment, and the patron is provided the opportunity to enter and view adult entertainment in exchange for payment of the charge.

(c) "Operator" means any person who operates, conducts, or maintains a sexually oriented adult entertainment establishment.

(d) "Patron" means any individual who is admitted to a sexually oriented live adult entertainment establishment.

(e) "Person" means any individual, partnership, corporation, trust, incorporated or unincorporated association, marital community, joint venture, governmental entity, or other entity or group of persons, however organized.

(f) "Sexually oriented live adult entertainment establishment" means an adult cabaret, erotic dance venue, strip club, or any other commercial premises where live adult entertainment is provided during at least thirty days within a calendar year or a proportional number of days if the establishment was not open for a full calendar year.

NEW SECTION. Sec. 12. (1) The fees required to be collected by the operator under section 11 of this act are deemed to be held in trust by the operator until paid to the department of revenue, and any operator who appropriates or converts the fees collected to his or her own use or to any use other than the payment of the fees to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter is guilty of a gross misdemeanor.

(2) If any operator fails to collect the fees imposed under section 11 of this act or, having collected the fees, fails to pay the collected fees to the department of revenue in the manner prescribed in section 11 of this act, whether such failure is the result of his or her own acts or the result of acts or conditions beyond the operator's control, the operator is nevertheless, personally liable to the state for the amount of the fees.

(3) The amount of the fees, until paid by the patron to the operator or to the department of revenue, constitutes a debt from the patron to the operator. Any operator who fails or refuses to collect the fees as required with intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any patron who refuses to pay any fees due under this chapter is guilty of a misdemeanor.

NEW SECTION. Sec. 13. (1) The Washington sexually oriented business fee account is created in the state treasury. All revenues from the sexually oriented live adult entertainment business admission fee established in section 11 of this act must be deposited into the account. Moneys in the account may only be spent after appropriation.

(2) As a first priority, the legislature must appropriate from the account for the creation, maintenance, and operation of the statewide sexual assault kit tracking system as established in section 2 of this act.

(3) It is the intent of the legislature to additionally provide resources for the priorities as enumerated in this subsection. To the extent that moneys are available in the Washington sexually oriented business fee account after appropriation for purposes of subsection (2) of this section, appropriations may be made for the following, with priority according to their order:

(a) The Harborview center for sexual assault and traumatic stress for the sole purpose of conducting statewide sexual assault nurse examiner trainings for health care professionals in order to facilitate the provision of forensic sexual assault examination services;

(b) The office of crime victims advocacy in the department of commerce for the purposes of providing services and support, including educational and vocational training opportunities, to victims of human trafficking;

(c) The Washington state patrol bureau of forensic laboratory services for the purpose of conducting forensic analysis of sexual assault kits in the possession of law enforcement agencies but not submitted for forensic analysis as of July 24, 2015; or

(d) The Washington state patrol bureau of forensic laboratory services for the purpose of conducting forensic analysis of sexual assault kits, regardless of the date of submission.

Sec. 14. RCW 82.32.145 and 2015 c 188 s 121 are each amended to read as follows:

(1) Whenever the department has issued a warrant under RCW 82.32.210 for the collection of unpaid trust fund taxes from a limited liability business entity and that business entity has been terminated, dissolved, or abandoned, or is insolvent, the department may pursue collection of the entity's unpaid trust fund taxes, including penalties and interest on those taxes, against any or all of the responsible individuals. For purposes of this subsection, "insolvent" means the condition that results when the sum of the entity's debts exceeds the fair market value of its assets. The department may presume that an entity is insolvent if the entity refuses to disclose to the department the nature of its assets and liabilities.

(2) Personal liability under this section may be imposed for state and local trust fund taxes.

(3)(a) For a responsible individual who is the current or a former chief executive or chief financial officer, liability under this section applies regardless of fault or whether the individual was or should have been aware of the unpaid trust fund tax liability of the limited liability business entity.

(b) For any other responsible individual, liability under this section applies only if he or she willfully fails to pay or to cause to be paid to the department the trust fund taxes due from the limited liability business entity.

(4)(a) Except as provided in this subsection (4)(a), a responsible individual who is the current or a former chief executive or chief financial officer is liable under this section only for trust fund tax liability accrued during the period that he or she was the chief executive or chief financial officer. However, if the responsible individual had the responsibility or duty to remit payment of the limited liability business entity's trust fund taxes to the department during any period of time that the person was not the chief executive or chief financial officer, that individual is also liable for trust fund tax liability that became due during the period that he or she had the duty to remit payment of the limited liability business entity's taxes to the department but was not the chief executive or chief financial officer.

(b) All other responsible individuals are liable under this section only for trust fund tax liability that became due during the period he or she had the responsibility or duty to remit payment of the limited liability business entity's taxes to the department.

(5) Persons described in subsection (3)(b) of this section are exempt from liability under this section in situations where nonpayment of the limited liability business entity's trust fund taxes is due to reasons beyond their control as determined by the department by rule.

(6) Any person having been issued a notice of assessment under this section is entitled to the appeal procedures under RCW 82.32.160, 82.32.170, 82.32.180, 82.32.190, and 82.32.200.

(7) This section does not relieve the limited liability business entity of its trust fund tax liability or otherwise impair other tax collection remedies afforded by law.

(8) Collection authority and procedures prescribed in this chapter apply to collections under this section.

(9) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Chief executive" means: The president of a corporation; or for other entities or organizations other than corporations or if the corporation does not have a president as one of its officers, the highest ranking executive manager or administrator in charge of the management of the company or organization.

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

(b) "Chief financial officer" means: The treasurer of a corporation; or for entities or organizations other than corporations or if a corporation does not have a treasurer as one of its officers, the highest senior manager who is responsible for overseeing the financial activities of the entire company or organization.

(c) "Limited liability business entity" means a type of business entity that generally shields its owners from personal liability for the debts, obligations, and liabilities of the entity, or a business entity that is managed or owned in whole or in part by an entity that generally shields its owners from personal liability for the debts, obligations, and liabilities of the entity. Limited liability business entities include corporations, limited liability companies, limited liability partnerships, trusts, general partnerships and joint ventures in which one or more of the partners or parties are also limited liability business entities, and limited partnerships in which one or more of the general partners are also limited liability business entities.

(d) "Manager" has the same meaning as in RCW 25.15.006.

(e) "Member" has the same meaning as in RCW 25.15.006, except that the term only includes members of member-managed limited liability companies.

(f) "Officer" means any officer or assistant officer of a corporation, including the president, vice president, secretary, and treasurer.

(g)(i) "Responsible individual" includes any current or former officer, manager, member, partner, or trustee of a limited liability business entity with an unpaid tax warrant issued by the department.

(ii) "Responsible individual" also includes any current or former employee or other individual, but only if the individual had the responsibility or duty to remit payment of the limited liability business entity's unpaid trust fund tax liability reflected in a tax warrant issued by the department.

(iii) Whenever any taxpayer has one or more limited liability business entities as a member, manager, or partner, "responsible individual" also includes any current and former officers, members, or managers of the limited liability business entity or entities or of any other limited liability business entity involved directly in the management of the taxpayer. For purposes of this subsection (9)(g)(iii), "taxpayer" means a limited liability business entity with an unpaid tax warrant issued against it by the department.

(h) "Trust fund taxes" means taxes collected from purchasers and held in trust under RCW 82.08.050, including taxes imposed under RCW 82.08.020 and 82.08.150, and the sexually oriented business fees collected from patrons and held in trust under section 12 of this act.

(i) "Willfully fails to pay or to cause to be paid" means that the failure was the result of an intentional, conscious, and voluntary course of action.

Sec. 15. RCW 43.79A.040 and 2013 c 251 s 5 and 2013 c 88 s 1 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping,

and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The Washington promise scholarship account, the Washington advanced college tuition payment program account, the accessible communities account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the Washington sexual assault kit account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 16. Sections 10 through 13 of this act constitute a new chapter in Title 82 RCW.

NEW SECTION. Sec. 17. Sections 10 through 13 of this act take effect October 1, 2016."

On page 1, line 1 of the title, after "crimes;" strike the remainder of the title and insert "amending RCW 36.27.020 and 82.32.145; reenacting and amending RCW 42.56.240 and 43.79A.040; adding new sections to chapter 43.43 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.28 RCW; adding a new section to chapter 70.41 RCW; adding a new section to chapter 43.31 RCW; adding a new chapter to Title 82 RCW; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date."

Senator Padden spoke in favor of adoption of the committee striking amendment.

MOTION

Senator Rivers moved that the following amendment no. 724 by Senators Rivers and Chase on page 9, after line 18 to the committee striking amendment be adopted:

On page 9, after line 18, strike everything through line 36, on page 15.

On page 17, after line 33, strike Sections 16 and 17.

Re-number the remaining sections consecutively and correct any internal references accordingly.

Senators Rivers and Chase spoke in favor of adoption of the amendment to the committee striking amendment.

Senator Padden spoke against adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 724 by Senators Rivers and Chase on page 9, after line 18 to the committee striking amendment to Second Substitute House Bill No. 2530.

The motion by Senator Rivers carried and amendment no. 724 was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Law & Justice, as amended, to Second Substitute House Bill No. 2530.

The motion by Senator Padden carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Second Substitute House Bill No. 2530, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Jayapal spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2530, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2530, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

SECOND SUBSTITUTE HOUSE BILL NO. 2530, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

THIRD SUBSTITUTE HOUSE BILL NO. 1682, by House Committee on Appropriations (originally sponsored by Representatives Fey, Stambaugh, Walsh, Riccelli, Goodman, Orwall, Zeiger, Appleton, Van De Wege, Lytton, Gregerson, Reykdal, Tarleton, Ortiz-Self, Kagi, Carlyle, Wylie, Bergquist, S. Hunt, Tharinger, Senn, Robinson, Moscoso, Pollet, Walkinshaw, McBride and Jinkins)

Improving educational outcomes for homeless students through increased in-school guidance supports, housing stability, and identification services.

The measure was read the second time.

MOTION

Senator Litzow moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that schools are places of academic as well as personal enrichment and that schools provide safety, stability, support, and relationships necessary to help students succeed. These resources are vitally necessary for tens of thousands of students in Washington with no permanent home who often struggle in school because they are worried about where their families are staying night after night.

(2) The legislature also recognizes the population of homeless students disproportionately includes students of color.

(3) The intent of the legislature is to start a competitive grant system for high-need school districts and to supplement federal McKinney-Vento Act dollars to ensure homeless students continue attending the same schools, maintain housing stability, and improve academic achievement.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose the office of the superintendent of public instruction shall create a competitive grant process to evaluate and award state-funded grants to school districts to increase identification of homeless students and the capacity of the districts to provide support, which may include education liaisons, for homeless students. The process must complement any similar federal grant program or programs in order to minimize agency overhead and administrative costs for the

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

superintendent of public instruction and school districts. School districts may access both federal and state funding to identify and support homeless students.

(2) Award criteria for the state grants must be based on the demonstrated need of the school district and may consider the number or overall percentage, or both, of homeless children and youths enrolled in preschool, elementary, and secondary schools in the school district, and the ability of the local school district to meet these needs. Award criteria for these must also be based on the quality of the applications submitted. Preference must be given to districts that demonstrate a commitment to serving the needs of unaccompanied youth.

(3) Districts receiving grants must measure during the academic year how often each student physically moves, what services families or unaccompanied youth could access, and whether or not a family or unaccompanied youth received stable housing by the end of the school year.

(4) Homeless students are defined as students without a fixed, regular, and adequate nighttime residence as set forth in the federal McKinney-Vento homeless education assistance act (P.L. 100-77; 101 Stat. 482).

(5) School districts may not use funds allocated under this section to supplant existing federal, state, or local resources for homeless student supports, which may include education liaisons.

NEW SECTION. Sec. 3. A new section is added to chapter 43.185C RCW to read as follows:

(1) Subject to funds appropriated for this specific purpose, the department, in consultation with the office of the superintendent of public instruction, shall administer a grant program that links homeless students and their families with stable housing located in the homeless student's school district. The goal of the program is to provide educational stability for homeless students by promoting housing stability.

(2) The department, working with the office of the superintendent of public instruction, shall develop a competitive grant process to make grant awards of no more than one hundred thousand dollars per school, not to exceed five hundred thousand dollars per school district, to school districts partnered with eligible organizations on implementation of the proposal. For the purposes of this subsection, "eligible organization" means any local government, local housing authority, regional support network established under chapter 71.24 RCW, nonprofit community or neighborhood-based organization, federally recognized Indian tribe in the state of Washington, or regional or statewide nonprofit housing assistance organization. Applications for the grant program must include contractual agreements between the housing providers and school districts defining the responsibilities and commitments of each party to identify, house, and support homeless students.

(3) The grants awarded to school districts shall not exceed fifteen school districts per school year. In determining which partnerships will receive grants, preference must be given to districts with a demonstrated commitment of partnership and history with eligible organizations.

(4) Activities eligible for assistance under this grant program include but are not limited to:

(a) Rental assistance, which includes utilities, security and utility deposits, first and last month's rent, rental application fees, moving expenses, and other eligible expenses to be determined by the department;

(b) Transportation assistance, including gasoline assistance for families with vehicles and bus passes;

(c) Emergency shelter; and

(d) Housing stability case management.

(5) All beneficiaries of funds from the grant program must be unaccompanied youth or from very low-income households. For the purposes of this subsection, "very low-income household" means an unaccompanied youth or family or unrelated persons living together whose adjusted income is less than fifty percent of the median family income, adjusted for household size, for the county where the grant recipient is located.

(6)(a) Grantee school districts must compile and report information to the department. The department shall report to the legislature the findings of the grantee, the housing stability of the homeless families, the academic performance of the grantee population, and any related policy recommendations.

(b) Data on all program participants must be entered into and tracked through the Washington homeless client management information system as described in RCW 43.185C.180.

(7) In order to ensure that school districts are meeting the requirements of an approved program for homeless students, the office of the superintendent of public instruction shall monitor the programs at least once every two years. Monitoring shall begin during the 2016-17 school year.

(8) Any program review and monitoring under this section may be conducted concurrently with other program reviews and monitoring conducted by the department. In its review, the office of the superintendent of public instruction shall monitor program components that include but need not be limited to the process used by the district to identify and reach out to homeless students, assessment data and other indicators to determine how well the district is meeting the academic needs of homeless students, district expenditures used to expand opportunities for these students, and the academic progress of students under the program.

Sec. 4. RCW 28A.300.540 and 2015 c 69 s 28 are each amended to read as follows:

(1) For the purposes of this section, "unaccompanied homeless student" means a student who is not in the physical custody of a parent or guardian and is homeless as defined in RCW 43.330.702(2).

(2) By December 31, 2010, the office of the superintendent of public instruction shall establish a uniform process designed to track the additional expenditures for transporting homeless students, including expenditures required under the McKinney Vento act, reauthorized as Title X, Part C, of the no child left behind act, P.L. 107-110, in January 2002. Once established, the superintendent shall adopt the necessary administrative rules to direct each school district to adopt and use the uniform process and track these expenditures. The superintendent shall post on the superintendent's web site total expenditures related to the transportation of homeless students.

(3)(a) By January 10, 2015, and every odd-numbered year thereafter, the office of the superintendent of public instruction shall report to the governor and the legislature the following data for homeless students:

(i) The number of identified homeless students enrolled in public schools;

(ii) The number of identified unaccompanied homeless students enrolled in public schools, which number shall be included for each district and the state under "student demographics" on the Washington state report card web site;

(iii) The number of identified homeless students of color;

(iv) The number of students participating in the learning assistance program under chapter 28A.165 RCW, the highly capable program under chapter 28A.185 RCW, and the running start program under chapter 28A.600 RCW; and

((iv)) (v) The academic performance and educational outcomes of homeless students and unaccompanied homeless

students, including but not limited to the following performance and educational outcomes:

- (A) Student scores on the statewide administered academic assessments;
- (B) English language proficiency;
- (C) Dropout rates;
- (D) Four-year adjusted cohort graduation rate;
- (E) Five-year adjusted cohort graduation rate;
- (F) Absenteeism rates;
- (G) Truancy rates, if available; and
- (H) Suspension and expulsion data.

(b) The data reported under this subsection (3) must include state and district-level information and must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and gender.

(4) By July 1, 2014, the office of the superintendent of public instruction in collaboration with experts from community organizations on homelessness and homeless education policy, shall develop or acquire a short video that provides information on how to identify signs that indicate a student may be homeless, how to provide services and support to homeless students, and why this identification and support is critical to student success. The video must be posted on the superintendent of public instruction's web site.

(5) By July 1, 2014, the office of the superintendent of public instruction shall adopt and distribute to each school district, best practices for choosing and training school district-designated homeless student liaisons.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.320 RCW to read as follows:

Each school district that has identified more than ten unaccompanied youth must establish a building point of contact in each middle school and high school. These points of contact must be appointed by the principal of the designated school and are responsible for identifying homeless and unaccompanied youth and connecting them with the school district's homeless student liaison. The school district homeless student liaison is responsible for training building points of contact.

NEW SECTION. Sec. 6. This act may be known and cited as the homeless student stability and opportunity gap act."

On page 1, line 3 of the title, after "services;" strike the remainder of the title and insert "amending RCW 28A.300.540; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 43.185C RCW; adding a new section to chapter 28A.320 RCW; and creating new sections."

Senator Litzow spoke in favor of adoption of the committee striking amendment.

MOTION

Senator Ranker moved that the following amendment no. 715 by Senators Ranker, Litzow, Fain, Frockt and Cleveland on page 6, after line 4 to the committee striking amendment be adopted:

On page 6, after line 4 of the amendment, insert the following: "Sec. 6. RCW 28A.320.145 and 2014 c 212 s 3 are each amended to read as follows:

(1) On an annual basis, each school district must strongly encourage:

(a) All school staff to annually review the video posted on the office of the superintendent of public instruction's web site on how to identify signs that indicate a student may be homeless, how to provide services and support to homeless students, and why this identification and support is critical to student success to

ensure that homeless students are appropriately identified and supported; and

(b) Every district-designated homeless student liaison to attend trainings provided by the state to ensure that homeless children and youth are identified and served.

(2) Each school district shall include in existing materials that are shared with students at the beginning of the school year or at enrollment, information about services and support for homeless students, including the provisions of section 7 of this act. School districts may use the brochure posted on the web site of the office of the superintendent of public instruction as a resource. Schools are also strongly encouraged to use a variety of communications each year to notify students and families about services and support available to them if they experience homelessness, including but not limited to:

(a) Distributing and collecting an annual housing intake survey;

(b) Providing parent brochures directly to students and families;

(c) Announcing the information at school-wide assemblies; or

(d) Posting information on the district's web site or linking to the office of the superintendent of public instruction's web site.

NEW SECTION. Sec. 7. A new section is added to chapter 28A.320 RCW to read as follows:

(1) As allowed by RCW 7.70.065(2), a school nurse, school counselor, or homeless student liaison is authorized to provide informed consent for health care for a patient under the age of majority when:

(a) Consent is necessary for nonemergency outpatient primary care services, including physical examinations, vision examinations and eyeglasses, dental examinations, hearing examinations, and hearing aids, immunizations, treatments for illnesses and conditions, and routine follow-up care customarily provided by a health care provider in an outpatient setting, excluding elective surgeries;

(b) The patient meets the definition of a "homeless child or youth" under the federal McKinney-Vento homeless education assistance improvements act of 2001, P.L. 107-110, January 8, 2002, (115 Stat. 2005); and

(c) The patient is not under the supervision or control of a parent, custodian, or legal guardian.

(2) A person consenting to care under this section and the person's employing school are not liable for any care or payment for any care rendered pursuant to this section.

(3) A person consenting to care under this section must provide written notice of his or her exemption from liability under this section to the person providing care."

On page 6, line 8 of the title amendment, after "28A.300.540" insert "and 28A.320.145"

On page 6, line 10 of the title amendment, after "adding" strike "a new section" and insert "new sections"

Senators Ranker and Litzow spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 715 by Senators Ranker, Litzow, Fain, Frockt and Cleveland on page 6, after line 4 to the committee striking amendment to Third Substitute House Bill No. 1682.

The motion by Senator Ranker carried and the amendment was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the

FIFTY THIRD DAY, MARCH 3, 2016

2016 REGULAR SESSION

Committee on Ways & Means, as amended, to Third Substitute House Bill No. 1682.

The motion by Senator Litzow carried and the committee striking amendment, as amended, was adopted by voice vote.

MOTION

On motion of Senator Litzow, the rules were suspended, Third Substitute House Bill No. 1682, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and Frockt spoke in favor of passage of the bill.

Senator Angel spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Third Substitute House Bill No. 1682, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Third Substitute House Bill No. 1682, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Mullet, Nelson, O'Ban, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Angel, Dansel, Ericksen, Miloscia, Padden and Pearson

Excused: Senator Carlyle

THIRD SUBSTITUTE HOUSE BILL NO. 1682, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Keiser: "I'd like to announce to all the members and all our staff that there will be a clinic tomorrow here in the Legislative Building, in the House Rules Room, from 1:00 o'clock to 3:00 o'clock for anyone who wants to get a pertussis, that's also known as whooping cough, TDAP vaccination. We have had a member of the other body become infected with this. It's a very contagious disease. And anyone who is around young people, or who's around older people, should be protected from this very contagious and dangerous disease. It is a free vaccination. Once again, it's open to all Senators and all staff in the House Rules Room between 1:00 o'clock to 3:00 o'clock. It's being put forward and offered by the Thurston County Health Department and for further details, please speak with the Secretary of the Senate. I really appreciate the announcement going out today at 2:00 o'clock. You may not have seen it, we've been so busy.

MOTION

At 6:35 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Friday, March 4, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 4, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Meghan Sheldrake and Mr. Erickson Saelee, presented the Colors.

The prayer was offered by Pastor Greg Kaurin of Redeemer Lutheran Church, Fircrest.

REMARKS BY THE PRESIDENT

President Owen: "Ladies and gentlemen of the Senate, we're going to go a little off script today as it's a very difficult time. One of our family members is in the greatest pain a person could ever have. I know that there's people that would like to share this morning. But first, I would ask that you all stand for a moment of silence for Brad and his family."

MOMENT OF SILENCE

The Senate observed a moment of silence in memory of Brad Tower's children, Ben, Maddy, and Sam, who passed away on March 4, 2016.

REMARKS BY THE PRESIDENT

President Owen: "My own experience with Brad has been for a number of years him working with his father, Earl. Then one of my first times that I was able to do a mobile archery thing was at his home. Teaching him and his boys and his neighbors. Like he was just a friend. We work with each other, we fight with each other, and then we hope we still see each other as friends and family. I certainly saw Brad in that light. I know that there's members that would like to share their own thoughts."

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you, Mr. President. Today, myself, and the family of the legislature grieves for our friends, the Tower family. For many of us, like yourself, Mr. Governor, we started our careers working with Earl Tower. I can only imagine the grief our friend Earl has today. We all know our friend Brad's grief. I think about Brad and Earl and the enormous joy they shared in the son and grandson's football prowess. Watching videos on a phone with the Tower family. Their giant of a son playing football, and grandson, and the joy they had. I think of the joy that my son's career in sports brought our family and I can't even guess what the sorrow is for a loss times three. So with that, Mr. President, my thoughts, my prayers, to the entire Tower family goes out today."

PERSONAL PRIVILEGE

Senator Nelson: "Thank you, Mr. President. There's a cloud over the legislature today. Our hearts are with Brad. We cannot bring back his children, but we can send our love and our

caring. So, Mr. President, we will keep him close as he grieves, as do we. Thank you."

PERSONAL PRIVILEGE

Senator Becker: "Thank you, Mr. President. Well I met Brad when I first started here and when I really started to know Brad a little bit more was when I met him at the service for Senator Scott White. And how he had celebrated his life and the grief that he felt then on losing a good friend. But the grief he feels today has to be amazing. It has to be probably the hardest thing that he's ever going through in his entire life. And his wife, and the grief, and the fact that she probably couldn't do anything to help those kids. I can't imagine where she is today in her love and her thoughts. I only ask that we all say to all of our lobbyist friends up here how much we appreciate each and every one of you. The phone call getting this morning about Brad's loss of his kids is something I didn't think I'd hear. It just makes me feel like we're all a family here. We're all a family and every day we kind of just bump into each other and say, 'Yeah I'll do that. No I won't. Yes I will.' and then to see this and what really this whole thing is about, it's about people, it's about lives, and about caring and loving each other. And, Brad, my heart goes out to you today and I think everybody in this chamber feels the same way. We're going to say our prayers and we're going to hope for you to have a time to heal and a time to grieve. And that's all I have to say. Thank you."

PERSONAL PRIVILEGE

Senator Cleveland: "Thank you, Mr. President. The work of policy making here in the legislature involves a great many people. And that work's made up of the Senate, the House and the Third House. The Third House being made up of course our advocates and lobbyists who assist us as legislators with the information as the subject matter experts on a wide range of topics that we need as legislators in order to ensure that shape the very best policies possible. This work binds each and every one of us together and it does indeed make us one large family. So it is today that as a family we all share the shock and the pain and the tremendous loss experienced by a member of our Third House, Brad Tower, and the terrible loss of his three children this morning in a tragic house fire. So while words can't possibly express our sympathy, I ask, Mr. President, that we join our collective hearts together today, as one for Brad and for his loved ones. And as we as a legislature, the legislative community, are joined in grief, we are knit together at this moment in deep sorrow and also deep caring for Brad and his family. So we offer our prayers now and in the very difficult days ahead. Thank you."

PERSONAL PRIVILEGE

Senator Angel: "When I joined the legislature, I came to know a very loving person who is about the age of my children. And when I saw him going through some tough times, I guess the mom in me came out. We spent many a times having conversation about how you get over some of the mud that is created in your life. He kept going, one day at a time and sent me pictures of his children and I asked him to focus on his kids. The wonderful Christmas card that I think many of us got with Brad and the kids, the loves of his life. I mean, he lived for those

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

kids. I was with him last night and he said to me, ‘I’m on my way to go see my kids.’ I only pray that he was able to see his children last night. I hold that in my heart that that happened. But he’s going to need us in the days ahead. Please don’t forget. A note. You’d be surprised when a note arrives, it’s just what maybe he needed that day. So, we can talk about it today, but we’ve got to talk about it tomorrow and the next day and the next day. And it’s okay to talk about these things with him, openly and lovingly. Today our prayers are with the entire family for the tough times ahead. Thank you.”

PERSONAL PRIVILEGE

Senator Hargrove: “Thank you, Mr. President Well I probably didn’t know Brad quite as well as many of the rest of you. I’m afraid I remember most of my interactions with him were kind of gruff or maybe even a little mean. I’m hoping he’s watching this at some point in time because I’d like to apologize for that. I guess I’d like to apologize to all the lobbyists up there. Because that’s usually the way I deal with all of you, isn’t it? And I may again. You know, Brad this session took on working for victims advocacy group which actually gave us something to talk about that I’d worked on for years. We had some good chats about that and how to advance some of those issues. He certainly is an effective lobbyist, and that’s probably why I was so mean and gruff. Our hearts certainly go out to him and as Senator Cleveland mentioned, you know we’re all thinking about it today. Everybody is weepy today and thinking about the tragedy. But he’s going to need all of you friends to be around him and talking to him and caring about him over the next months and maybe even years. So, certainly my prayers go out to him. We prayed for him at the end of the Prayer Breakfast when we heard what was going on. And Lord, just be with that family and minister to them now. In Jesus name, Amen.”

PERSONAL PRIVILEGE

Senator Dandel: “I just wanted to say Brad Tower is a fine individual and somebody that I speak to about on a daily basis behind the Irv Newhouse Building. I think the one thing that may be binds everyone here together is that you know at the end of the day, or for some of us at the end of the week, you get to go home and hug your kids and your wife. I just feel so bad for the family and I hope he can get through this. I think it’s important to know how significant a role we play but then altogether it’s not that significant when you really look at what’s important. I know that I’m sure going to go hug my wife and kid. I think the next time I see Brad I’ll give him a big hug too. I just hope he has the strength to get through this. And to everybody who tries to get a few minutes with you when you’re coming down toward cutoff or the end of a session, everybody’s in a hurry. I know that I’m going to walk a couple paces slower and give people time.”

PERSONAL PRIVILEGE

Senator Carlyle: “Mr. President, in Jewish life, in my religious faith, mourning is highly scripted. From the very moment we learn of a suffering, we tear our clothes, we put on black clothes. Within 24 hours we have a burial. The first seven days in a house of mourning, we sit shiva where we don’t shave, we cover mirrors. We sit low to the ground in deep, deep humility. The first 30 days, another marker. And after a year we put a marker on a grave. Not until a year. When our mutual friend, Scott White passed on, I shared with Brad and we talked a

lot about the rituals of mourning in my religious faith. And in talking about it together, he was captivated by this question of why it’s so scripted. And the reason is to allow the community to escort those who suffer through a process. A process that of course never really ends. The magnitude of Brad’s suffering requires the entire community to escort him through this life journey. It cannot be done alone. It can only be done through community. And my hope and my prayer is that his friends and his family and the broader community that make up his life, have the strength to escort him together through this journey and that he may feel that he has the ability through that support to feel God’s love. Thank you.”

PERSONAL PRIVILEGE

Senator Warnick: “Thank you, Mr. President. I wasn’t going to rise today but I’m a grandmother and I knew Earl. There’s people here that maybe have not worked with him, but I have. So my thought first was of Brad and his family, but Earl as a grandfather. I have two grandchildren in this chamber today serving as pages. I cannot imagine them not being part of my life. I have lost a grandchild. It was a whole different set of circumstances so I know that pain. Any grandmother or grandparent should not lose a grandchild. In cases like this, I think we cannot forget Earl and the grandparents of these children because they are mourning, they are questioning why also. ‘Why?’ ‘Why is this happening?’ ‘Why did this happen?’ Only the strength of their faith and our support and our faith hopefully can get them through this. Thank you.”

REMARKS BY THE PRESIDENT

President Owen: “The President would hope that Brad would feel comfortable to call if he ever needs someone to talk to. The President would also suggest that in the next week, the next day, you visit or make a call, not an email, not a Facebook posting, to your kids and your grandkids. If you have the opportunity, that you give them a big hug.”

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 11:22 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:31 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 3, 2016

SB 5928 Prime Sponsor, Senator Dammeier: Relating to education. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5928 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Ranker, Ranking Minority Member, Operating; Bailey; Billig; Brown; Darneille; Hewitt; Nelson; O'Ban; Parlette; Pedersen; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Conway; Hasegawa and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6055 Prime Sponsor, Senator Hill: Relating to health care. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6055 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Padden.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6247 Prime Sponsor, Senator Angel: Exempting from state and local taxes on-site sewage system fees required by a local government to be paid by an on-site sewage system owner to an on-site sewage system contractor or inspector. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6247 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Pedersen.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6316 Prime Sponsor, Senator Parlette: Concerning designated disaster area financing. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6316 be substituted therefor, and the second substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa and Pedersen.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6477 Prime Sponsor, Senator Dammeier: Concerning a business and occupation tax deduction for chemical dependency services provided by a health or social welfare organization. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6477 as recommended by Committee on Human Services, Mental Health & Housing be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Billig; Hasegawa; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6656 Prime Sponsor, Senator Hill: Concerning state hospital practices. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6656 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway and Hasegawa.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6657 Prime Sponsor, Senator Parlette: Relating to wildfire management. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6657 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6662 Prime Sponsor, Senator Braun: Creating a flexible voluntary program to allow family members to provide personal care services to persons with developmental disabilities or long-term care needs under a consumer-directed medicaid service program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6662 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6668 Prime Sponsor, Senator Hill: Merging the assets, liabilities, and membership of the law enforcement officers' and firefighters' retirement system plan 1 with the teachers' retirement system plan 1 and establishing a funding policy for the merged plan. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Billig; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6669 Prime Sponsor, Senator Brown: Consolidating business assistance programs and services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6669 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Conway; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating and Billig.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6670 Prime Sponsor, Senator Fain: Relating to public schools that are not common schools. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Conway; Darneille; Hasegawa and Nelson.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Ranker, Ranking Minority Member, Operating; Billig; Pedersen and Rolfes.

Passed to Committee on Rules for second reading.

March 3, 2016

SB 6671 Prime Sponsor, Senator Hill: Concerning the review of state and local homelessness prevention, assistance, and housing efforts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6671 be substituted therefor, and the substitute bill do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget and Hasegawa.

Passed to Committee on Rules for second reading.

March 3, 2016

SJR 8215 Prime Sponsor, Senator Braun: Requiring voter approval for any action or combination of actions by the

legislature that raises taxes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Conway; Darneille; Hasegawa; Nelson and Pedersen.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig and Rolfes.

Passed to Committee on Rules for second reading.

March 3, 2016

E3SHB 1713 Prime Sponsor, Committee on Appropriations: Integrating the treatment systems for mental health and chemical dependency. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

March 3, 2016

E2SHB 1725 Prime Sponsor, Committee on Appropriations: Concerning the consumer's right to assign hours to individual providers and the department of social and health services' authority to adopt rules related to payment of individual providers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Passed to Committee on Rules for second reading.

March 3, 2016

SHB 2496 Prime Sponsor, Committee on Judiciary: Concerning pro bono legal services for military service members, veterans, and their families. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Pedersen; Rolfes; Schoesler and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating and Parlette.

Passed to Committee on Rules for second reading.

MOTION

On motion of Fain, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Joint Resolution No. 8215 which was held at the desk.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2453

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 2985

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5046,
SECOND ENGROSSED SENATE BILL NO. 5251,

SENATE BILL NO. 5581,
ENGROSSED SENATE BILL NO. 5873,

SENATE BILL NO. 6200,

SENATE BILL NO. 6205,
SUBSTITUTE SENATE BILL NO. 6254,

SENATE BILL NO. 6263,
SENATE BILL NO. 6296,

SENATE BILL NO. 6299,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6309,

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

SENATE BILL NO. 6345,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6356,
 SUBSTITUTE SENATE BILL NO. 6363,
 SENATE BILL NO. 6371,
 SUBSTITUTE SENATE BILL NO. 6519
 and the same are herewith transmitted.

AN ACT Relating to support public schools special license plates; amending RCW 46.68.425; reenacting and amending RCW 46.18.200 and 46.17.220; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 46.04 RCW; and providing an effective date.

BERNARD DEAN, Deputy Chief Clerk

Referred to Committee on Transportation.

MESSAGE FROM THE HOUSE

SB 6675 by Senators McAuliffe and Litzow
 AN ACT Relating to a joint transportation committee study on the Interstate 405 express toll lanes; creating a new section; and providing an expiration date.

March 4, 2016

Referred to Committee on Transportation.

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5145,
 SENATE BILL NO. 5265,
 SENATE BILL NO. 5342,
 SENATE BILL NO. 5458,
 SENATE BILL NO. 5549,
 SUBSTITUTE SENATE BILL NO. 5767,
 SUBSTITUTE SENATE BILL NO. 5864,
 SENATE BILL NO. 6148,
 SENATE BILL NO. 6162,
 SENATE BILL NO. 6170,
 SUBSTITUTE SENATE BILL NO. 6177,
 SENATE BILL NO. 6196,
 SENATE BILL NO. 6202,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6206,
 SUBSTITUTE SENATE BILL NO. 6219,
 SENATE BILL NO. 6220,
 SUBSTITUTE SENATE BILL NO. 6281,
 SENATE BILL NO. 6282,
 SUBSTITUTE SENATE BILL NO. 6284,
 SUBSTITUTE SENATE BILL NO. 6286,
 SUBSTITUTE SENATE BILL NO. 6290,
 SUBSTITUTE SENATE BILL NO. 6295,
 SUBSTITUTE SENATE BILL NO. 6326,
 SUBSTITUTE SENATE BILL NO. 6341,
 SUBSTITUTE SENATE BILL NO. 6342,
 SUBSTITUTE SENATE BILL NO. 6354,
 SENATE BILL NO. 6376,
 SENATE BILL NO. 6398,
 SENATE BILL NO. 6401,
 SUBSTITUTE SENATE BILL NO. 6421,
 SUBSTITUTE SENATE BILL NO. 6463,
 SUBSTITUTE SENATE BILL NO. 6466,
 SENATE BILL NO. 6491,
 SUBSTITUTE SENATE BILL NO. 6498,
 SUBSTITUTE SENATE BILL NO. 6569,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6606,
 SENATE BILL NO. 6633.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 1581 by House Committee on Transportation (originally sponsored by Representatives Fey, Rodne, Moscoso, Sells, Hayes and Hurst)

AN ACT Relating to the distribution of the thirty dollar vehicle license fee; amending RCW 46.68.030; and providing an effective date.

E2SHB 2872 by House Committee on Appropriations (originally sponsored by Representatives Fey, Hayes, Clibborn, Moscoso, Rodne, Tarleton, Kilduff, Muri, Fitzgibbon, Appleton, Stokesbary, Stanford, Griffey, Senn, Bergquist, S. Hunt, Ortiz-Self, Gregerson and Ormsby)

AN ACT Relating to the recruitment and retention of Washington state patrol commissioned officers; amending RCW 43.43.380; creating new sections; and declaring an emergency.

MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated, with the exception of Engrossed Substitute House Bill No. 1581 and Engrossed Second Substitute House Bill 2872 which were held at the desk.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Chase moved adoption of the following resolution:

SENATE RESOLUTION
 8723

By Senators Chase, Roach, Honeyford, Keiser, Fraser, Nelson, McCoy, Ericksen, and Conway

WHEREAS, Hunger affects millions of people nationwide, including children, seniors, and military veterans; and
 WHEREAS, Food bank shelves filled from winter holiday giving are often bare in late spring; and

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6674 by Senators McAuliffe, McCoy, Fraser, Chase and Litzow

WHEREAS, When school meal programs end in the summertime, millions of families with school age children must find alternate sources of food; and

WHEREAS, In 2015, the National Association of Letter Carriers' "Stamp Out Hunger" food drive collected 71 million pounds of donated food, which were distributed locally in 10,000 cities and towns across America; and

WHEREAS, In Washington state in 2015, 1.7 million pounds of donated food was collected by letter carriers; and

WHEREAS, In 2016, thousands of households in Washington state will struggle to provide enough food for their families; and

WHEREAS, The National Association of Letter Carriers continues to work to end the challenges of hunger in Washington state through its 24th annual "Stamp Out Hunger" food drive; and

WHEREAS, On May 14, 2016, the second Saturday in May, letter carriers will collect food donations to be distributed to food banks and pantries at a much needed time of the year;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate support the observation of Saturday, May 14, 2016, as the National Association of Letter Carriers' "Stamp Out Hunger" food drive day in Washington state, and urge all Washingtonians to join in this special observance.

Senator Chase spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8723.

The motion by Senator Chase carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Ranker moved that James Groves, Gubernatorial Appointment No. 9267, be confirmed as a member of the Bellingham Technical College Board of Trustees.

Senator Ranker spoke in favor of the motion.

APPOINTMENT OF JAMES GROVES

The President declared the question before the Senate to be the confirmation of James Groves, Gubernatorial Appointment No. 9267, as a member of the Bellingham Technical College Board of Trustees.

The Secretary called the roll on the confirmation of James Groves, Gubernatorial Appointment No. 9267, as a member of the Bellingham Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senators Benton and Hill

James Groves, Gubernatorial Appointment No. 9267, having received the constitutional majority was declared confirmed as a member of the Bellingham Technical College Board of Trustees.

MOTION

On motion of Senator Rivers, and without objection, Senator Hill was excused.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5046,
SECOND ENGROSSED SENATE BILL NO. 5251,
SENATE BILL NO. 5581,
ENGROSSED SENATE BILL NO. 5873,
SENATE BILL NO. 6200,
SENATE BILL NO. 6205,
SUBSTITUTE SENATE BILL NO. 6254,
SENATE BILL NO. 6263,
SENATE BILL NO. 6296,
SENATE BILL NO. 6299,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6309,
SENATE BILL NO. 6345,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6356,
SUBSTITUTE SENATE BILL NO. 6363,
SENATE BILL NO. 6371,
SUBSTITUTE SENATE BILL NO. 6519.

THIRD READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Baumgartner moved that Michael O. Finley, Gubernatorial Appointment No. 9259, be confirmed as a member of the Eastern Washington University Board of Trustees.

Senator Baumgartner spoke in favor of the motion.

APPOINTMENT OF MICHAEL O. FINLEY

The President declared the question before the Senate to be the confirmation of Michael O. Finley, Gubernatorial Appointment No. 9259, as a member of the Eastern Washington University Board of Trustees.

The Secretary called the roll on the confirmation of Michael O. Finley, Gubernatorial Appointment No. 9259, as a member of the Eastern Washington University Board of Trustees and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hill

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION
MOTION

Michael O. Finley, gubernatorial appointment No. 9259, having received the constitutional majority was declared confirmed as a member of the Eastern Washington University Board of Trustees.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 2391, by Representatives McCabe, Appleton, Griffey, Tharinger, Springer, Peterson, McBride, Manweller, Johnson, Reykdal, Chandler, Fitzgibbon, Dent, Kochmar, Wilcox, Pike and Moscoso

Concerning county payroll draw days.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2391 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2391.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2391 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hill

HOUSE BILL NO. 2391, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1875, by House Committee on Appropriations (originally sponsored by Representatives Walsh, Kagi, Johnson, Sawyer, Pettigrew, Moscoso, Zeiger, Ormsby, Appleton and Young)

Concerning the definition of work activity for the purposes of the WorkFirst program.

The measure was read the second time.

Senator O'Ban moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.08A.250 and 2013 c 39 s 27 are each amended to read as follows:

Unless the context clearly requires otherwise, as used in this chapter, "work activity" means:

(1) Unsubsidized paid employment in the private or public sector;

(2) Subsidized paid employment in the private or public sector, including employment through the state or federal work-study program for a period not to exceed twenty-four months;

(3) Work experience, including:

(a) An internship or practicum, that is paid or unpaid and is required to complete a course of vocational training or to obtain a license or certificate in a high-demand occupation, as determined by the employment security department. No internship or practicum shall exceed twelve months; or

(b) Work associated with the refurbishing of publicly assisted housing, if sufficient paid employment is not available;

(4) On-the-job training;

(5) Job search and job readiness assistance;

(6) Community service programs, including a recipient's voluntary service at a child care or preschool facility licensed under chapter 43.215 RCW or an elementary school in which his or her child is enrolled;

(7) Vocational educational training, not to exceed twelve months with respect to any individual. This twelve-month limit may be increased to twenty-four months under the following conditions:

(a) For the purposes of this section and RCW 74.08A.341, vocational educational training that exceeds twelve months is limited to vocational educational training for high-demand/high-wage jobs which means (i) information technology, health care, or other professional-technical programs that can be completed in twenty-four months or less; or (ii) certificate/degree completion, not to exceed a baccalaureate degree, in a high-wage/high-demand field on an exception basis. The high-wage/high-demand criteria for this option is based on median income and high-demand occupations within the local labor market as determined by the employment security department;

(b) The authorization to exceed the twelve-month limit is contingent on the individual making progress towards successful completion of the program; and

(c) The authorization to exceed the twelve-month limit applies only during state fiscal years in which the department projects that the state will comply with all federal requirements for temporary assistance for needy families work participation rates and will not be subject to a penalty;

(8) Job skills training directly related to employment;

(9) Education directly related to employment, in the case of a recipient who has not received a high school diploma or a high school equivalency certificate as provided in RCW 28B.50.536;

(10) Satisfactory attendance at secondary school or in a course of study leading to a high school equivalency certificate as provided in RCW 28B.50.536, in the case of a recipient who has not completed secondary school or received such a certificate;

(11) The provision of child care services to an individual who is participating in a community service program;

(12) Internships, that shall be paid or unpaid work experience performed by an intern in a business, industry, or government or nongovernmental agency setting;

(13) Practicums, which include any educational program in which a student is working under the close supervision of a professional in an agency, clinic, or other professional practice setting for purposes of advancing their skills and knowledge;

(14) Services required by the recipient under RCW 74.08.025(3) and 74.08A.010(4) to become employable;

(15) Financial literacy activities designed to be effective in assisting a recipient in becoming self-sufficient and financially stable; and

(16) Parent education services or programs that support development of appropriate parenting skills, life skills, and employment-related competencies.

Sec. 2. RCW 74.08A.341 and 2012 c 217 s 1 are each amended to read as follows:

The department of social and health services shall operate the Washington WorkFirst program authorized under RCW 74.08A.210 through 74.08A.330, 43.330.145, 43.215.545, and 74.25.040, and chapter 74.12 RCW within the following constraints:

(1) The program shall be operated within amounts appropriated by the legislature and consistent with policy established by the legislature to achieve self-sufficiency through work and the following additional outcomes:

(a) Recipients' economic status is improving through wage progression, job retention, and educational advancement;

(b) Recipients' status regarding housing stability, medical and behavioral health, and job readiness is improving;

(c) The well-being of children whose caretaker is receiving benefits on their behalf is improving with respect to child welfare and educational achievement.

(2)(a) The department shall create a budget structure that allows for more transparent tracking of program spending. The budget structure shall outline spending for the following: Temporary assistance for needy family grants, working connections child care, WorkFirst activities and administration of the program.

(b) Each biennium, the department shall establish a biennial spending plan, using the budget structure created in (a) of this subsection, for this program and submit the plan to the legislative fiscal committees and the legislative-executive WorkFirst oversight task force no later than July 1st of every odd-numbered year, beginning on July 1, 2013. The department shall update the legislative fiscal committees and the task force on the spending plan if modifications are made to the plan previously submitted to the legislature and the task force for that biennium.

(c) The department also shall provide expenditure reports to the fiscal committees of the legislature and the legislative-executive WorkFirst oversight task force beginning September 1, 2012, and on a quarterly basis thereafter. If the department determines, based upon quarterly expenditure reports, that expenditures will exceed funding at the end of the fiscal year, the department shall take those actions necessary to ensure that services provided under this chapter are available only to the extent of and consistent with appropriations in the operating budget and policy established by the legislature following notification provided in (b) of this subsection.

(3) No more than fifteen percent of the temporary assistance for needy families block grant, the federal child care funds, and qualifying state expenditures may be spent for administrative purposes. For purposes of this subsection, "administrative purposes" does not include expenditures for information technology and computerization needed for tracking and monitoring required by P.L. 104-193.

(4) The department shall expend funds appropriated for work activities, as defined in RCW 74.08A.250, or for other services provided to WorkFirst recipients, as authorized under RCW

74.08A.290. The vocational educational training work activity, as defined in RCW 74.08A.250, is subject to the availability of amounts appropriated for this purpose.

NEW SECTION. Sec. 3. A new section is added to chapter 43.131 RCW to read as follows:

The definition of "work activity" related to the length of vocational educational training a WorkFirst participant may receive as established under section 1 of this act shall be terminated on August 1, 2019, as provided in section 4 of this act.

NEW SECTION. Sec. 4. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective August 1, 2020:

Section 1, chapter ..., Laws of 2016 (section 1 of this act)."

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 74.08A.250 and 74.08A.341; and adding new sections to chapter 43.131 RCW."

MOTION

Senator Miloscia moved that the following amendment no. 720 by Senator Miloscia to the committee striking amendment be adopted:

On page 4, line 21 of the amendment, after "August 1," strike "2019" and insert "2021"

On page 4, line 25 of the amendment, after "August 1," strike "2020" and insert "2022"

Senators Miloscia and Darneille spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 720 by Senator Miloscia to the committee striking amendment to Engrossed Substitute House Bill No. 1875.

The motion by Senator Miloscia carried and the amendment was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means, as amended, to Engrossed Substitute House Bill No. 1875.

The motion by Senator O'Ban carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Substitute House Bill No. 1875, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1875, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1875 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hill

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1875, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2918, by Representatives Gregerson, Pike, Moscoso, Orwall, Robinson, Hudgins, Van De Wege, Appleton, Stanford and Goodman

Granting a city or town the authority to establish and operate a traffic school without county consent, control, or supervision.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2918 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2918.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2918 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hill

HOUSE BILL NO. 2918, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2842, by Representatives Schmick, Wylie, Nealey, Reykdal, Dye and Walsh

Financing of improvements for state-owned lands to be transferred for private development.

The measure was read the second time.

MOTION

On motion of Senator Brown, the rules were suspended, House Bill No. 2842 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Chase spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2842.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2842 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hill

HOUSE BILL NO. 2842, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2637, by Representatives Manweller, DeBolt, G. Hunt and Zeiger

Creating the Washington state historic cemetery preservation capital grant program.

The measure was read the second time.

MOTION

Senator Roach moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 27.34 RCW to read as follows:

(1) The Washington state historic cemetery preservation capital grant program is created in the department.

(2) The capital grant program is intended to benefit the public by preserving outstanding examples of the state's historical heritage, enabling historic cemeteries to continue to serve their communities, and honoring the military veterans buried within them.

(3) Subject to appropriation, grants may be awarded each biennium for construction, renovation, or rehabilitation projects that preserve the historic character, features, and materials of the cemetery, or that maintain or improve the functions of the cemetery.

(4) A capital grant award may not exceed fifty thousand dollars, adjusted biennially for inflation. The department may not require applicants to provide matching funds.

(5) Eligible applicants for capital grants include cemetery property owners, nonprofit organizations, and local governments.

(6) Applications for the capital grant program must be submitted to the department in a form and manner prescribed by the department. The applications must include a history of the cemetery which the department shall maintain on file.

(7) The director shall establish a committee to review applications. The committee shall consist of at least five members with expertise or association with historic preservation, cemetery associations, local cemetery boards, and other associations or professional organizations the director deems appropriate. When evaluating and prioritizing projects, the committee shall consider the following criteria:

(a) The relative historical significance of the cemetery;

(b) Whether the proposed project will result in lower costs of maintenance and operations; and

(c) The relative percentage of military burials in the cemetery.

(8) The conditions in this subsection must be met by recipients of funding in order to satisfy the public benefit requirements of the historic cemetery preservation capital grant program.

(a) The committee shall provide the department a prioritized list of projects for funding. The department and grant recipient must execute a contract before work on the grant project begins. The contract must specify public benefit and minimum maintenance requirements.

(b) Grant recipients must proactively maintain their historic cemetery for a minimum of ten years.

(c) Public access to the exterior of properties that are not visible from a public right-of-way must be provided under reasonable terms and circumstances, including the requirement that visits by nonprofit organizations or school groups must be offered at least one day per year. Tribal access must be provided under reasonable terms and circumstances to historic cemeteries in which there are Indian burials.

(9) Projects must be initiated within one year of funding approval and completed within two years, unless an extension is provided in writing by the department.

(10) If a recipient of an historic cemetery preservation capital grant, or subsequent owner of a property that was assisted by a grant, takes any action within ten years of the award with respect to the assisted property such as dismantlement, removal, substantial alteration, or any other action inconsistent with the property's status as a cemetery, the grant must be repaid in full within one year."

On page 1, line 2 of the title, after "cemeteries;" strike the remainder of the title and insert "and adding a new section to chapter 27.34 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to House Bill No. 2637.

The motion by Senator Roach carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2637, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

Senator Lias spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2637, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2637, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Dandel, Ericksen, Frockt, Lias and Nelson

Excused: Senator Hill

HOUSE BILL NO. 2637, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2326, by Representatives Moeller and Appleton

Transferring regulatory authority over independent review organizations to the insurance commissioner.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, House Bill No. 2326 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2326.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2326 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Braun, Brown, Dammeier, Dandel, Ericksen, O'Ban and Padden

Excused: Senator Hill

HOUSE BILL NO. 2326, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

FIFTY FOURTH DAY, MARCH 4, 2016
SECOND READING

2016 REGULAR SESSION

SUBSTITUTE HOUSE BILL NO. 2831, by House Committee on Commerce & Gaming (originally sponsored by Representative Hurst)

Assisting small businesses licensed to sell liquor in Washington state.

The measure was read the second time.

MOTION

Senator Baumgartner moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 66.24 RCW to read as follows:

(1) There is a wine retailer reseller endorsement to a beer and/or wine specialty shop license issued under RCW 66.24.371, to sell wine at retail in original containers to retailers licensed to sell wine for consumption on the premises, for resale at their licensed premises according to the terms of the license. However, no single sale may exceed twenty-four liters, unless the sale is made by a licensee that was a former state liquor store or contract liquor store at the location from which such sales are made. For the purposes of this title, a beer and/or wine specialty shop license is a retail license, and a sale by a beer and/or wine specialty shop license with a reseller endorsement is a retail sale only if not for resale. The annual fee for the wine retailer reseller endorsement is one hundred ten dollars for each store.

(2) A beer and/or wine specialty shop licensee with a wine retailer reseller endorsement issued under this section may accept delivery of wine at its licensed premises or at one or more warehouse facilities registered with the board, which facilities may also warehouse and distribute nonliquor items, and from which it may deliver to its own licensed premises and, pursuant to sales permitted by this title, to other licensed premises, to other registered facilities, or to lawful purchasers outside the state. Facilities may be registered and utilized by associations, cooperatives, or comparable groups of beer and/or wine specialty shop licensees.

(3) A beer and/or wine specialty shop licensee, selling wine under the endorsement created in this section, may sell a maximum of five thousand liters of wine per day for resale to retailers licensed to sell wine for consumption on the premises.

Sec. 2. RCW 66.28.340 and 2012 c 2 s 123 are each amended to read as follows:

(1) A retailer authorized to sell wine may accept delivery of wine at its licensed premises or at one or more warehouse facilities registered with the board, which facilities may also warehouse and distribute nonliquor items, and from which it may deliver to its own licensed premises and, pursuant to sales permitted by this title, to other licensed retailers, to other registered facilities, or to lawful purchasers outside the state; such facilities may be registered and utilized by associations, cooperatives, or comparable groups of retailers including at least one retailer licensed to sell wine. A restaurant retailer authorized to sell spirits may accept delivery of spirits at its licensed premises or at one or more warehouse facilities registered with the board, which facilities may also warehouse and distribute nonliquor items, from which it may deliver to its own licensed premises and, pursuant to sales permitted by this title, to other

licensed retailers, to other registered facilities, or to lawful purchasers outside the state; such facilities may be registered and utilized by associations, cooperatives, or comparable groups of retailers including at least one restaurant retailer licensed to sell spirits. Nothing in this section authorizes sales of spirits or wine by a retailer holding only an on-sale privilege to another retailer.

(2) A retailer authorized to sell both wine and spirits for consumption off the licensed premises may accept delivery of wine and spirits at its licensed premises, at another licensed premises as designated by the retailer, or at one or more warehouse facilities registered with the board, which facilities may also warehouse and distribute nonliquor items, and from which it may deliver to its own licensed premises and, pursuant to sales permitted by this title, to other licensed retailers, to other registered facilities, or to lawful purchasers outside the state. Such warehouse facilities may be registered and utilized by associations, cooperatives, or comparable groups of retailers including at least one retailer licensed to sell both spirits and wine. For purposes of negotiating volume discounts, a group of individual retailers authorized to sell both wine and spirits for consumption off the licensed premises may accept delivery of wine and spirits at a single location, which may be their individual licensed premises or at any one of the individual licensee's premises, or at a warehouse facility registered with the board."

On page 1, line 2 of the title, after "state;" strike the remainder of the title and insert "amending RCW 66.28.340; and adding a new section to chapter 66.24 RCW."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 2831.

The motion by Senator Baumgartner carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Substitute House Bill No. 2831, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Baumgartner and Conway spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2831, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2831, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dansel, Erickson, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dammeier, Darneille, Nelson and Pearson
Excused: Senator Hill

SUBSTITUTE HOUSE BILL NO. 2831, as amended by the Senate, having received the constitutional majority, was declared

passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2876, by House Committee on Judiciary (originally sponsored by Representatives Orwall, Kirby and Griffey)

Addressing the foreclosure of deeds of trust.

The measure was read the second time.

MOTION

On motion of Senator Benton, the rules were suspended, Substitute House Bill No. 2876 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Mullet spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2876.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2876 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hill

SUBSTITUTE HOUSE BILL NO. 2876, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

RULING BY THE PRESIDENT

President Owen: "In ruling on the Point of Order raised by Senator Liias as to whether amendment no. 723 to the committee amendment to Substitute House Bill No. 2427 fits within the scope and object of the underlying bill, the President finds and rules as follows:

Sen. Liias's challenge requires the President to compare the contents of Sen. Benton's proposed amendment to the contents of the bill as it arrived before the body. To be more direct, the President considers the language of Substitute House Bill No. 2427 as it arrived in the Senate, and reviews the language of the amendment to determine whether it would fit within the scope and object of the House substitute bill.

Substitute House Bill No. 2427 is a bill that addresses several processes that are used by local government. The common theme of the bill's subject is summarized in the intent section as follows: "it is the intent of the legislature that the following sections allow local government to pursue modern methods of serving their residents while preserving the public's right to access public

records, and judiciously using scarce county resources to achieve maximum benefit.

The substantive sections of Substitute House Bill No. 2427 follow that theme: applicable to local governments throughout the state, it increases use of electronic signatures, clarifies several definitions for use in local government processes, simplifies use of warrants, expands the use of internet addresses, streamlines local government bidding procedures, and reduces the amount of information to be included in certain citations.

By contrast, Sen. Benton's proposed amendment substantively modifies the Growth Management Act (GMA) for a single county. Creating specific GMA provisions regarding "freight rail dependent uses," the amendment would alter the powers of one county to differently regulate lands adjacent to short line railroads. This substantive provision has no connection to the purpose of Substitute House Bill No. 2427.

For these reasons, the President finds that Sen. Benton's amendment is not within the scope and object of Substitute House Bill No. 2427, and Senator Liias's point of order is well-taken."

The Senate resumed consideration of Substitute House Bill No. 2427 which had been deferred on the previous day.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2427, by House Committee on Local Government (originally sponsored by Representatives Springer, Stokesbary, Fitzgibbon, Muri, Appleton and Kilduff)

Concerning local government modernization.

The measure was read the second time.

MOTION

Senator Roach moved that the following committee striking amendment by the Committee on Government Operations & Security be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Local governments must be efficient and prudent stewards of our residents' tax resources. To best serve our communities, certain local government statutes must be amended to reflect technological and organizational change. It is the intent of the legislature to clarify current authorities so that local government can better serve their residents, and it is the intent of the legislature that the following sections allow local government to pursue modern methods of serving their residents while preserving the public's right to access public records, and judiciously using scarce county resources to achieve maximum benefit.

Sec. 2. RCW 19.360.020 and 2015 c 72 s 2 are each amended to read as follows:

(1) Unless specifically provided otherwise by law or agency rule, whenever the use of a written signature is authorized or required by this code with a state or local agency, an electronic signature may be used with the same force and effect as the use of a signature affixed by hand, as long as the electronic signature conforms to the definition in RCW 19.360.030 and the writing conforms to RCW 19.360.040.

(2) Except as otherwise provided by law, each state or local agency may determine whether, and to what extent, the agency will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

records and electronic signatures. Nothing in this act requires a state or local agency to send or accept electronic records or electronic signatures when a writing or signature is required by statute.

(3) Except as otherwise provided by law, for governmental affairs and governmental transactions with state agencies, each state agency electing to send and accept shall establish the method that must be used for electronic submissions and electronic signatures. The method and process for electronic submissions and the use of electronic signatures must be established by policy or rule and be consistent with the policies, standards, or guidance established by the chief information officer required in subsection (4) of this section.

(4)(a) The chief information officer, in coordination with state agencies, must establish standards, guidelines, or policies for the electronic submittal and receipt of electronic records and electronic signatures for governmental affairs and governmental transactions. The standards, policies, or guidelines must take into account reasonable access by and ability of persons to participate in governmental affairs or governmental transactions and be able to rely on transactions that are conducted electronically with agencies. Through the standards, policies, or guidelines, the chief information officer should encourage and promote consistency and interoperability among state agencies.

(b) In order to provide a single point of access, the chief information officer must establish a web site that maintains or links to the agency rules and policies established pursuant to subsection (3) of this section.

(5) Except as otherwise provided by law, for governmental affairs and governmental transactions with local agencies, each local agency electing to send and accept shall establish the method that must be used for electronic submissions and electronic signatures. The method and process for electronic submissions and the use of electronic signatures must be established by ordinance, resolution, policy, or rule. The local agency shall also establish standards, guidelines, or policies for the electronic submittal and receipt of electronic records and electronic signatures for governmental affairs and governmental transactions. The standards, policies, or guidelines must take into account reasonable access by and ability of persons to participate in governmental affairs or governmental transactions and be able to rely on transactions that are conducted electronically with agencies.

Sec. 3. RCW 19.360.030 and 2015 c 72 s 3 are each amended to read as follows:

(1) Unless specifically provided otherwise by law or rule or unless the context clearly indicates otherwise, whenever the term "signature" is used in this code for governmental affairs and is authorized by state or local agency ordinance, resolution, rule, or policy pursuant to RCW 19.360.020, the term includes an electronic signature as defined in subsection (2) of this section.

(2) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record.

Sec. 4. RCW 19.360.040 and 2015 c 72 s 4 are each amended to read as follows:

(1) Unless specifically provided otherwise by law or rule or unless the context clearly indicates otherwise, whenever the term "writing" is used in this code for governmental affairs and is authorized by state or local agency ordinance, resolution, rule, or policy pursuant to RCW 19.360.020, the term means a record.

(2) "Record," as used in subsection (1) of this section, means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in

perceivable form, except as otherwise defined for the purpose of state or local agency record retention, preservation, or disclosure.

Sec. 5. RCW 19.360.050 and 2015 c 72 s 5 are each amended to read as follows:

(1) Unless specifically provided otherwise by law or rule or unless the context clearly indicates otherwise, whenever the term "mail" is used in this code and authorized by state or local agency ordinance, resolution, rule, or policy pursuant to RCW 19.360.020 to transmit a writing with a state or local agency, the term includes the use of mail delivered through an electronic system such as email or secure mail transfer if authorized by the state agency in rule.

(2) For the purposes of this section, "electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

Sec. 6. RCW 19.360.060 and 2015 c 72 s 6 are each amended to read as follows:

For purposes of RCW 19.360.020 through 19.360.050, "state agency" means any state board, commission, bureau, committee, department, institution, division, or tribunal in the executive branch of state government, including statewide elected offices and institutions of higher education created and supported by the state government. "Local agency" means every county, city, town, municipal corporation, quasi-municipal corporation, special purpose district, or other local public agency.

Sec. 7. RCW 36.62.252 and 1984 c 26 s 20 are each amended to read as follows:

Every county which maintains a county hospital or infirmary shall establish a "county hospital fund" into which fund shall be deposited all unrestricted moneys received from any source for hospital or infirmary services including money received for services to recipients of public assistance and other persons without income and resources sufficient to secure such services. The county may maintain other funds for restricted moneys. Obligations incurred by the hospital shall be paid from such funds by the county treasurer in the same manner as general county obligations are paid, except that in counties where a contract has been executed in accordance with RCW 36.62.290, warrants may be issued by the hospital administrator for the hospital, if authorized by the county legislative authority and the county treasurer. The county treasurer shall furnish to the county legislative authority a monthly report of receipts and disbursements in the county hospital funds which report shall also show the balance of cash on hand.

Sec. 8. RCW 36.32.235 and 2009 c 229 s 6 are each amended to read as follows:

(1) In each county with a population of four hundred thousand or more which by resolution establishes a county purchasing department, the purchasing department shall enter into leases of personal property on a competitive basis and purchase all supplies, materials, and equipment on a competitive basis, for all departments of the county, as provided in this chapter and chapter 39.04 RCW, except that the county purchasing department is not required to make purchases that are paid from the county road fund or equipment rental and revolving fund.

(2) As used in this section, "public works" has the same definition as in RCW 39.04.010.

(3) Except as otherwise specified in this chapter or in chapter 36.77 RCW, all counties subject to these provisions shall contract on a competitive basis for all public works after bids have been submitted to the county upon specifications therefor. Such specifications shall be in writing and shall be filed with the clerk of the county legislative authority for public inspection.

(4) An advertisement shall be published in the county official newspaper stating the time and place where bids will be opened,

the time after which bids will not be received, the character of the work to be done, the materials and equipment to be furnished, and that specifications therefor may be seen at the office of the clerk of the county legislative authority. An advertisement shall also be published in a legal newspaper of general circulation in or as near as possible to that part of the county in which such work is to be done. If the county official newspaper is a newspaper of general circulation covering at least forty percent of the residences in that part of the county in which such public works are to be done, then the publication of an advertisement of the applicable specifications in the county official newspaper is sufficient. Such advertisements shall be published at least once at least thirteen days prior to the last date upon which bids will be received.

(5) The bids shall be in writing, may be in either hard copy or electronic form as specified by the county, shall be filed with the clerk, shall be opened and read in public at the time and place named therefor in the advertisements, and after being opened, shall be filed for public inspection. No bid may be considered for public work unless it is accompanied by a bid deposit in the form of a surety bond, postal money order, cash, cashier's check, or certified check in an amount equal to five percent of the amount of the bid proposed.

(6) The contract for the public work shall be awarded to the lowest responsible bidder. Any or all bids may be rejected for good cause. The county legislative authority shall require from the successful bidder for such public work a contractor's bond in the amount and with the conditions imposed by law.

(7) If the bidder to whom the contract is awarded fails to enter into the contract and furnish the contractor's bond as required within ten days after notice of the award, exclusive of the day of notice, the amount of the bid deposit shall be forfeited to the county and the contract awarded to the next lowest and best bidder. The bid deposit of all unsuccessful bidders shall be returned after the contract is awarded and the required contractor's bond given by the successful bidder is accepted by the county legislative authority. Immediately after the award is made, the bid quotations obtained shall be recorded and open to public inspection and shall be available by telephone inquiry.

(8) As limited by subsection (10) of this section, a county subject to these provisions may have public works performed by county employees in any annual or biennial budget period equal to a dollar value not exceeding ten percent of the public works construction budget, including any amount in a supplemental public works construction budget, over the budget period.

Whenever a county subject to these provisions has had public works performed in any budget period up to the maximum permitted amount for that budget period, all remaining public works except emergency work under subsection (12) of this section within that budget period shall be done by contract pursuant to public notice and call for competitive bids as specified in subsection (3) of this section. The state auditor shall report to the state treasurer any county subject to these provisions that exceeds this amount and the extent to which the county has or has not reduced the amount of public works it has performed by public employees in subsequent years.

(9) If a county subject to these provisions has public works performed by public employees in any budget period that are in excess of this ten percent limitation, the amount in excess of the permitted amount shall be reduced from the otherwise permitted amount of public works that may be performed by public employees for that county in its next budget period. Ten percent of the motor vehicle fuel tax distributions to that county shall be withheld if two years after the year in which the excess amount of work occurred, the county has failed to so reduce the amount of public works that it has performed by public employees. The amount withheld shall be distributed to the county when it has

demonstrated in its reports to the state auditor that the amount of public works it has performed by public employees has been reduced as required.

(10) In addition to the percentage limitation provided in subsection (8) of this section, counties subject to these provisions containing a population of four hundred thousand or more shall not have public employees perform a public works project in excess of ninety thousand dollars if more than a single craft or trade is involved with the public works project, or a public works project in excess of forty-five thousand dollars if only a single craft or trade is involved with the public works project. A public works project means a complete project. The restrictions in this subsection do not permit the division of the project into units of work or classes of work to avoid the restriction on work that may be performed by public employees on a single project.

The cost of a separate public works project shall be the costs of materials, supplies, equipment, and labor on the construction of that project. The value of the public works budget shall be the value of all the separate public works projects within the budget.

(11) In addition to the accounting and recordkeeping requirements contained in chapter 39.04 RCW, any county which uses public employees to perform public works projects under RCW 36.32.240(1) shall prepare a year-end report to be submitted to the state auditor indicating the total dollar amount of the county's public works construction budget and the total dollar amount for public works projects performed by public employees for that year.

The year-end report submitted pursuant to this subsection to the state auditor shall be in accordance with the standard form required by RCW 43.09.205.

(12) Notwithstanding any other provision in this section, counties may use public employees without any limitation for emergency work performed under an emergency declared pursuant to RCW 36.32.270, and any such emergency work shall not be subject to the limitations of this section. Publication of the description and estimate of costs relating to correcting the emergency may be made within seven days after the commencement of the work. Within two weeks of the finding that such an emergency existed, the county legislative authority shall adopt a resolution certifying the damage to public facilities and costs incurred or anticipated relating to correcting the emergency. Additionally this section shall not apply to architectural and engineering or other technical or professional services performed by public employees in connection with a public works project.

(13) In lieu of the procedures of subsections (3) through (11) of this section, a county may let contracts using the small works roster process provided in RCW 39.04.155.

Whenever possible, the county shall invite at least one proposal from a minority or woman contractor who shall otherwise qualify under this section.

(14) The allocation of public works projects to be performed by county employees shall not be subject to a collective bargaining agreement.

(15) This section does not apply to performance-based contracts, as defined in RCW 39.35A.020(4), that are negotiated under chapter 39.35A RCW.

(16) Nothing in this section prohibits any county from allowing for preferential purchase of products made from recycled materials or products that may be recycled or reused.

(17) This section does not apply to contracts between the public stadium authority and a team affiliate under RCW 36.102.060(4), or development agreements between the public stadium authority and a team affiliate under RCW 36.102.060(7) or leases entered into under RCW 36.102.060(8).

Sec. 9. RCW 36.32.245 and 2007 c 88 s 1 are each amended to read as follows:

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(1) No contract for the purchase of materials, equipment, or supplies may be entered into by the county legislative authority or by any elected or appointed officer of the county until after bids have been submitted to the county. Bid specifications shall be in writing and shall be filed with the clerk of the county legislative authority for public inspection. An advertisement shall be published in the official newspaper of the county stating the time and place where bids will be opened, the time after which bids will not be received, the materials, equipment, supplies, or services to be purchased, and that the specifications may be seen at the office of the clerk of the county legislative authority. The advertisement shall be published at least once at least thirteen days prior to the last date upon which bids will be received.

(2) The bids shall be in writing, may be in either hard copy or electronic form as specified by the county, and shall be filed with the clerk. The bids shall be opened and read in public at the time and place named in the advertisement. Contracts requiring competitive bidding under this section may be awarded only to the lowest responsible bidder. Immediately after the award is made, the bid quotations shall be recorded and open to public inspection and shall be available by telephone inquiry. Any or all bids may be rejected for good cause.

(3) For advertisement and formal sealed bidding to be dispensed with as to purchases between ((five)) ten thousand and ((twenty-five)) fifty thousand dollars, the county legislative authority must use the uniform process to award contracts as provided in RCW 39.04.190. Advertisement and formal sealed bidding may be dispensed with as to purchases of less than ((five)) ten thousand dollars upon the order of the county legislative authority.

(4) This section does not apply to performance-based contracts, as defined in RCW 39.35A.020(4), that are negotiated under chapter 39.35A RCW; or contracts and purchases for the printing of election ballots, voting machine labels, and all other election material containing the names of candidates and ballot titles.

(5) Nothing in this section shall prohibit the legislative authority of any county from allowing for preferential purchase of products made from recycled materials or products that may be recycled or reused.

(6) This section does not apply to contracting for public defender services by a county.

Sec. 10. RCW 35.58.585 and 2008 c 123 s 2 are each amended to read as follows:

(1) Both a metropolitan municipal corporation and a city-owned transit system may establish, by resolution, a schedule of fines and penalties for civil infractions established in RCW 35.58.580. Fines established shall not exceed those imposed for class 1 infractions under RCW 7.80.120.

(2)(a) Both a metropolitan municipal corporation and a city-owned transit system may designate persons to monitor fare payment who are equivalent to, and are authorized to exercise all the powers of, an enforcement officer as defined in RCW 7.80.040. Both a metropolitan municipal corporation and a city-owned transit system may employ personnel to either monitor fare payment or contract for such services, or both.

(b) In addition to the specific powers granted to enforcement officers under RCW 7.80.050 and 7.80.060, persons designated to monitor fare payment may also take the following actions:

- (i) Request proof of payment from passengers;
- (ii) Request personal identification from a passenger who does not produce proof of payment when requested;
- (iii) Issue a citation for a civil infraction established in RCW 35.58.580 conforming to the requirements established in RCW 7.80.070, except that the form for the notice of civil infraction

must be approved by the administrative office of the courts and must not include vehicle information; and

(iv) Request that a passenger leave the bus or other mode of public transportation when the passenger has not produced proof of payment after being asked to do so by a person designated to monitor fare payment.

(3) Both a metropolitan municipal corporation and a city-owned transit system shall keep records of citations in the manner prescribed by RCW 7.80.150. All civil infractions established by this section and RCW 35.58.580 and 35.58.590 shall be heard and determined by a district court as provided in RCW 7.80.010 (1) and (4).

Sec. 11. RCW 36.57A.030 and 1977 ex.s. c 44 s 1 are each amended to read as follows:

Any conference which finds it desirable to establish a public transportation benefit area or change the boundaries of any existing public transportation benefit area shall fix a date for a public hearing thereon, or the legislative bodies of any two or more component cities or the county legislative body by resolution may require the public transportation improvement conference to fix a date for a public hearing thereon. Prior to the convening of the public hearing, the county governing body shall delineate the area of the county proposed to be included within the transportation benefit area, and shall furnish a copy of such delineation to each incorporated city within such area. Each city shall advise the county governing body, on a preliminary basis, of its desire to be included or excluded from the transportation benefit area by means of an ordinance adopted by the legislative body of that city. The county governing body shall cause the delineations to be revised to reflect the wishes of such incorporated cities. This delineation shall be considered by the conference at the public hearing for inclusion in the public transportation benefit area.

Notice of such hearing shall be published once a week for at least four consecutive weeks in one or more newspapers of general circulation within the area. The notice shall contain a description and map of the boundaries of the proposed public transportation benefit area and shall state the time and place of the hearing and the fact that any changes in the boundaries of the public transportation benefit area will be considered at such time and place. At such hearing or any continuation thereof, any interested person may appear and be heard on all matters relating to the effect of the formation of the proposed public transportation benefit area.

The conference may make such changes in the boundaries of the public transportation benefit area as they shall deem reasonable and proper, but may not delete any portion of the proposed area which will create an island of included or excluded lands, and may not delete a portion of any city. If the conference shall determine that any additional territory should be included in the public transportation benefit area, a second hearing shall be held and notice given in the same manner as for the original hearing. The conference may adjourn the hearing on the formation of a public transportation benefit area from time to time not exceeding thirty days in all.

Following the conclusion of such hearing the conference shall adopt a resolution fixing the boundaries of the proposed public transportation benefit area, declaring that the formation of the proposed public transportation benefit area will be conducive to the welfare and benefit of the persons and property therein.

Within thirty days of the adoption of such conference resolution, the county legislative authority of each county wherein a conference has established proposed boundaries of a public transportation benefit area, may by resolution, upon making a legislative finding that the proposed benefit area

includes portions of the county which could not be reasonably expected to benefit from such benefit area or excludes portions of the county which could be reasonably expected to benefit from its creation, disapprove and terminate the establishment of such public transportation benefit area within such county."

On page 1, line 1 of the title, after "modernization;" strike the remainder of the title and insert "amending RCW 19.360.020, 19.360.030, 19.360.040, 19.360.050, 19.360.060, 36.62.252, 36.32.235, 36.32.245, 35.58.585, and 36.57A.030; and creating a new section."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Government Operations & Security to Substitute House Bill No. 2427.

The motion by Senator Roach carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Roach, the rules were suspended, Substitute House Bill No. 2427, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2427, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2427, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Cleveland, Dandel and Hasegawa

Excused: Senator Hill

SUBSTITUTE HOUSE BILL NO. 2427, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Rolfes: "Mr. President, I wanted to recognize for members that were paying attention and for members of the public that on that last bill, 2427, we were able to witness the clash of the parliamentary titans. It's Senator Benton versus Senator Liias. I wanted to congratulate both of you on your creativity and your will to work for the people of the state."

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MOTION

On motion of Senator Habib, and without objection, Senators Fraser and Habib were excused.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The Speaker has signed:

HOUSE BILL NO. 1022,
 SUBSTITUTE HOUSE BILL NO. 1111,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1213,
 HOUSE BILL NO. 1345,
 ENGROSSED HOUSE BILL NO. 1409,
 ENGROSSED HOUSE BILL NO. 1578,
 ENGROSSED HOUSE BILL NO. 1752,
 SUBSTITUTE HOUSE BILL NO. 1830,
 HOUSE BILL NO. 1858,
 FOURTH SUBSTITUTE HOUSE BILL NO. 1999,
 HOUSE BILL NO. 2023,
 HOUSE BILL NO. 2262,
 HOUSE BILL NO. 2280,
 HOUSE BILL NO. 2309,
 HOUSE BILL NO. 2317,
 HOUSE BILL NO. 2322,
 SUBSTITUTE HOUSE BILL NO. 2357,
 HOUSE BILL NO. 2360,
 HOUSE BILL NO. 2371,
 HOUSE BILL NO. 2384,
 HOUSE BILL NO. 2398,
 ENGROSSED HOUSE BILL NO. 2400,
 HOUSE BILL NO. 2403,
 SUBSTITUTE HOUSE BILL NO. 2405,
 SUBSTITUTE HOUSE BILL NO. 2410,
 SUBSTITUTE HOUSE BILL NO. 2413,
 SUBSTITUTE HOUSE BILL NO. 2425,
 HOUSE BILL NO. 2432,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2433,
 SUBSTITUTE HOUSE BILL NO. 2443,
 HOUSE BILL NO. 2444,
 SUBSTITUTE HOUSE BILL NO. 2448,
 HOUSE BILL NO. 2457,
 HOUSE BILL NO. 2476,
 SUBSTITUTE HOUSE BILL NO. 2498,
 HOUSE BILL NO. 2516,
 HOUSE BILL NO. 2520,
 HOUSE BILL NO. 2521,
 SUBSTITUTE HOUSE BILL NO. 2539,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540,
 HOUSE BILL NO. 2557,
 HOUSE BILL NO. 2565,
 HOUSE BILL NO. 2587,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2591,
 HOUSE BILL NO. 2597,
 SUBSTITUTE HOUSE BILL NO. 2598,
 HOUSE BILL NO. 2599,
 HOUSE BILL NO. 2605,
 HOUSE BILL NO. 2623,
 HOUSE BILL NO. 2624,
 HOUSE BILL NO. 2634,
 HOUSE BILL NO. 2651,
 HOUSE BILL NO. 2663,
 SUBSTITUTE HOUSE BILL NO. 2678,
 SECOND SUBSTITUTE HOUSE BILL NO. 2726,

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

ENGROSSED HOUSE BILL NO. 2745,
 SUBSTITUTE HOUSE BILL NO. 2765,
 HOUSE BILL NO. 2768,
 HOUSE BILL NO. 2772,
 HOUSE BILL NO. 2773,
 HOUSE BILL NO. 2781,
 HOUSE BILL NO. 2800,
 HOUSE BILL NO. 2807,
 HOUSE BILL NO. 2815,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2852,
 SUBSTITUTE HOUSE BILL NO. 2859,
 SUBSTITUTE HOUSE BILL NO. 2875,
 SUBSTITUTE HOUSE BILL NO. 2884,
 HOUSE BILL NO. 2886,
 SUBSTITUTE HOUSE BILL NO. 2900,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2925.
 and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1408, by House Committee on Education (originally sponsored by Representatives Ortiz-Self, Magendanz, Sawyer, Santos, Senn, Robinson, Orwall, Tarleton, Bergquist and Gregerson)

Concerning the development of a definition and model for "family engagement coordinator" and other terms used interchangeably with it.

The measure was read the second time.

MOTION

On motion of Senator Litzow, the rules were suspended, Second Substitute House Bill No. 1408 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1408.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1408 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Frockt, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dansel, Erickson and Padden
 Excused: Senators Fraser, Habib and Hill

SECOND SUBSTITUTE HOUSE BILL NO. 1408, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2883, by Representatives Senn, Chandler and Ormsby

Addressing government efficiency by eliminating or revising the requirements for state agency reports.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, Engrossed House Bill No. 2883 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Roach and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2883.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2883 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 2; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Erickson, Fain, Frockt, Hargrove, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Hasegawa and Nelson
 Excused: Senators Fraser, Habib and Hill

ENGROSSED HOUSE BILL NO. 2883, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 2771, by Representatives Bergquist and Johnson

Concerning public hospital district contracts for material and work.

The measure was read the second time.

MOTION

On motion of Senator Roach, the rules were suspended, House Bill No. 2771 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2771.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2771 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Frockt, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Fraser, Habib and Hill

HOUSE BILL NO. 2771, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2511, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Pike, Scott, Vick, Shea, Walsh and Young)

Concerning child care center licensing requirements.

The measure was read the second time.

MOTION

Senator Billig moved that the following amendment no. 707 by Senators Billig and Rivers beginning on page 1, line 18 be adopted:

Beginning on page 1, line 18, strike all of section 2 and insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 43.215 RCW to read as follows:

For children ages sixty months through six years, the child's school enrollment status may not be used as a reason to require the child be placed within a specific mixed-age group. Nothing in this section changes or requires the department to change the staff-to-child ratio requirements for mixed-age groups that include children who are ages thirty months through six years."

Senators Billig and Benton spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 707 by Senators Billig and Rivers on page 1, line 18 to Engrossed Substitute House Bill No. 2511.

The motion by Senator Billig carried and amendment no. 707 was adopted by voice vote.

MOTION

On motion of Senator Benton, the rules were suspended, Engrossed Substitute House Bill No. 2511, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Benton spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2511, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2511 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hill

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2511, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED HOUSE BILL NO. 2959, by Representatives Lytton, Nealey and Ormsby

Concerning local business tax and licensing simplification.

The measure was read the second time.

MOTION

Senator Brown moved that the following committee striking amendment by the Committee on Trade & Economic Development be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that over forty cities currently impose local business and occupation taxes and that approximately two hundred twelve cities require a business license. The legislature further finds that, unlike sales and use taxes and property taxes, the state has had little involvement in the administration of local business taxes. The legislature further finds that the business community has expressed concerns for decades with respect to local tax compliance and licensing obligations in numerous cities, which often tax and license similar transactions very differently. This lack of local uniformity, in conjunction with any lack of centralized administration, has created confusion and an undue burden on Washington businesses, especially smaller businesses that lack the financial wherewithal to seek sophisticated tax and licensing assistance.

(2) The legislature further finds that over the past fifteen years, the state and cities have made the following substantial inroads with respect to bringing uniformity to local business and occupation tax provisions and streamlining the collection of both local taxes and business licenses:

(a) In 2003, the legislature enacted Engrossed House Bill No. 2030 that provided for a more uniform system of municipal business and occupation taxes. It required the cities, working through the association of Washington cities, to form a committee to adopt a model ordinance for municipal business and occupation

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

taxes. Engrossed House Bill No. 2030, through the model ordinance, establishes uniform local definitions, tax classifications, and apportionment methodology.

(b) In 1977, the legislature created a master license service to streamline business licensing and renewal. The program transferred to the department of revenue on July 1, 2011. The master license service was renamed to the business licensing service to better reflect the program's purpose: The business licensing service is the clearinghouse for business licensing, offering more than two hundred endorsements from ten state agency partners, and issuing local business licenses on behalf of approximately seventy cities, with more cities joining every year. Agency programs and municipalities retain full regulatory control over their registration and compliance requirements.

(c) In 2010, the governor signed Executive Order No. 10-05 – improving the way state government serves small business. The order outlined priorities to make it easier to do business in Washington state. In the executive order, the department was specifically charged with exploring, evaluating, and recommending tax simplification solutions as a way to assist small businesses, draw businesses to the state, and keep Washington competitive. The order called for a business process with findings and recommendations due to the governor by June 30, 2011. Based on extensive feedback from small businesses, there was consensus that the top priority to simplify their tax burden is to have a single way to file taxes across the state. To meet this need, the department of revenue recommended centralizing administration of state and local business and occupation tax reporting, as is done with sales tax reporting today. In addition, the department recommended continued work to address feedback on administrative processes and ongoing efforts to look at integration of state systems, working towards a goal of a single business portal for small businesses to use to interact with the state. As part of the feedback provided to the department of revenue, local governments pointed out the following benefits of centralized administration, if it was revenue neutral and retained local flexibility regarding local tax rates, exemptions, deductions, and credits:

- (i) Reduce cities' administrative costs;
- (ii) Allow cities that cannot afford administration to have the option of enacting a local business and occupation tax;
- (iii) Increase statewide economic data;
- (iv) Reduce cities' employee workloads;
- (v) Potentially increase enforcement and broaden compliance;
- (vi) Eliminate redundant processes; and
- (vii) Provide an opportunity for state and local government to look at tax structure, reporting, etc., holistically.

(d) The cities of Seattle, Tacoma, Bellevue, and Everett have been working together since 2010 to simplify the process of local business licensing and business and occupation tax filing. In 2014, these cities signed an interlocal agreement to establish a "one-stop" system for tax payment and business license application filing to make it easier and more efficient for businesses to apply for local business licenses and file local taxes, while the cities retain local control over local licensing and tax collection functions and policies. This joint effort to create an internet web application gateway where tax collection and business licensing functions can be collectively administered, and where businesses operating in multiple cities can use a one-stop system for tax payment or local business license application filing, began operations in 2016 and is known as FileLocal.

(3) The legislature finds that despite the significant improvements to local business tax and licensing administration over the past fifteen years legislative action is still required. The

legislature directs the state, cities, towns, and identified business associations to partner in developing options for centralized and simplified administration of local business and occupation taxes and business licensing, and in particular to evaluate the following:

(a) Options to coordinate administration of local business and occupation taxes;

(b) Options for centralized administration of local business and occupation taxes for those cities and towns that desire to participate in a state-provided alternative;

(c) Options for all cities and towns to partner with the state business licensing service; and

(d) Implementing data sharing and establishing a seamless state and local user interface for those cities and towns participating in FileLocal.

(4)(a) By January 1, 2017, the task force established in subsection (5) of this section must prepare legislation for introduction in 2017 that addresses the issues described in subsection (3) of this section.

(b) In conjunction with the legislation prepared by the task force under (a) of this subsection (4), the task force must also provide a report to the legislature by January 1, 2017, with the following:

(i) Additional or alternative options to improve the administration of local business tax and licensing that are not described in subsection (3) of this section; and

(ii) An examination of the differences in apportionment and nexus between state and local business and occupation taxes, and how these differences affect taxpayers and cities.

(5)(a) A task force for local business tax and licensing simplification is established. The task force must consist of the following nine members:

(i) Two representatives of the association of Washington business;

(ii) One representative of the national federation of independent business;

(iii) One representative of the association of Washington cities;

(iv) One representative from a Washington city or town that imposes a local business and occupation tax and has a population greater than one hundred thousand persons using the most recent official population estimate determined under RCW 43.62.030 prior to the effective date of this section;

(v) One representative from a Washington city or town that imposes a business and occupation tax and has a population of less than one hundred thousand persons using the most recent official population estimate determined under RCW 43.62.030 prior to the effective date of this section;

(vi) One representative from FileLocal who is not otherwise included on the task force under (a)(iv) or (v) of this subsection (5);

(vii) One representative from the Washington retail association; and

(viii) One representative from the department of revenue.

(b) The task force may seek input or collaborate with any other parties it deems necessary. The department must serve as the task force chair and must staff the task force.

(c) Beginning in the first month following the effective date of this section, the task force must meet no less than once per month until it reports to the legislature as provided under subsection (4) of this section.

(d) The task force should focus on options that provide the greatest benefit to taxpayers. From these options, the task force must produce the report and legislation described in subsection (4) of this section. The legislation and report must be adopted and approved by a majority of the members of the task force, and the

report must include a minority report if the task force does not reach consensus. If a member or a group to be represented in the task force does not participate in the task force or the task force's voting, the task force must adopt and approve the legislation and report described in subsection (4) of this section by a majority of those representatives participating.

(e) The task force terminates February 1, 2017, unless legislation is enacted to extend such termination date."

On page 1, line 2 of the title, after "simplification;" strike the remainder of the title and insert "and creating a new section."

MOTION

Senator Litzow moved that the following amendment no. 712 by Senators Litzow and Habib on page 3, line 32 to the committee striking amendment be adopted:

On page 3, line 32 of the amendment, strike all of subsection (4) and insert the following:

"(4) By January 1, 2017, the task force established in subsection (5) of this section must prepare a report to the legislature with the following:

(a) Additional or alternative options to improve the administration of local business tax and licensing that are not described in subsection (3) of this section;

(b) An examination of the differences in apportionment and nexus between state and local business and occupation taxes, and how these differences affect taxpayers and cities; and

(c) Recommendations that address the issues described in subsection (3) of this section."

On page 4, line 40, after "report" strike "and legislation"

On page 5, line 1, after "section. The" strike "legislation and"

On page 5, line 6, after "approve the" strike "legislation and"

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Litzow and Pedersen spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no 712 by Senators Litzow and Habib to the committee striking amendment to Engrossed House Bill No. 2959.

The motion by Senator Litzow carried and the amendment was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Trade & Economic Development, as amended, to Engrossed House Bill No. 2959.

The motion by Senator Brown carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Brown, the rules were suspended, Engrossed House Bill No. 2959, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Angel, Chase, Ranker and Baumgartner spoke in favor of passage of the bill.

Senator Carlyle spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2959, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2959, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 43; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Lias, Litzow, McAuliffe, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Fraser, Frockt, Habib, Jayapal and McCoy

ENGROSSED HOUSE BILL NO. 2959, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1130, by House Committee on Environment (originally sponsored by Representatives Fey, Short, Tharinger, Fitzgibbon and Gregerson)

Concerning water power license fees.

The measure was read the second time.

MOTION

Senator Ericksen moved that the following striking amendment no. 711 by Senators Ericksen and McCoy be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 90.16.050 and 2007 c 286 s 1 are each amended to read as follows:

(1) Every person, firm, private or municipal corporation, or association hereinafter called "claimant", claiming the right to the use of water within or bordering upon the state of Washington for power development, shall on or before the first day of January of each year pay to the state of Washington in advance an annual license fee, based upon the theoretical water power claimed under each and every separate claim to water according to the following schedule:

(a) For projects in operation: For each and every theoretical horsepower claimed up to and including one thousand horsepower, at the rate of eighteen cents per horsepower; for each and every theoretical horsepower in excess of one thousand horsepower, up to and including ten thousand horsepower, at the rate of three and six-tenths cents per horsepower; for each and every theoretical horsepower in excess of ten thousand horsepower, at the rate of one and eight-tenths cents per horsepower.

(b) For federal energy regulatory commission projects in operation that are subject to review for certification under section 401 of the federal clean water act, the following fee schedule applies in addition to the fees in (a) of this subsection: For each theoretical horsepower of capacity up to and including one thousand horsepower, at the rate of thirty-two cents per horsepower; for each theoretical horsepower in excess of one thousand horsepower, up to and including ten thousand horsepower, at the rate of six and four-tenths cents per

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

horsepower; for each theoretical horsepower in excess of ten thousand horsepower, at the rate of three and two-tenths cents per horsepower.

(c) To justify the appropriate use of fees collected under (b) of this subsection, the department of ecology shall submit a progress report to the appropriate committees of the legislature prior to December 31, 2009, and biennially thereafter ((until December 31, 2017)).

(i) The progress report will: (A) Describe how license fees and other funds used for the work of the licensing program were expended in direct support of the federal energy regulatory commission licensing process and license implementation during the current biennium, and expected workload and full-time equivalent employees for federal energy regulatory commission licensing in the next biennium. In order to increase the financial accountability of the licensing, relicensing, and license implementation program, the report must include the amount of licensing fees and program funds that were expended on licensing work associated with each hydropower project. This project-specific program expenditure list must detail the program costs and staff time associated with each hydropower project during the time period immediately prior to license issuance process, the program costs and staff time deriving from the issuance or reissuance of a license to each hydropower project, and the program costs and staff time associated with license implementation after the issuance or reissuance of a license to a hydropower project. This program cost and staff time information must be collected beginning July 1, 2016, and included in biennial reports addressing program years 2016 or later. The report must also include an estimate of the total workload, program costs, and staff time for work associated with either certification under section 401 of the federal clean water act or license implementation for federally licensed hydropower projects expected to occur in the next reporting period, or both. In addition, the report must provide sufficient information to determine that the fees charged are not for activities already performed by other state or federal agencies or tribes that have jurisdiction over a specific license requirement and that duplicative work and expense is avoided; (B) include any recommendations based on consultation with the departments of ecology and fish and wildlife, hydropower project operators, and other interested parties; and (C) recognize hydropower operators that exceed their environmental regulatory requirements.

(ii) The fees required in (b) of this subsection expire June 30, ((2017)) 2023. The biennial progress reports submitted by the department of ecology will serve as a record for considering the extension of the fee structure in (b) of this subsection.

(2) The following are exceptions to the fee schedule in subsection (1) of this section:

(a) For undeveloped projects, the fee shall be at one-half the rates specified for projects in operation; for projects partly developed and in operation the fees paid on that portion of any project that shall have been developed and in operation shall be the full annual license fee specified in subsection (1) of this section for projects in operation, and for the remainder of the power claimed under such project the fees shall be the same as for undeveloped projects.

(b) The fees required in subsection (1) of this section do not apply to any hydropower project owned by the United States.

(c) The fees required in subsection (1) of this section do not apply to the use of water for the generation of fifty horsepower or less.

(d) The fees required in subsection (1) of this section for projects developed by an irrigation district in conjunction with the irrigation district's water conveyance system shall be reduced by

fifty percent to reflect the portion of the year when the project is not operable.

(e) Any irrigation district or other municipal subdivision of the state, developing power chiefly for use in pumping of water for irrigation, upon the filing of a statement showing the amount of power used for irrigation pumping, is exempt from the fees in subsection (1) of this section to the extent of the power used for irrigation pumping.

(3) In order to ensure accountability in the licensing, relicensing, and license implementation programs of the department of ecology and the department of fish and wildlife, the departments must implement the following administrative requirements:

(a)(i) Both the department of ecology and the department of fish and wildlife must be responsible for producing an annual work plan that addresses the work anticipated to be completed by each department associated with federal hydropower licensing and license implementation.

(ii) Both the department of ecology and the department of fish and wildlife must assign one employee to each licensed hydropower project to act as each department's designated licensing and implementation lead for a hydropower project. The responsibility assigned by each department to hydropower project licensing and implementation leads must include resolving conflicts with the license applicant or license holder and the facilitation of department decision making related to license applications and license implementation for the particular hydropower project assigned to a licensing lead.

(b) The department of ecology and the department of fish and wildlife must host an annual meeting with parties interested in or affected by hydropower project licensing and the associated fees charged under this section. The purposes of the annual meeting must include soliciting information from interested parties related to the annual hydropower work plan required by (a) of this subsection and to the biennial progress report produced pursuant to subsection (1)(c)(i) of this section.

(c) Prior to the annual meeting required by (b) of this subsection, the department of fish and wildlife and the department of ecology must circulate a survey to hydropower licensees soliciting feedback on the responsiveness of department staff, clarity of staff roles and responsibilities in the hydropower licensing and implementation process, and other topics related to the professionalism and expertise of department staff assigned to hydropower project licensing projects. This survey must be designed by the department of fish and wildlife and the department of ecology after consulting with hydropower licensees and the results of the survey must be included in the biennial progress report produced pursuant to subsection (1)(c)(i) of this section. Prior to the annual meeting, the department of ecology and the department of fish and wildlife must analyze the survey results. The departments must present summarized information based on their analysis of survey results at the annual meeting for purposes of discussion with hydropower project licensees."

On page 1, line 1 of the title, after "fees;" strike the remainder of the title and insert "and amending RCW 90.16.050."

Senators Ericksen and McCoy spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Ericksen and McCoy to Substitute House Bill No. 1130.

The motion by Senator Ericksen carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator Ericksen, the rules were suspended, Substitute House Bill No. 1130, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen and McCoy spoke in favor of passage of the bill.

Senators Warnick and Parlette spoke against passage of the bill.

MOTION

On motion of Senator Ericksen, and without objection, Senator Rivers was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1130, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1130, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Takko

Voting nay: Senators Parlette, Pearson and Warnick

SUBSTITUTE HOUSE BILL NO. 1130, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2644, by House Committee on Judiciary (originally sponsored by Representatives Blake, Muri, Van De Wege, Jinkins, Kretz, Short, Fitzgibbon, Rossetti and McBride)

Concerning animal forfeiture in animal cruelty cases.

The measure was read the second time.

MOTION

Senator Padden moved that the following striking amendment no. 729 by Senators Padden and Pedersen be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 16.52.085 and 2011 c 172 s 3 are each amended to read as follows:

(1) If a law enforcement officer or animal control officer has probable cause to believe that an owner of a domestic animal has violated this chapter or a person owns, cares for, or resides with an animal in violation of an order issued under RCW 16.52.200(4) and no responsible person can be found to assume the animal's

care, the officer may authorize, with a warrant, the removal of the animal to a suitable place for feeding and care, or may place the animal under the custody of an animal care and control agency. In determining what is a suitable place, the officer shall consider the animal's needs, including its size and behavioral characteristics. An officer may remove an animal under this subsection without a warrant only if the animal is in an immediate life-threatening condition.

(2) If a law enforcement officer or an animal control officer has probable cause to believe a violation of this chapter has occurred, the officer may authorize an examination of a domestic animal allegedly neglected or abused in violation of this chapter by a veterinarian to determine whether the level of neglect or abuse in violation of this chapter is sufficient to require removal of the animal. This section does not condone illegal entry onto private property.

(3) Any owner whose domestic animal is removed pursuant to this chapter shall be given written notice of the circumstances of the removal and notice of legal remedies available to the owner. The notice shall be given by posting at the place of seizure, by delivery to a person residing at the place of seizure, or by registered mail if the owner is known. In making the decision to remove an animal pursuant to this chapter, the officer shall make a good faith effort to contact the animal's owner before removal.

(4) The agency having custody of the animal may euthanize the animal or may find a responsible person to adopt the animal not less than fifteen business days after the animal is taken into custody. A custodial agency may euthanize severely injured, diseased, or suffering animals at any time. An owner may prevent the animal's destruction or adoption by: (a) Petitioning the district court of the county where the animal was seized for the animal's immediate return subject to court-imposed conditions, or (b) posting a bond or security in an amount sufficient to provide for the animal's care for a minimum of thirty days from the seizure date. If the custodial agency still has custody of the animal when the bond or security expires, the animal shall become the agency's property unless the court orders an alternative disposition. If a court order prevents the agency from assuming ownership and the agency continues to care for the animal, the court shall order the owner to post or renew a bond or security for the agency's continuing costs for the animal's care. When a court has prohibited the owner from owning, caring for, or residing with a similar animal under RCW 16.52.200(4), the agency having custody of the animal may assume ownership upon seizure and the owner may not prevent the animal's destruction or adoption by petitioning the court or posting a bond.

(5) If no criminal case is filed within fourteen business days of the animal's removal, the owner may petition the district court of the county where the animal was removed for the animal's return. The petition shall be filed with the court((, with)). Copies of the petition must be served ((to)) on the law enforcement or animal care and control agency responsible for removing the animal and to the prosecuting attorney. If the court grants the petition, the agency which seized the animal must ((deliver)) surrender the animal to the owner at no cost to the owner. If a criminal action is filed after the petition is filed but before the ((animal is returned,)) hearing on the petition, then the petition shall be joined with the criminal matter.

(6) In a motion or petition for the animal's return before a trial, the burden is on the owner to prove by a preponderance of the evidence that the animal will not suffer future neglect or abuse and is not in need of being restored to health.

(7) Any authorized person treating or attempting to restore an animal to health under this chapter shall not be civilly or criminally liable for such action.

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

Sec. 2. RCW 16.52.200 and 2011 c 172 s 4 are each amended to read as follows:

(1) The sentence imposed for a misdemeanor or gross misdemeanor violation of this chapter may be deferred or suspended in accordance with RCW 3.66.067 and 3.66.068, however the probationary period shall be two years.

(2) In case of multiple misdemeanor or gross misdemeanor convictions, the sentences shall be consecutive, however the probationary period shall remain two years.

(3) In addition to the penalties imposed by the court, the court shall order the forfeiture of all animals held by law enforcement or animal care and control authorities under the provisions of this chapter if any one of the animals involved dies as a result of a violation of this chapter or if the defendant has a prior conviction under this chapter. In other cases the court may enter an order requiring the owner to forfeit the animal if the court deems the animal's treatment to have been severe and likely to reoccur.

(4) Any person convicted of animal cruelty shall be prohibited from owning, caring for, or residing with any similar animals for a period of time as follows:

(a) Two years for a first conviction of animal cruelty in the second degree under RCW 16.52.207;

(b) Permanently for a first conviction of animal cruelty in the first degree under RCW 16.52.205;

(c) Permanently for a second or subsequent conviction of animal cruelty, except as provided in subsection (5) of this section.

(5) If a person has no more than two convictions of animal cruelty and each conviction is for animal cruelty in the second degree, the person may petition the sentencing court in which the most recent animal cruelty conviction occurred, for a restoration of the right to own or possess a similar animal five years after the date of the second conviction. In determining whether to grant the petition, the court shall consider, but not be limited to, the following:

(a) The person's prior animal cruelty in the second degree convictions;

(b) The type of harm or violence inflicted upon the animals;

(c) Whether the person has completed the conditions imposed by the court as a result of the underlying convictions;

(d) Whether the person complied with the prohibition on owning, caring for, or residing with similar animals; and

(e) Any other matters the court finds reasonable and material to consider in determining whether the person is likely to abuse another animal.

The court may delay its decision on forfeiture under subsection (3) of this section until the end of the probationary period.

(6) In addition to fines and court costs, the defendant, only if convicted or in agreement, shall be liable for reasonable costs incurred pursuant to this chapter by law enforcement agencies, animal care and control agencies, or authorized private or public entities involved with the care of the animals. Reasonable costs include expenses of the investigation, and the animal's care, euthanization, or adoption.

(7) If convicted, the defendant shall also pay a civil penalty of one thousand dollars to the county to prevent cruelty to animals. These funds shall be used to prosecute offenses under this chapter and to care for forfeited animals pending trial.

(8) If a person violates the prohibition on owning, caring for, or residing with similar animals under subsection (4) of this section, that person:

(a) Shall pay a civil penalty of one thousand dollars for the first violation;

(b) Shall pay a civil penalty of two thousand five hundred dollars for the second violation; and

(c) Is guilty of a gross misdemeanor for the third and each subsequent violation.

(9) As a condition of the sentence imposed under this chapter or RCW 9.08.070 through 9.08.078, the court may also order the defendant to participate in an available animal cruelty prevention or education program or obtain available psychological counseling to treat mental health problems contributing to the violation's commission. The defendant shall bear the costs of the program or treatment.

(10) Nothing in this section limits the authority of a law enforcement officer, animal control officer, custodial agency, or court to remove, adopt, euthanize, or require forfeiture of an animal under RCW 16.52.085."

On page 1, line 1 of the title, after "cases;" strike the remainder of the title and insert "and amending RCW 16.52.085 and 16.52.200."

Senator Padden spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 729 by Senators Padden and Pedersen to Substitute House Bill No. 2644.

The motion by Senator Padden carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute House Bill No. 2644, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2644, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2644, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Dandel

SUBSTITUTE HOUSE BILL NO. 2644, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senator Carlyle was excused.

SECOND READING

HOUSE BILL NO. 2929, by Representatives Parker, Ormsby and Pollet

Concerning temporary homeless housing by religious organizations.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following amendment no. 725 by Senators O'Ban and Darneille be adopted:

On page 2, line 19, after "fees" insert "on a religious organization"

On page 2, line 22, after "buildings" insert "owned and operated by a religious organization"

On page 2, line 24, after "construction" insert "and are being used for housing the homeless no longer than fifteen continuous days at a time. Buildings owned by religious organizations that are being used for housing the homeless under this subsection must install smoke detectors in accordance with the smoke detector manufacturer's recommendations at the request of the fire code official"

On page 3, line 15, after "fees" insert "on a religious organization"

On page 3, line 18, after "buildings" insert "owned and operated by a religious organization"

On page 3, line 20, after "construction" insert "and are being used for housing the homeless no longer than fifteen continuous days at a time. Buildings owned by religious organizations that are being used for housing the homeless under this subsection must install smoke detectors in accordance with the smoke detector manufacturer's recommendations at the request of the fire code official"

On page 4, line 11, after "fees" insert "on a religious organization"

On page 4, line 14, after "buildings" insert "owned and operated by a religious organization"

On page 4, line 16, after "construction" insert "and are being used for housing the homeless no longer than fifteen continuous days at a time. Buildings owned by religious organizations that are being used for housing the homeless under this subsection must install smoke detectors in accordance with the smoke detector manufacturer's recommendations at the request of the fire code official"

On page 4, after line 27, insert the following:

"NEW SECTION. Sec. 6. The chair and ranking member of the house of representatives local government committee must convene a meeting of stakeholders impacted by the changes made in this act to assess the effectiveness of the provisions of this act no later than November 15, 2017."

On page 1, line 3 of the title, after "19.27 RCW;" strike the remainder of the title and insert "adding a new section to chapter 19.27 RCW; and creating a new section."

Senators O'Ban and Darneille spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 725 by Senators O'Ban and Darneille to House Bill No. 2929.

The motion by Senator O'Ban carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2929, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2929, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2929, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

HOUSE BILL NO. 2929, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2323, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kilduff, Walsh, Stanford, Kagi, Robinson, McBride, Bergquist, Jinkins and Pollet)

Creating the Washington achieving a better life experience program.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Substitute House Bill No. 2323 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2323.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2323 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway,

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2323, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Dansel, and without objection, Senator Ericksen was excused.

MOTION

At 3:40 p.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of a meeting of the Committee on Rules.

The Senate was called to order at 3:43 p.m. by the President of the Senate, Lt. Governor Owen presiding.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1022,
 SUBSTITUTE HOUSE BILL NO. 1111,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1213,
 HOUSE BILL NO. 1345,
 ENGROSSED HOUSE BILL NO. 1409,
 ENGROSSED HOUSE BILL NO. 1578,
 ENGROSSED HOUSE BILL NO. 1752,
 SUBSTITUTE HOUSE BILL NO. 1830,
 FOURTH SUBSTITUTE HOUSE BILL NO. 1999,
 HOUSE BILL NO. 2023,
 HOUSE BILL NO. 2262,
 HOUSE BILL NO. 2280,
 HOUSE BILL NO. 2309,
 HOUSE BILL NO. 2317,
 HOUSE BILL NO. 2322,
 HOUSE BILL NO. 2332,
 SUBSTITUTE HOUSE BILL NO. 2357,
 HOUSE BILL NO. 2360,
 HOUSE BILL NO. 2371,
 HOUSE BILL NO. 2384,
 HOUSE BILL NO. 2398,
 ENGROSSED HOUSE BILL NO. 2400,
 HOUSE BILL NO. 2403,
 SUBSTITUTE HOUSE BILL NO. 2405,
 SUBSTITUTE HOUSE BILL NO. 2410,
 SUBSTITUTE HOUSE BILL NO. 2413,
 SUBSTITUTE HOUSE BILL NO. 2425,
 HOUSE BILL NO. 2432,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2433,
 SUBSTITUTE HOUSE BILL NO. 2443,
 HOUSE BILL NO. 2444,
 SUBSTITUTE HOUSE BILL NO. 2448,

HOUSE BILL NO. 2457,
 HOUSE BILL NO. 2476,
 SUBSTITUTE HOUSE BILL NO. 2498,
 HOUSE BILL NO. 2516,
 HOUSE BILL NO. 2520,
 HOUSE BILL NO. 2521,
 SUBSTITUTE HOUSE BILL NO. 2539,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540,
 HOUSE BILL NO. 2557,
 HOUSE BILL NO. 2565,
 HOUSE BILL NO. 2587,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2591,
 HOUSE BILL NO. 2597,
 SUBSTITUTE HOUSE BILL NO. 2598,
 HOUSE BILL NO. 2605,
 HOUSE BILL NO. 2623,
 HOUSE BILL NO. 2624,
 HOUSE BILL NO. 2634,
 HOUSE BILL NO. 2651,
 HOUSE BILL NO. 2663,
 SUBSTITUTE HOUSE BILL NO. 2678,
 SECOND SUBSTITUTE HOUSE BILL NO. 2726,
 ENGROSSED HOUSE BILL NO. 2745,
 SUBSTITUTE HOUSE BILL NO. 2765,
 HOUSE BILL NO. 2768,
 HOUSE BILL NO. 2772,
 HOUSE BILL NO. 2773,
 HOUSE BILL NO. 2781,
 HOUSE BILL NO. 2800,
 HOUSE BILL NO. 2807,
 HOUSE BILL NO. 2815,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2852,
 SUBSTITUTE HOUSE BILL NO. 2859,
 SUBSTITUTE HOUSE BILL NO. 2875,
 SUBSTITUTE HOUSE BILL NO. 2884,
 HOUSE BILL NO. 2886,
 SUBSTITUTE HOUSE BILL NO. 2900,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2925.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE BILL NO. 1858,
 HOUSE BILL NO. 2599.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2791, by House Committee on Public Safety (originally sponsored by Representatives Pettigrew, Goodman, Moscoso, Senn, Frame, Stanford, Santos and Walkinshaw)

Creating the Washington statewide reentry council.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Ways & Means be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the cycle of recidivism warrants a closer examination of our criminal justice system, correctional systems, and community services in Washington. Over ninety-five percent of persons in prison will return to the community, and more than half of those persons will reoffend and be reincarcerated in today's system. This high rate of recidivism results in more crimes, more victims, more prisons, and more trauma within families and communities. We can do better for the people of Washington.

The legislature intends to establish the Washington statewide reentry council to develop collaborative and cooperative relationships between the criminal justice system, victims and their families, impacted individuals and their families, and service providers, with the purpose of improving public safety and outcomes for people reentering the community from incarceration.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Council" means the Washington statewide reentry council.

(2) "Department" means the department of commerce.

NEW SECTION. Sec. 3. (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington statewide reentry council is created and located within the department for the purpose of promoting successful reentry of offenders after incarceration.

(2) Through the executive director that may be appointed by the council, the department shall administer the council by:

(a) Providing the council and its executive director use of the department's facilities; and

(b) Managing grants and other funds received, used, and disbursed by the council.

(3) The department may not designate additional full-time staff to the administration of the council beyond the executive director.

NEW SECTION. Sec. 4. (1) The council comprises fifteen members appointed by the governor.

(2) The governor must create a membership that includes:

(a)(i) Representatives of: The department of corrections; the juvenile rehabilitation administration; a statewide organization representing community and technical colleges; a statewide organization representing law enforcement interests; a statewide organization representing the interests of crime victims; a statewide organization representing prosecutors; a statewide organization representing public defenders; a statewide or local organization representing businesses and employers; housing providers; and faith-based organizations or communities;

(ii) At least two persons with experience reentering the community after incarceration; and

(iii) Two other community leaders.

(b) At least one position of the council must be reserved for an invited person with a background in tribal affairs, and such position has all of the same voting and other powers of other members.

(3) When making appointments, the governor shall consider:

(a) The racial and ethnic background of applicants in order for the membership to reflect the diversity of racial and ethnic backgrounds of all those who are incarcerated in the state;

(b) The gender of applicants in order for the membership to reflect the gender diversity of all those who are incarcerated in the state;

(c) The geographic location of all applicants in order for the membership to represent the different geographic regions of the state; and

(d) The experiences and background of all applicants relating to the incarcerated population.

NEW SECTION. Sec. 5. (1) The governor shall make initial appointments to the council. Initial appointments are for staggered terms from the date of appointment according to the following: Four members have four-year terms; four members have three year terms; and five members have two-year terms. The governor shall designate the appointees who will serve the staggered terms.

(2) Except for initial appointments under subsection (1) of this section, all appointments are for two years from the date of appointment. Any member may be reappointed for additional terms. Any member of the council may be removed by the governor for misfeasance, malfeasance, or willful neglect of duty after notice and a public hearing, unless such notice and hearing is expressly waived in writing by the affected member. In the event of a vacancy due to death, resignation, or removal, or upon the expiration of a term, the governor shall appoint a successor for the remainder of the unexpired term according to the procedures in subsection (3) of this section. Vacancies must be filled within ninety days.

(3) The council shall create a selection committee to recruit, review, and recommend future members. Prior to thirty days before the expiration of a term or within sixty days of a vacancy due to death, resignation, or removal, the selection committee shall submit a recommendation of possible appointees. The governor shall consider the recommendations of the committee when making appointments.

(4) The council shall elect cochairs from among its membership. Cochairs are elected for two-year terms from the date of election. Any former or current cochair may be reelected for an additional term.

NEW SECTION. Sec. 6. (1) In addition to other powers and duties prescribed in this chapter, the council is empowered to:

(a) Meet at such times and places as necessary;

(b) Advise the legislature and the governor on issues relating to reentry and reintegration of offenders;

(c) Review, study, and make policy and funding recommendations on issues directly and indirectly related to reentry and reintegration of offenders in Washington state, including, but not limited to: Correctional programming and other issues in state and local correctional facilities; housing; employment; education; treatment; and other issues contributing to recidivism;

(d) Apply for, receive, use, and leverage public and private grants as well as specifically appropriated funds to establish, manage, and promote initiatives and programs related to successful reentry and reintegration of offenders;

(e) Contract for services as it deems necessary in order to carry out initiatives and programs;

(f) Adopt policies and procedures to facilitate the orderly administration of initiatives and programs;

(g) Create committees and subcommittees of the council as is necessary for the council to conduct its business; and

(h) Create and consult with advisory groups comprising nonmembers. Advisory groups are not eligible for reimbursement under section 7 of this act.

(2) Subject to the availability of amounts appropriated for this specific purpose, the council may select an executive director to administer the business of the council.

(a) The council may delegate to the executive director by resolution all duties necessary to efficiently carry on the business of the council. Approval by a majority vote of the council is required for any decisions regarding employment of the executive director.

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(b) The executive director may not be a member of the council while serving as executive director.

(c) Employment of the executive director terminates after a term of three years. At the end of a term, the council may consider hiring the executive director for an additional three-year term or an extension of a specified period less than three years. The council may fix the compensation of the executive director.

(d) Subject to the availability of amounts appropriated for this specific purpose, the executive director shall reside in and be funded by the department.

(3) In conducting its business, the council shall solicit input and participation from stakeholders interested in reducing recidivism, promoting public safety, and improving community conditions for people reentering the community from incarceration. The council shall consult: The two largest caucuses in the house of representatives; the two largest caucuses in the senate; the governor; local governments; educators; mental health and substance abuse providers; behavioral health organizations; managed care organizations; city and county jails; the department of corrections; specialty courts; persons with expertise in evidence-based and research-based reentry practices; and persons with criminal histories and their families.

(4) The council shall submit to the governor and appropriate committees of the legislature a preliminary report of its activities and recommendations by December 1st of its first year of operation, and every two years thereafter.

NEW SECTION. Sec. 7. The members of the council shall serve without compensation, but are entitled to be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 8. (1) Meetings of the council must be held in accordance with the open public meetings act, chapter 42.30 RCW, and at the call of the cochairs or when a majority of the council membership so requests. Members may participate in a meeting of the council by means of a conference telephone or similar communication equipment as described in RCW 23B.08.200.

(2) Seven members of the council constitute a quorum.

(3) Once operational, the council must convene on a regular schedule at least four times during each year.

NEW SECTION. Sec. 9. (1) The joint legislative audit and review committee shall conduct a performance audit of the council every six years.

(2) Each audit must include but not be limited to:

(a) A determination of the extent to which funds expended by the council or provided in biennial budget acts expressly for implementing the duties of the council have contributed toward reducing recidivism in Washington;

(b) A determination of the efficiency and effectiveness of the council, based upon the achievement of the objectives and benchmarks established by this chapter and any applicable biennial budget acts; and

(c) Any recommendations for changes to the council's performance and structure necessary to ensure or improve accountability.

(3) The council may use the audits as the basis for developing changes to its policies and programs.

NEW SECTION. Sec. 10. (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington state institute for public policy shall conduct a meta-analysis on the effectiveness of programs aimed at assisting offenders with reentering the community after incarceration. The study must include a review and update of the literature on reentry programs in Washington and across the country. The institute shall report on the types of programs demonstrated to be effective in reducing

recidivism among the general offender population. The institute shall report results to the governor, appropriate committees of the legislature, and the Washington statewide reentry council no later than June 1, 2017.

(2) This section expires August 1, 2017.

Sec. 11. RCW 41.06.070 and 2011 1st sp.s. c 43 s 1010, 2011 1st sp.s. c 39 s 4, and 2011 1st sp.s. c 16 s 22 are each reenacted and amended to read as follows:

(1) The provisions of this chapter do not apply to:

(a) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, joint legislative audit and review committee, statute law committee, and any interim committee of the legislature;

(b) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;

(c) Officers, academic personnel, and employees of technical colleges;

(d) The officers of the Washington state patrol;

(e) Elective officers of the state;

(f) The chief executive officer of each agency;

(g) In the departments of employment security and social and health services, the director and the director's confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his or her confidential secretary, and his or her statutory assistant directors;

(h) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(i) All members of such boards, commissions, or committees;

(ii) If the members of the board, commission, or committee serve on a part-time basis and there is a statutory executive officer: The secretary of the board, commission, or committee; the chief executive officer of the board, commission, or committee; and the confidential secretary of the chief executive officer of the board, commission, or committee;

(iii) If the members of the board, commission, or committee serve on a full-time basis: The chief executive officer or administrative officer as designated by the board, commission, or committee; and a confidential secretary to the chair of the board, commission, or committee;

(iv) If all members of the board, commission, or committee serve ex officio: The chief executive officer; and the confidential secretary of such chief executive officer;

(i) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(j) Assistant attorneys general;

(k) Commissioned and enlisted personnel in the military service of the state;

(l) Inmate, student, part-time, or temporary employees, and part-time professional consultants, as defined by the Washington personnel resources board;

(m) Officers and employees of the Washington state fruit commission;

(n) Officers and employees of the Washington apple commission;

(o) Officers and employees of the Washington state dairy products commission;

(p) Officers and employees of the Washington tree fruit research commission;

(q) Officers and employees of the Washington state beef commission;

(r) Officers and employees of the Washington grain commission;

(s) Officers and employees of any commission formed under chapter 15.66 RCW;

(t) Officers and employees of agricultural commissions formed under chapter 15.65 RCW;

(u) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(v) In each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors, and not more than three principal policy assistants who report directly to the agency head or deputy agency heads;

(w) Staff employed by the department of commerce to administer energy policy functions;

(x) The manager of the energy facility site evaluation council;

(y) A maximum of ten staff employed by the department of commerce to administer innovation and policy functions, including the three principal policy assistants exempted under (v) of this subsection;

(z) Staff employed by Washington State University to administer energy education, applied research, and technology transfer programs under RCW 43.21F.045 as provided in RCW 28B.30.900(5);

(aa) Officers and employees of the consolidated technology services agency created in RCW 43.105.006 that perform the following functions or duties: Systems integration; data center engineering and management; network systems engineering and management; information technology contracting; information technology customer relations management; and network and systems security;

(bb) The executive director of the Washington statewide reentry council.

(2) The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(a) Members of the governing board of each institution of higher education and related boards, all presidents, vice presidents, and their confidential secretaries, administrative, and personal assistants; deans, directors, and chairs; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of higher education; principal assistants to executive heads of major administrative or academic divisions; other managerial or professional employees in an institution or related board having substantial responsibility for directing or controlling program operations and accountable for allocation of resources and program results, or for the formulation of institutional policy, or for carrying out personnel administration or labor relations functions, legislative relations, public information, development, senior computer systems and network programming, or internal audits and investigations; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington;

(b) The governing board of each institution, and related boards, may also exempt from this chapter classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training as determined by the board: PROVIDED, That no

nonacademic employee engaged in office, clerical, maintenance, or food and trade services may be exempted by the board under this provision;

(c) Printing craft employees in the department of printing at the University of Washington.

(3) In addition to the exemptions specifically provided by this chapter, the director may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the office of financial management stating the reasons for requesting such exemptions. The director shall hold a public hearing, after proper notice, on requests submitted pursuant to this subsection. If the director determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, or is a senior expert in enterprise information technology infrastructure, engineering, or systems, the director shall grant the request. The total number of additional exemptions permitted under this subsection shall not exceed one percent of the number of employees in the classified service not including employees of institutions of higher education and related boards for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full-time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (1)(j) through (t) and (2) of this section, shall be determined by the director. Changes to the classification plan affecting exempt salaries must meet the same provisions for classified salary increases resulting from adjustments to the classification plan as outlined in RCW 41.06.152.

From July 1, 2011, through June 29, 2013, salaries for all positions exempt from classification under this chapter are subject to RCW 41.04.820.

From February 18, 2009, through June 30, 2013, a salary or wage increase shall not be granted to any position exempt from classification under this chapter, except that a salary or wage increase may be granted to employees pursuant to collective bargaining agreements negotiated under chapter 28B.52, 41.56, 47.64, or 41.76 RCW, and except that increases may be granted for positions for which the employer has demonstrated difficulty retaining qualified employees if the following conditions are met:

(a) The salary increase can be paid within existing resources;

(b) The salary increase will not adversely impact the provision of client services; and

(c) For any state agency of the executive branch, not including institutions of higher education, the salary increase is approved by the director of the office of financial management.

Any agency granting a salary increase from February 15, 2010, through June 30, 2011, to a position exempt from classification under this chapter shall submit a report to the fiscal committees of the legislature no later than July 31, 2011, detailing the positions for which salary increases were granted, the size of the increases, and the reasons for giving the increases.

Any agency granting a salary increase from July 1, 2011, through June 30, 2013, to a position exempt from classification under this chapter shall submit a report to the fiscal committees of the legislature by July 31, 2012, and July 31, 2013, detailing the positions for which salary increases were granted during the

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

preceding fiscal year, the size of the increases, and the reasons for giving the increases.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

A person occupying an exempt position who is terminated from the position for gross misconduct or malfeasance does not have the right of reversion to a classified position as provided for in this section.

From February 15, 2010, until June 30, 2013, no monetary performance-based awards or incentives may be granted by the director or employers to employees covered by rules adopted under this section. This subsection does not prohibit the payment of awards provided for in chapter 41.60 RCW.

From July 1, 2011, until June 30, 2013, no performance-based awards or incentives may be granted by the director or employers to employees pursuant to a performance management confirmation granted by the department of personnel under WAC 357-37-055.

NEW SECTION. Sec. 12. Sections 1 through 9 of this act constitute a new chapter in Title 43 RCW."

On page 1, line 1 of the title, after "council;" strike the remainder of the title and insert "reenacting and amending RCW 41.06.070; adding a new chapter to Title 43 RCW; creating a new section; and providing an expiration date."

MOTION

On motion of Senator Fain, further consideration of Second Substitute House Bill No. 2791 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2711, by House Committee on Health Care & Wellness (originally sponsored by Representatives McCabe, Walsh, Orwall, Cody, McBride, Caldier, Kilduff, Wylie, Senn, Smith, Gregerson, Tarleton, Ormsby, Pollet and Goodman)

Increasing the availability of sexual assault nurse examiners.

The measure was read the second time.

MOTION

Senator Becker moved that the following committee striking amendment by the Committee on Ways & Means be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.280 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of crime victims advocacy shall study the availability of sexual assault nurse examiners throughout the state. The study must include:

- (a) An identification of areas of the state that have an adequate number of sexual assault nurse examiners;
- (b) An identification of areas of the state that have an inadequate number of sexual assault nurse examiners;
- (c) A list of available resources for facilities in need of sexual assault nurse examiners or sexual assault nurse examiner training; and
- (d) Strategies for increasing the availability of sexual assault nurse examiners in underserved areas.
- (2) When identifying strategies for increasing the availability of sexual assault nurse examiners in underserved areas, the office of crime victims advocacy shall, at a minimum, consider:
 - (a) Remote training or consultation via electronic means;
 - (b) Mobile teams of sexual assault nurse examiners;
 - (c) Costs and reimbursement rates for sexual assault nurse examiners; and
 - (d) Funding options.
- (3) When performing the study under this section, the office of crime victims advocacy shall consult with experts on sexual assault victims' advocacy, experts on sexual assault investigation, and providers including, but not limited to:
 - (a) The department of health;
 - (b) The Washington coalition of sexual assault programs;
 - (c) The Washington association of sheriffs and police chiefs;
 - (d) The Washington association of prosecuting attorneys;
 - (e) The Washington state hospital association;
 - (f) The Harborview center for sexual assault and traumatic stress;
 - (g) The nursing care quality assurance commission; and
 - (h) The Washington state nurses association.
- (4) The office of crime victims advocacy shall report its findings and recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2016.

(5) This section expires July 31, 2017."

On page 1, line 2 of the title, after "examiners;" strike the remainder of the title and insert "adding a new section to chapter 43.280 RCW; and providing an expiration date."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 2711.

The motion by Senator Becker carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Becker, the rules were suspended, Substitute House Bill No. 2711, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

MOTION

On motion of Senator Dassel, and without objection, Senator Fain was excused.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2711, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2711, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dinsel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

SUBSTITUTE HOUSE BILL NO. 2711, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE JOINT MEMORIAL NO. 4010, by Representatives Dunshee, Santos, Stanford, Wylie, S. Hunt, Tharinger, Ortiz-Self, Fitzgibbon, Sells, Ryu, Walkinshaw, Kagi, Peterson, Hudgins, Robinson and Bergquist

Requesting that state route number 99 be named the "William P. Stewart Memorial Highway."

The measure was read the second time.

MOTION

Senator Hasegawa moved that the following committee amendment by the Committee on Transportation be adopted: Beginning on page 1, line 1, strike all of the joint memorial and insert the following:

"TO THE SECRETARY OF TRANSPORTATION, AND TO THE WASHINGTON STATE TRANSPORTATION COMMISSION, AND TO THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, Mr. William P. Stewart (12/9/1839 – 12/11/1907) of Snohomish served bravely during the Civil War after he volunteered for service in the 29th U.S. Colored Infantry Regiment; and

WHEREAS, That military unit suffered enormous losses during the war, with one out of three soldiers becoming casualties; and

WHEREAS, Stewart demonstrated tremendous courage and dedication to the cause of liberty by volunteering to serve as an African-American during the Civil War; and

WHEREAS, Stewart served honorably during the closing days of the war and during its aftermath in Texas, where Stewart and his unit were deployed in response to instability in Mexico due to French intervention; and

WHEREAS, Stewart was a farmer before he volunteered for combat and a respected pioneer of the town of Snohomish after the war, but he and his fellow soldiers received little recognition for their bravery and sacrifice; and

WHEREAS, Stewart married Elizabeth Thornton and became a highly respected pioneer in the city of Snohomish, where his house is still standing; and

WHEREAS, Stewart is buried in the Grand Army of the Republic cemetery in Snohomish along with two hundred other civil war veterans who founded the cemetery; and

WHEREAS, It is in the interest of the State of Washington to finally recognize its citizens who volunteered and served bravely in the defense of our union;

NOW, THEREFORE, Your Memorialists respectfully pray that the Washington State Transportation Commission commence proceedings to name State Route Number 99 the "William P. Stewart Memorial Highway."

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Secretary of Transportation, the Washington State Transportation Commission, and the Washington State Department of Transportation."

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Transportation to House Joint Memorial No. 4010.

The motion by Senator Hasegawa carried and the committee amendment was adopted by voice vote.

MOTION

On motion of Senator Hasegawa, the rules were suspended, House Joint Memorial No. 4010, as amended by the Senate, was advanced to third reading, the second reading considered the third and the memorial was placed on final passage.

Senators Hasegawa, King and Darneille spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Joint Memorial No. 4010, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Joint Memorial No. 4010, as amended by the Senate, and the memorial passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dinsel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

HOUSE JOINT MEMORIAL NO. 4010, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the memorial was ordered to stand as the title of the act.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Fain announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 4:01 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:31 p.m. by the President of the Senate, Lt. Governor Owen presiding.

The Senate resumed consideration of Second Substitute House Bill No. 2791 which had been deferred earlier in the day.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2791, by House Committee on Public Safety (originally sponsored by Representatives Pettigrew, Goodman, Moscoso, Senn, Frame, Stanford, Santos and Walkinshaw)

Creating the Washington statewide reentry council.

The measure was on the second reading calendar.

The Senate resumed consideration of the committee striking amendment by the Committee on Ways & Means which had been previously moved.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, the following amendment no. 731 by Senators Fain and Padden on page 2, line 8 to the committee striking amendment to Second Substitute House Bill No. 2791 was withdrawn:

On page 2, line 8 of the amendment, after "governor" insert "and confirmed by the senate"

MOTION

Senator Padden moved that the following amendment no. 735 by Senator Padden on page 4, line 22 to the committee striking amendment be adopted:

On page 4, line 22 of the amendment, after "director" insert "must be confirmed by the senate and"

Senator Padden spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 735 by Senator Padden on page 4, line 22 to the committee striking amendment to Second Substitute House Bill No. 2791.

The motion by Senator Padden carried and the amendment was adopted by voice vote.

MOTION

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means, as amended, to Second Substitute House Bill No. 2791.

The motion by Senator O'Ban carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Second Substitute House Bill No. 2791, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Darneille spoke in favor of passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senator Ranker was excused.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2791, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2791 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 3; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Brown, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Takko

Voting nay: Senator Dandel

Absent: Senators Braun, Dammeier and Warnick

Excused: Senator Carlyle

SECOND SUBSTITUTE HOUSE BILL NO. 2791, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2906, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Stambaugh, Kagi, Magendanz, Tharinger, Ortiz-Self, Frame, Goodman and Ormsby)

Strengthening opportunities for the rehabilitation and reintegration of juvenile offenders.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following committee striking amendment by the Committee on Human Services, Mental Health & Housing be adopted: Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 13.40.010 and 2004 c 120 s 1 are each amended to read as follows:

(1) This chapter shall be known and cited as the Juvenile Justice Act of 1977.

(2) It is the intent of the legislature that a system capable of having primary responsibility for, being accountable for, and responding to the needs of youthful offenders and their victims, as defined by this chapter, be established. It is the further intent of the legislature that youth, in turn, be held accountable for their offenses and that communities, families, and the juvenile courts carry out their functions consistent with this intent. To effectuate these policies, the legislature declares the following to be equally important purposes of this chapter:

(a) Protect the citizenry from criminal behavior;

(b) Provide for determining whether accused juveniles have committed offenses as defined by this chapter;

(c) Make the juvenile offender accountable for his or her criminal behavior;

(d) Provide for punishment commensurate with the age, crime, and criminal history of the juvenile offender;

(e) Provide due process for juveniles alleged to have committed an offense;

(f) Provide for the rehabilitation and reintegration of juvenile offenders;

(g) Provide necessary treatment, supervision, and custody for juvenile offenders;

((g)) (h) Provide for the handling of juvenile offenders by communities whenever consistent with public safety;

((h)) (i) Provide for restitution to victims of crime;

((i)) (j) Develop effective standards and goals for the operation, funding, and evaluation of all components of the juvenile justice system and related services at the state and local levels;

((j)) (k) Provide for a clear policy to determine what types of offenders shall receive punishment, treatment, or both, and to determine the jurisdictional limitations of the courts, institutions, and community services;

((k)) (l) Provide opportunities for victim participation in juvenile justice process, including court hearings on juvenile offender matters, and ensure that Article I, section 35 of the Washington state Constitution, the victim bill of rights, is fully observed; and

((l)) (m) Encourage the parents, guardian, or custodian of the juvenile to actively participate in the juvenile justice process.

Sec. 2. RCW 13.40.020 and 2014 c 110 s 1 are each amended to read as follows:

For the purposes of this chapter:

(1) "Assessment" means an individualized examination of a child to determine the child's psychosocial needs and problems, including the type and extent of any mental health, substance abuse, or co-occurring mental health and substance abuse disorders, and recommendations for treatment. "Assessment" includes, but is not limited to, drug and alcohol evaluations, psychological and psychiatric evaluations, records review, clinical interview, and administration of a formal test or instrument;

(2) "Community-based rehabilitation" means one or more of the following: Employment; attendance of information classes; literacy classes; counseling, outpatient substance abuse treatment programs, outpatient mental health programs, anger management classes, education or outpatient treatment programs to prevent animal cruelty, or other services including, when appropriate, restorative justice programs; or attendance at school or other educational programs appropriate for the juvenile as determined by the school district. Placement in community-based rehabilitation programs is subject to available funds;

(3) "Community-based sanctions" may include one or more of the following:

(a) A fine, not to exceed five hundred dollars;

(b) Community restitution not to exceed one hundred fifty hours of community restitution;

(4) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense. Community restitution may be performed through public or private organizations or through work crews;

(5) "Community supervision" means an order of disposition by the court of an adjudicated youth not committed to the department or an order granting a deferred disposition. A community supervision order for a single offense may be for a

period of up to two years for a sex offense as defined by RCW 9.94A.030 and up to one year for other offenses. As a mandatory condition of any term of community supervision, the court shall order the juvenile to refrain from committing new offenses. As a mandatory condition of community supervision, the court shall order the juvenile to comply with the mandatory school attendance provisions of chapter 28A.225 RCW and to inform the school of the existence of this requirement. Community supervision is an individualized program comprised of one or more of the following:

(a) Community-based sanctions;

(b) Community-based rehabilitation;

(c) Monitoring and reporting requirements;

(d) Posting of a probation bond;

(6) "Confinement" means physical custody by the department of social and health services in a facility operated by or pursuant to a contract with the state, or physical custody in a detention facility operated by or pursuant to a contract with any county. The county may operate or contract with vendors to operate county detention facilities. The department may operate or contract to operate detention facilities for juveniles committed to the department. Pretrial confinement or confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court;

(7) "Court," when used without further qualification, means the juvenile court judge(s) or commissioner(s);

(8) "Criminal history" includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history. A successfully completed deferred adjudication that was entered before July 1, 1998, or a deferred disposition shall not be considered part of the respondent's criminal history;

(9) "Department" means the department of social and health services;

(10) "Detention facility" means a county facility, paid for by the county, for the physical confinement of a juvenile alleged to have committed an offense or an adjudicated offender subject to a disposition or modification order. "Detention facility" includes county group homes, inpatient substance abuse programs, juvenile basic training camps, and electronic monitoring;

(11) "Diversion unit" means any probation counselor who enters into a diversion agreement with an alleged youthful offender, or any other person, community accountability board, youth court under the supervision of the juvenile court, or other entity except a law enforcement official or entity, with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW 13.40.080, or any person, community accountability board, or other entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter. For purposes of this subsection, "community accountability board" means a board comprised of members of the local community in which the juvenile offender resides. The superior court shall appoint the members. The boards shall consist of at least three and not more than seven members. If possible, the board should include a variety of representatives from the

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

community, such as a law enforcement officer, teacher or school administrator, high school student, parent, and business owner, and should represent the cultural diversity of the local community;

(12) "Foster care" means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

(13) "Institution" means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(14) "Intensive supervision program" means a parole program that requires intensive supervision and monitoring, offers an array of individualized treatment and transitional services, and emphasizes community involvement and support in order to reduce the likelihood a juvenile offender will commit further offenses;

(15) "Juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court pursuant to RCW 13.40.110, unless the individual was convicted of a lesser charge or acquitted of the charge for which he or she was previously transferred pursuant to RCW 13.40.110 or who is not otherwise under adult court jurisdiction;

(16) "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

(17) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix;

(18) "Local sanctions" means one or more of the following: (a) 0-30 days of confinement; (b) 0-12 months of community supervision; (c) 0-150 hours of community restitution; or (d) \$0-\$500 fine;

(19) "Manifest injustice" means a disposition that would either impose an excessive penalty on the juvenile or would impose a serious, and clear danger to society in light of the purposes of this chapter;

(20) "Monitoring and reporting requirements" means one or more of the following: Curfews; requirements to remain at home, school, work, or court-ordered treatment programs during specified hours; restrictions from leaving or entering specified geographical areas; requirements to report to the probation officer as directed and to remain under the probation officer's supervision; and other conditions or limitations as the court may require which may not include confinement;

(21) "Offense" means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

(22) "Physical restraint" means the use of any bodily force or physical intervention to control a juvenile offender or limit a juvenile offender's freedom of movement in a way that does not involve a mechanical restraint. Physical restraint does not include momentary periods of minimal physical restriction by direct person-to-person contact, without the aid of mechanical restraint, accomplished with limited force and designed to:

(a) Prevent a juvenile offender from completing an act that would result in potential bodily harm to self or others or damage property;

(b) Remove a disruptive juvenile offender who is unwilling to leave the area voluntarily; or

(c) Guide a juvenile offender from one location to another;

(23) "Postpartum recovery" means (a) the entire period a woman or youth is in the hospital, birthing center, or clinic after giving birth and (b) an additional time period, if any, a treating physician determines is necessary for healing after the youth leaves the hospital, birthing center, or clinic;

(24) "Probation bond" means a bond, posted with sufficient security by a surety justified and approved by the court, to secure the offender's appearance at required court proceedings and compliance with court-ordered community supervision or conditions of release ordered pursuant to RCW 13.40.040 or 13.40.050. It also means a deposit of cash or posting of other collateral in lieu of a bond if approved by the court;

(25) "Respondent" means a juvenile who is alleged or proven to have committed an offense;

(26) "Restitution" means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, lost wages resulting from physical injury, and costs of the victim's counseling reasonably related to the offense. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(27) "Restorative justice" means practices, policies, and programs informed by and sensitive to the needs of crime victims that are designed to encourage offenders to accept responsibility for repairing the harm caused by their offense by providing safe and supportive opportunities for voluntary participation and communication between the victim, the offender, their families, and relevant community members;

(28) "Restraints" means anything used to control the movement of a person's body or limbs and includes:

(a) Physical restraint; or

(b) Mechanical device including but not limited to: Metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, tasers, or batons;

(29) "Screening" means a process that is designed to identify a child who is at risk of having mental health, substance abuse, or co-occurring mental health and substance abuse disorders that warrant immediate attention, intervention, or more comprehensive assessment. A screening may be undertaken with or without the administration of a formal instrument;

(30) "Secretary" means the secretary of the department of social and health services. "Assistant secretary" means the assistant secretary for juvenile rehabilitation for the department;

(31) "Services" means services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

(32) "Sex offense" means an offense defined as a sex offense in RCW 9.94A.030;

(33) "Sexual motivation" means that one of the purposes for which the respondent committed the offense was for the purpose of his or her sexual gratification;

(34) "Surety" means an entity licensed under state insurance laws or by the state department of licensing, to write corporate, property, or probation bonds within the state, and justified and approved by the superior court of the county having jurisdiction of the case;

(35) "Transportation" means the conveying, by any means, of an incarcerated pregnant youth from the institution or detention facility to another location from the moment she leaves the institution or detention facility to the time of arrival at the other location, and includes the escorting of the pregnant incarcerated

youth from the institution or detention facility to a transport vehicle and from the vehicle to the other location;

(36) "Violation" means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration;

(37) "Violent offense" means a violent offense as defined in RCW 9.94A.030;

(38) "Youth court" means a diversion unit under the supervision of the juvenile court.

Sec. 3. RCW 13.40.127 and 2015 c 265 s 26 are each amended to read as follows:

(1) A juvenile is eligible for deferred disposition unless he or she:

- (a) Is charged with a sex or violent offense;
- (b) Has a criminal history which includes any felony;
- (c) Has a prior deferred disposition or deferred adjudication;

or

- (d) Has two or more adjudications.

(2) The juvenile court ((may)) shall, except as provided by subsection (3) of this section, upon motion at least fourteen days before commencement of trial and, after consulting the juvenile's custodial parent or parents or guardian and with the consent of the juvenile, continue the case for disposition for a period not to exceed one year from the date the juvenile is found guilty. ((The court shall consider whether the offender and the community will benefit from a deferred disposition before deferring the disposition.)) The court may waive the fourteen-day period anytime before the commencement of trial for good cause.

(3) If a juvenile offender is charged with animal cruelty in the first degree, the juvenile court may deny granting a deferred disposition to the juvenile, even if the juvenile otherwise may qualify for a deferred disposition. The judge shall consider whether the community will benefit from granting a deferred disposition to the juvenile offender.

(4) Any juvenile who agrees to a deferral of disposition shall:

- (a) Stipulate to the admissibility of the facts contained in the written police report;
- (b) Acknowledge that the report will be entered and used to support a finding of guilt and to impose a disposition if the juvenile fails to comply with terms of supervision;
- (c) Waive the following rights to: (i) A speedy disposition; and (ii) call and confront witnesses; and
- (d) Acknowledge the direct consequences of being found guilty and the direct consequences that will happen if an order of disposition is entered.

The adjudicatory hearing shall be limited to a reading of the court's record.

((4)) (5) Following the stipulation, acknowledgment, waiver, and entry of a finding or plea of guilt, the court shall defer entry of an order of disposition of the juvenile.

((5)) (6) Any juvenile granted a deferral of disposition under this section shall be placed under community supervision. The court may impose any conditions of supervision that it deems appropriate including posting a probation bond. Payment of restitution under RCW 13.40.190 shall be a condition of community supervision under this section.

The court may require a juvenile offender convicted of animal cruelty in the first degree to submit to a mental health evaluation to determine if the offender would benefit from treatment and such intervention would promote the safety of the community. After consideration of the results of the evaluation, as a condition of community supervision, the court may order the offender to attend treatment to address issues pertinent to the offense.

The court may require the juvenile to undergo a mental health or substance abuse assessment, or both. If the assessment

identifies a need for treatment, conditions of supervision may include treatment for the assessed need that has been demonstrated to improve behavioral health and reduce recidivism.

The court shall require a juvenile granted a deferral of disposition for unlawful possession of a firearm in violation of RCW 9.41.040 to participate in a qualifying program as described in RCW 13.40.193(2)(b), when available, unless the court makes a written finding based on the outcome of the juvenile court risk assessment that participation in a qualifying program would not be appropriate.

((6)) (7) A parent who signed for a probation bond has the right to notify the counselor if the juvenile fails to comply with the bond or conditions of supervision. The counselor shall notify the court and surety of any failure to comply. A surety shall notify the court of the juvenile's failure to comply with the probation bond. The state shall bear the burden to prove, by a preponderance of the evidence, that the juvenile has failed to comply with the terms of community supervision.

((7)) (8)(a) Anytime prior to the conclusion of the period of supervision, the prosecutor or the juvenile's juvenile court community supervision counselor may file a motion with the court requesting the court revoke the deferred disposition based on the juvenile's lack of compliance or treat the juvenile's lack of compliance as a violation pursuant to RCW 13.40.200.

(b) If the court finds the juvenile failed to comply with the terms of the deferred disposition, the court may:

- (i) Revoke the deferred disposition and enter an order of disposition; or
- (ii) Impose sanctions for the violation pursuant to RCW 13.40.200.

((8)) (9) At any time following deferral of disposition the court may, following a hearing, continue supervision for an additional one-year period for good cause.

((9)) (10)(a) At the conclusion of the period of supervision, the court shall determine whether the juvenile is entitled to dismissal of the deferred disposition only when the court finds:

- (i) The deferred disposition has not been previously revoked;
- (ii) The juvenile has completed the terms of supervision;
- (iii) There are no pending motions concerning lack of compliance pursuant to subsection ((7)) (8) of this section; and
- (iv) The juvenile has either paid the full amount of restitution, or, made a good faith effort to pay the full amount of restitution during the period of supervision.

(b) If the court finds the juvenile is entitled to dismissal of the deferred disposition pursuant to (a) of this subsection, the juvenile's conviction shall be vacated and the court shall dismiss the case with prejudice, except that a conviction under RCW 16.52.205 shall not be vacated. Whenever a case is dismissed with restitution still owing, the court shall enter a restitution order pursuant to RCW 7.80.130 for any unpaid restitution. Jurisdiction to enforce payment and modify terms of the restitution order shall be the same as those set forth in RCW 7.80.130.

(c) If the court finds the juvenile is not entitled to dismissal of the deferred disposition pursuant to (a) of this subsection, the court shall revoke the deferred disposition and enter an order of disposition. A deferred disposition shall remain a conviction unless the case is dismissed and the conviction is vacated pursuant to (b) of this subsection or sealed pursuant to RCW 13.50.260.

((10)) (11)(a)(i) Any time the court vacates a conviction pursuant to subsection ((9)) (10) of this section, if the juvenile is eighteen years of age or older and the full amount of restitution owing to the individual victim named in the restitution order, excluding restitution owed to any insurance provider authorized under Title 48 RCW has been paid, the court shall enter a written order sealing the case.

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(ii) Any time the court vacates a conviction pursuant to subsection ((9)) (10) of this section, if the juvenile is not eighteen years of age or older and full restitution ordered has been paid, the court shall schedule an administrative sealing hearing to take place no later than thirty days after the respondent's eighteenth birthday, at which time the court shall enter a written order sealing the case. The respondent's presence at the administrative sealing hearing is not required.

(iii) Any deferred disposition vacated prior to June 7, 2012, is not subject to sealing under this subsection.

(b) Nothing in this subsection shall preclude a juvenile from petitioning the court to have the records of his or her deferred dispositions sealed under RCW 13.50.260.

(c) Records sealed under this provision shall have the same legal status as records sealed under RCW 13.50.260.

Sec. 4. RCW 13.40.308 and 2009 c 454 s 4 are each amended to read as follows:

(1) If a respondent is adjudicated of taking a motor vehicle without permission in the first degree as defined in RCW 9A.56.070, the court shall impose the following minimum sentence, in addition to any restitution the court may order payable to the victim:

(a) Juveniles with a prior criminal history score of zero to one-half points shall be sentenced to a standard range sentence that includes no less than three months of community supervision, forty-five hours of community restitution, ((a two hundred dollar fine,)) and a requirement that the juvenile remain at home such that the juvenile is confined to a private residence for no less than five days. The juvenile may be subject to electronic monitoring where available. If the juvenile is enrolled in school, the confinement shall be served on nonschool days;

(b) Juveniles with a prior criminal history score of three-quarters to one and one-half points shall be sentenced to a standard range sentence that includes six months of community supervision, no less than ten days of detention, and ninety hours of community restitution((, and a four hundred dollar fine)); and

(c) Juveniles with a prior criminal history score of two or more points shall be sentenced to no less than fifteen to thirty-six weeks commitment to the juvenile rehabilitation administration, four months of parole supervision, and ninety hours of community restitution((, and a four hundred dollar fine)).

(2) If a respondent is adjudicated of theft of a motor vehicle as defined under RCW 9A.56.065, or possession of a stolen vehicle as defined under RCW 9A.56.068, the court shall impose the following minimum sentence, in addition to any restitution the court may order payable to the victim:

(a) Juveniles with a prior criminal history score of zero to one-half points shall be sentenced to a standard range sentence that includes no less than three months of community supervision((, forty-five hours of community restitution, a two hundred dollar fine,)) and either ninety hours of community restitution or a requirement that the juvenile remain at home such that the juvenile is confined in a private residence for no less than five days. The juvenile may be subject to electronic monitoring where available, or a combination thereof that includes a minimum of three days home confinement and a minimum of forty hours of community restitution;

(b) Juveniles with a prior criminal history score of three-quarters to one and one-half points shall be sentenced to a standard range sentence that includes no less than six months of community supervision, no less than ten days of detention, and ninety hours of community restitution((, and a four hundred dollar fine)); and

(c) Juveniles with a prior criminal history score of two or more points shall be sentenced to no less than fifteen to thirty-six

weeks commitment to the juvenile rehabilitation administration, four months of parole supervision, and ninety hours of community restitution((, and a four hundred dollar fine)).

(3) If a respondent is adjudicated of taking a motor vehicle without permission in the second degree as defined in RCW 9A.56.075, the court shall impose a standard range as follows:

(a) Juveniles with a prior criminal history score of zero to one-half points shall be sentenced to a standard range sentence that includes three months of community supervision, fifteen hours of community restitution, and a requirement that the juvenile remain at home such that the juvenile is confined in a private residence for no less than one day. If the juvenile is enrolled in school, the confinement shall be served on nonschool days. The juvenile may be subject to electronic monitoring where available;

(b) Juveniles with a prior criminal history score of three-quarters to one and one-half points shall be sentenced to a standard range sentence that includes no less than one day of detention, three months of community supervision, thirty hours of community restitution, ((a one hundred fifty dollar fine,)) and a requirement that the juvenile remain at home such that the juvenile is confined in a private residence for no less than two days. If the juvenile is enrolled in school, the confinement shall be served on nonschool days. The juvenile may be subject to electronic monitoring where available; and

(c) Juveniles with a prior criminal history score of two or more points shall be sentenced to no less than three days of detention, six months of community supervision, forty-five hours of community restitution, ((a one hundred fifty dollar fine,)) and a requirement that the juvenile remain at home such that the juvenile is confined in a private residence for no less than seven days. If the juvenile is enrolled in school, the confinement shall be served on nonschool days. The juvenile may be subject to electronic monitoring where available.

Sec. 5. RCW 10.99.030 and 1996 c 248 s 6 are each amended to read as follows:

(1) All training relating to the handling of domestic violence complaints by law enforcement officers shall stress enforcement of criminal laws in domestic situations, availability of community resources, and protection of the victim. Law enforcement agencies and community organizations with expertise in the issue of domestic violence shall cooperate in all aspects of such training.

(2) The criminal justice training commission shall implement by January 1, 1997, a course of instruction for the training of law enforcement officers in Washington in the handling of domestic violence complaints. The basic law enforcement curriculum of the criminal justice training commission shall include at least twenty hours of basic training instruction on the law enforcement response to domestic violence. The course of instruction, the learning and performance objectives, and the standards for the training shall be developed by the commission and focus on enforcing the criminal laws, safety of the victim, and holding the perpetrator accountable for the violence. The curriculum shall include training on the extent and prevalence of domestic violence, the importance of criminal justice intervention, techniques for responding to incidents that minimize the likelihood of officer injury and that promote victim safety, investigation and interviewing skills, evidence gathering and report writing, assistance to and services for victims and children, verification and enforcement of court orders, liability, and any additional provisions that are necessary to carry out the intention of this subsection.

(3) The criminal justice training commission shall develop and update annually an in-service training program to familiarize law enforcement officers with the domestic violence laws. The

program shall include techniques for handling incidents of domestic violence that minimize the likelihood of injury to the officer and that promote the safety of all parties. The commission shall make the training program available to all law enforcement agencies in the state.

(4) Development of the training in subsections (2) and (3) of this section shall be conducted in conjunction with agencies having a primary responsibility for serving victims of domestic violence with emergency shelter and other services, and representatives to the statewide organization providing training and education to these organizations and to the general public.

(5) The primary duty of peace officers, when responding to a domestic violence situation, is to enforce the laws allegedly violated and to protect the complaining party.

(6)(a) When a peace officer responds to a domestic violence call and has probable cause to believe that a crime has been committed, the peace officer shall exercise arrest powers with reference to the criteria in RCW 10.31.100. The officer shall notify the victim of the victim's right to initiate a criminal proceeding in all cases where the officer has not exercised arrest powers or decided to initiate criminal proceedings by citation or otherwise. The parties in such cases shall also be advised of the importance of preserving evidence.

(b) A peace officer responding to a domestic violence call shall take a complete offense report including the officer's disposition of the case.

(7) When a peace officer responds to a domestic violence call, the officer shall advise victims of all reasonable means to prevent further abuse, including advising each person of the availability of a shelter or other services in the community, and giving each person immediate notice of the legal rights and remedies available. The notice shall include handing each person a copy of the following statement:

"IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or county prosecuting attorney to file a criminal complaint. You also have the right to file a petition in superior, district, or municipal court requesting an order for protection from domestic abuse which could include any of the following: (a) An order restraining your abuser from further acts of abuse; (b) an order directing your abuser to leave your household; (c) an order preventing your abuser from entering your residence, school, business, or place of employment; (d) an order awarding you or the other parent custody of or visitation with your minor child or children; and (e) an order restraining your abuser from molesting or interfering with minor children in your custody. The forms you need to obtain a protection order are available in any municipal, district, or superior court.

Information about shelters and alternatives to domestic violence is available from a statewide twenty-four-hour toll-free hot line at (include appropriate phone number). The battered women's shelter and other resources in your area are (include local information)"

(8) The peace officer may offer, arrange, or facilitate transportation for the victim to a hospital for treatment of injuries or to a place of safety or shelter.

(9) The law enforcement agency shall forward the offense report to the appropriate prosecutor within ten days of making such report if there is probable cause to believe that an offense has been committed, unless the case is under active investigation. Upon receiving the offense report, the prosecuting agency may, in its discretion, choose not to file the information as a domestic violence offense, if the offense was committed against a sibling, parent, stepparent, or grandparent.

(10) Each law enforcement agency shall make as soon as practicable a written record and shall maintain records of all incidents of domestic violence reported to it.

(11) Records kept pursuant to subsections (6) and (10) of this section shall be made identifiable by means of a departmental code for domestic violence.

(12) Commencing January 1, 1994, records of incidents of domestic violence shall be submitted, in accordance with procedures described in this subsection, to the Washington association of sheriffs and police chiefs by all law enforcement agencies. The Washington criminal justice training commission shall amend its contract for collection of statewide crime data with the Washington association of sheriffs and police chiefs:

(a) To include a table, in the annual report of crime in Washington produced by the Washington association of sheriffs and police chiefs pursuant to the contract, showing the total number of actual offenses and the number and percent of the offenses that are domestic violence incidents for the following crimes: (i) Criminal homicide, with subtotals for murder and nonnegligent homicide and manslaughter by negligence; (ii) forcible rape, with subtotals for rape by force and attempted forcible rape; (iii) robbery, with subtotals for firearm, knife or cutting instrument, or other dangerous weapon, and strongarm robbery; (iv) assault, with subtotals for firearm, knife or cutting instrument, other dangerous weapon, hands, feet, aggravated, and other nonaggravated assaults; (v) burglary, with subtotals for forcible entry, nonforcible unlawful entry, and attempted forcible entry; (vi) larceny theft, except motor vehicle theft; (vii) motor vehicle theft, with subtotals for autos, trucks and buses, and other vehicles; (viii) arson; and (ix) violations of the provisions of a protection order or no-contact order restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, provided that specific appropriations are subsequently made for the collection and compilation of data regarding violations of protection orders or no-contact orders;

(b) To require that the table shall continue to be prepared and contained in the annual report of crime in Washington until that time as comparable or more detailed information about domestic violence incidents is available through the Washington state incident based reporting system and the information is prepared and contained in the annual report of crime in Washington; and

(c) To require that, in consultation with interested persons, the Washington association of sheriffs and police chiefs prepare and disseminate procedures to all law enforcement agencies in the state as to how the agencies shall code and report domestic violence incidents to the Washington association of sheriffs and police chiefs.

Sec. 6. RCW 13.40.265 and 2003 c 53 s 101 are each amended to read as follows:

(1)((a)) If a juvenile thirteen years of age or older is found by juvenile court to have committed an offense while armed with a firearm or an offense that is a violation of RCW 9.41.040(2)(a)((iii)) (iv) or chapter 66.44, 69.41, 69.50, or 69.52 RCW, the court shall notify the department of licensing within twenty-four hours after entry of the judgment, unless the offense is the juvenile's first offense while armed with a firearm, first unlawful possession of a firearm offense, or first offense in violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW.

((b)) (2) Except as otherwise provided in ((c) of this)) subsection (3) of this section, upon petition of a juvenile who has been found by the court to have committed an offense that is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the court may at any time the court deems appropriate notify the department of licensing that the juvenile's driving privileges should be reinstated.

((c) If the offense is the juvenile's first violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until ninety days after the

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

date the juvenile turns sixteen or ninety days after the judgment was entered, whichever is later.) (3) If the offense is the juvenile's second or subsequent violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the date the juvenile turns seventeen or one year after the date judgment was entered, whichever is later.

((2)(a) If a juvenile enters into a diversion agreement with a diversion unit pursuant to RCW 13.40.080 concerning an offense that is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the diversion unit shall notify the department of licensing within twenty-four hours after the diversion agreement is signed.

(b) If a diversion unit has notified the department pursuant to (a) of this subsection, the diversion unit shall notify the department of licensing when the juvenile has completed the agreement.)

Sec. 7. RCW 9.41.040 and 2014 c 111 s 1 are each amended to read as follows:

(1)(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the first degree, if the person owns, has in his or her possession, or has in his or her control any firearm after having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any serious offense as defined in this chapter.

(b) Unlawful possession of a firearm in the first degree is a class B felony punishable according to chapter 9A.20 RCW.

(2)(a) A person, whether an adult or juvenile, is guilty of the crime of unlawful possession of a firearm in the second degree, if the person does not qualify under subsection (1) of this section for the crime of unlawful possession of a firearm in the first degree and the person owns, has in his or her possession, or has in his or her control any firearm:

(i) After having previously been convicted or found not guilty by reason of insanity in this state or elsewhere of any felony not specifically listed as prohibiting firearm possession under subsection (1) of this section, or any of the following crimes when committed by one family or household member against another, committed on or after July 1, 1993: Assault in the fourth degree, coercion, stalking, reckless endangerment, criminal trespass in the first degree, or violation of the provisions of a protection order or no-contact order restraining the person or excluding the person from a residence (RCW 26.50.060, 26.50.070, 26.50.130, or 10.99.040);

(ii) During any period of time that the person is subject to a court order issued under chapter 7.90, 7.92, 9A.46, 10.14, 10.99, 26.09, 26.10, 26.26, or 26.50 RCW that:

(A) Was issued after a hearing of which the person received actual notice, and at which the person had an opportunity to participate;

(B) Restrains the person from harassing, stalking, or threatening an intimate partner of the person or child of the intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and

(C)(I) Includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child; and

(II) By its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury;

(iii) After having previously been involuntarily committed for mental health treatment under RCW 71.05.240, 71.05.320, 71.34.740, 71.34.750, chapter 10.77 RCW, or equivalent statutes of another jurisdiction, unless his or her right to possess a firearm has been restored as provided in RCW 9.41.047;

(iv) If the person is under eighteen years of age, except as provided in RCW 9.41.042; and/or

(v) If the person is free on bond or personal recognizance pending trial, appeal, or sentencing for a serious offense as defined in RCW 9.41.010.

(b) Unlawful possession of a firearm in the second degree is a class C felony punishable according to chapter 9A.20 RCW.

(3) Notwithstanding RCW 9.41.047 or any other provisions of law, as used in this chapter, a person has been "convicted", whether in an adult court or adjudicated in a juvenile court, at such time as a plea of guilty has been accepted, or a verdict of guilty has been filed, notwithstanding the pendency of any future proceedings including but not limited to sentencing or disposition, post-trial or post-fact-finding motions, and appeals. Conviction includes a dismissal entered after a period of probation, suspension or deferral of sentence, and also includes equivalent dispositions by courts in jurisdictions other than Washington state. A person shall not be precluded from possession of a firearm if the conviction has been the subject of a pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted or the conviction or disposition has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. Where no record of the court's disposition of the charges can be found, there shall be a rebuttable presumption that the person was not convicted of the charge.

(4)(a) Notwithstanding subsection (1) or (2) of this section, a person convicted or found not guilty by reason of insanity of an offense prohibiting the possession of a firearm under this section other than murder, manslaughter, robbery, rape, indecent liberties, arson, assault, kidnapping, extortion, burglary, or violations with respect to controlled substances under RCW 69.50.401 and 69.50.410, who received a probationary sentence under RCW 9.95.200, and who received a dismissal of the charge under RCW 9.95.240, shall not be precluded from possession of a firearm as a result of the conviction or finding of not guilty by reason of insanity. Notwithstanding any other provisions of this section, if a person is prohibited from possession of a firearm under subsection (1) or (2) of this section and has not previously been convicted or found not guilty by reason of insanity of a sex offense prohibiting firearm ownership under subsection (1) or (2) of this section and/or any felony defined under any law as a class A felony or with a maximum sentence of at least twenty years, or both, the individual may petition a court of record to have his or her right to possess a firearm restored:

(i) Under RCW 9.41.047; and/or

(ii)(A) If the conviction or finding of not guilty by reason of insanity was for a felony offense, after five or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525; or

(B) If the conviction or finding of not guilty by reason of insanity was for a nonfelony offense, after three or more consecutive years in the community without being convicted or found not guilty by reason of insanity or currently charged with any felony, gross misdemeanor, or misdemeanor crimes, if the individual has no prior felony convictions that prohibit the possession of a firearm counted as part of the offender score under RCW 9.94A.525 and the individual has completed all conditions of the sentence.

(b) An individual may petition a court of record to have his or her right to possess a firearm restored under (a) of this subsection (4) only at:

(i) The court of record that ordered the petitioner's prohibition on possession of a firearm; or

(ii) The superior court in the county in which the petitioner resides.

(5) In addition to any other penalty provided for by law, if a person under the age of eighteen years is found by a court to have possessed a firearm in a vehicle in violation of subsection (1) or (2) of this section or to have committed an offense while armed with a firearm during which offense a motor vehicle served an integral function, the court shall notify the department of licensing within twenty-four hours and the person's privilege to drive shall be revoked under RCW 46.20.265, unless the offense is the juvenile's first offense in violation of this section and has not committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.52, 69.41, or 69.50 RCW.

(6) Nothing in chapter 129, Laws of 1995 shall ever be construed or interpreted as preventing an offender from being charged and subsequently convicted for the separate felony crimes of theft of a firearm or possession of a stolen firearm, or both, in addition to being charged and subsequently convicted under this section for unlawful possession of a firearm in the first or second degree. Notwithstanding any other law, if the offender is convicted under this section for unlawful possession of a firearm in the first or second degree and for the felony crimes of theft of a firearm or possession of a stolen firearm, or both, then the offender shall serve consecutive sentences for each of the felony crimes of conviction listed in this subsection.

(7) Each firearm unlawfully possessed under this section shall be a separate offense.

(8) For purposes of this section, "intimate partner" includes: A spouse, a domestic partner, a former spouse, a former domestic partner, a person with whom the restrained person has a child in common, or a person with whom the restrained person has cohabitated or is cohabitating as part of a dating relationship.

Sec. 8. RCW 46.20.265 and 2005 c 288 s 2 are each amended to read as follows:

(1) In addition to any other authority to revoke driving privileges under this chapter, the department shall revoke all driving privileges of a juvenile when the department receives notice from a court pursuant to RCW 9.41.040(5), 13.40.265, 66.44.365, 69.41.065, 69.50.420, 69.52.070, or a substantially similar municipal ordinance adopted by a local legislative authority, or from a diversion unit pursuant to RCW 13.40.265.

(2) The driving privileges of the juvenile revoked under subsection (1) of this section shall be revoked in the following manner:

(a) Upon receipt of the first notice, the department shall impose a revocation for one year, or until the juvenile reaches seventeen years of age, whichever is longer.

(b) Upon receipt of a second or subsequent notice, the department shall impose a revocation for two years or until the juvenile reaches eighteen years of age, whichever is longer.

(c) Each offense for which the department receives notice shall result in a separate period of revocation. All periods of revocation imposed under this section that could otherwise overlap shall run consecutively up to the juvenile's twenty-first birthday, and no period of revocation imposed under this section shall begin before the expiration of all other periods of revocation imposed under this section or other law. Periods of revocation imposed consecutively under this section shall not extend beyond the juvenile's twenty-first birthday.

(3)(a) If the department receives notice from a court that the juvenile's privilege to drive should be reinstated, the department shall immediately reinstate any driving privileges that have been revoked under this section if the minimum term of revocation as specified in RCW 13.40.265((1)(c)) (3), 66.44.365(3), 69.41.065(3), 69.50.420(3), 69.52.070(3), or similar ordinance has expired, and subject to subsection (2)(c) of this section.

(b) The juvenile may seek reinstatement of his or her driving privileges from the department when the juvenile reaches the age of twenty-one. A notice from the court reinstating the juvenile's driving privilege shall not be required if reinstatement is pursuant to this subsection.

((4)(a) If the department receives notice pursuant to RCW 13.40.265(2)(b) from a diversion unit that a juvenile has completed a diversion agreement for which the juvenile's driving privileges were revoked, the department shall reinstate any driving privileges revoked under this section as provided in (b) of this subsection, subject to subsection (2)(c) of this section.

(b) If the diversion agreement was for the juvenile's first violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the department shall not reinstate the juvenile's privilege to drive until the later of ninety days after the date the juvenile turns sixteen or ninety days after the juvenile entered into a diversion agreement for the offense. If the diversion agreement was for the juvenile's second or subsequent violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the department shall not reinstate the juvenile's privilege to drive until the later of the date the juvenile turns seventeen or one year after the juvenile entered into the second or subsequent diversion agreement.))

Sec. 9. RCW 66.44.365 and 1989 c 271 s 118 are each amended to read as follows:

(1) If a juvenile thirteen years of age or older and under the age of eighteen is found by a court to have committed any offense that is a violation of this chapter, the court shall notify the department of licensing within twenty-four hours after entry of the judgment, unless the offense is the juvenile's first offense in violation of this chapter and has not committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 69.41, 69.50, or 69.52 RCW.

(2) Except as otherwise provided in subsection (3) of this section, upon petition of a juvenile whose privilege to drive has been revoked pursuant to RCW 46.20.265, the court may notify the department of licensing that the juvenile's privilege to drive should be reinstated.

(3) If the conviction is for the juvenile's first violation of this chapter or chapter 69.41, 69.50, or 69.52 RCW, a juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the later of ninety days after the date the juvenile turns sixteen or ninety days after the judgment was entered. If the conviction was for the juvenile's second or subsequent violation of this chapter or chapter 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the later of the date the juvenile turns seventeen or one year after the date judgment was entered.

Sec. 10. RCW 69.41.065 and 1989 c 271 s 119 are each amended to read as follows:

(1) If a juvenile thirteen years of age or older and under the age of twenty-one is found by a court to have committed any offense that is a violation of this chapter, the court shall notify the department of licensing within twenty-four hours after entry of the judgment, unless the offense is the juvenile's first offense in violation of this chapter and has not committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.50, or 69.52 RCW.

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(2) Except as otherwise provided in subsection (3) of this section, upon petition of a juvenile whose privilege to drive has been revoked pursuant to RCW 46.20.265, the court may notify the department of licensing that the juvenile's privilege to drive should be reinstated.

(3) If the conviction is for the juvenile's first violation of this chapter or chapter 66.44, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the later of ninety days after the date the juvenile turns sixteen or ninety days after the judgment was entered. If the conviction was for the juvenile's second or subsequent violation of this chapter or chapter 66.44, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the later of the date the juvenile turns seventeen or one year after the date judgment was entered.

Sec. 11. RCW 69.50.420 and 1989 c 271 s 120 are each amended to read as follows:

(1) If a juvenile thirteen years of age or older and under the age of twenty-one is found by a court to have committed any offense that is a violation of this chapter, the court shall notify the department of licensing within twenty-four hours after entry of the judgment, unless the offense is the juvenile's first offense in violation of this chapter and has not committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.41, or 69.52 RCW.

(2) Except as otherwise provided in subsection (3) of this section, upon petition of a juvenile whose privilege to drive has been revoked pursuant to RCW 46.20.265, the court may at any time the court deems appropriate notify the department of licensing to reinstate the juvenile's privilege to drive.

(3) If the conviction is for the juvenile's first violation of this chapter or chapter 66.44, 69.41, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the later of ninety days after the date the juvenile turns sixteen or ninety days after the judgment was entered. If the conviction was for the juvenile's second or subsequent violation of this chapter or chapter 66.44, 69.41, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the later of the date the juvenile turns seventeen or one year after the date judgment was entered.

Sec. 12. RCW 69.52.070 and 1989 c 271 s 121 are each amended to read as follows:

(1) If a juvenile thirteen years of age or older and under the age of twenty-one is found by a court to have committed any offense that is a violation of this chapter, the court shall notify the department of licensing within twenty-four hours after entry of the judgment, unless the offense is the juvenile's first offense in violation of this chapter and has not committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.41, or 69.50 RCW.

(2) Except as otherwise provided in subsection (3) of this section, upon petition of a juvenile whose privilege to drive has been revoked pursuant to RCW 46.20.265, the court may at any time the court deems appropriate notify the department of licensing to reinstate the juvenile's privilege to drive.

(3) If the conviction is for the juvenile's first violation of this chapter or chapter 66.44, 69.41, or 69.50 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the later of ninety days after the date the juvenile turns sixteen or ninety days after the judgment was entered. If the conviction was for the

juvenile's second or subsequent violation of this chapter or chapter 66.44, 69.41, or 69.50 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the later of the date the juvenile turns seventeen or one year after the date judgment was entered."

On page 1, line 2 of the title, after "offenders;" strike the remainder of the title and insert "and amending RCW 13.40.010, 13.40.020, 13.40.127, 13.40.308, 10.99.030, 13.40.265, 9.41.040, 46.20.265, 66.44.365, 69.41.065, 69.50.420, and 69.52.070."

MOTION

Senator O'Ban moved that the following amendment no. 732 by Senators O'Ban and Darneille to the committee striking amendment be adopted:

On page 8, beginning on line 16 of the amendment, after "court" strike all material through "section," on line 17 and insert "may,"

On page 8, line 24 of the amendment, after "disposition.))" insert "In all cases where the juvenile is eligible for a deferred disposition, there shall be a strong presumption that the deferred disposition will be granted."

On page 8, beginning on line 26 of the amendment, after "(3)" strike all material through "(4)" on line 32

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Senator O'Ban spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 732 by Senators O'Ban and Darneille to the committee striking amendment to Engrossed Substitute House Bill No. 2906.

The motion by Senator O'Ban carried and the amendment was adopted by voice vote.

MOTION

Senator O'Ban moved that the following amendment no. 733 by Senators O'Ban and Darneille to the committee striking amendment be adopted:

On page 12, line 20 of the amendment, after "days" insert ", or a combination thereof that includes a minimum of three days home confinement and a minimum of forty hours of community restitution"

On page 12, beginning on line 21 of the amendment, after "available" strike all material through "restitution" on line 23

Senator O'Ban spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 733 by Senators O'Ban and Darneille to the committee striking amendment to Engrossed Substitute House Bill No. 2906.

The motion by Senator O'Ban carried and the amendment was adopted by voice vote.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Human Services, Mental Health & Housing, as amended, to Engrossed Substitute House Bill No. 2906.

The motion by Senator O'Ban carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Substitute House Bill No. 2906, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

Senator Dinsel spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2906, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2906, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Takko and Warnick

Voting nay: Senators Benton, Dinsel, Ericksen and Sheldon
Excused: Senator Carlyle

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2906, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, pursuant to Rule 18, Engrossed House Bill 2362, an act relating to recordings/law enforcement, etc., was made a special order of business to be considered at 4:56 p.m.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545, by House Committee on Health Care & Wellness (originally sponsored by Representatives Van De Wege, Taylor, DeBolt, Cody, Rodne, Kochmar, Stambaugh, Riccelli, Johnson, Jinkins, Kagi, Harris, Smith, Stokesbary, Caldier, Zeiger, Tharinger, Hickel, Fitzgibbon, Muri, Reykdal, Frame, Rossetti, S. Hunt, Hudgins, McBride, Ormsby, Appleton, Walkinshaw, Senn, Ryu, Gregerson, Sells, Harmsworth, Tarleton, Pollet, Bergquist, Stanford and Scott)

Reducing public health threats that particularly impact highly exposed populations, including children and firefighters, by establishing a process for the department of health to restrict the use of toxic flame retardant chemicals in certain types of consumer products.

The measure was read the second time.

MOTION

Senator Ericksen moved that the following committee striking amendment by the Committee on Ways & Means not be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.240 RCW to read as follows:

The definitions in this section apply throughout sections 1 through 3 of this act unless the context clearly requires otherwise.

(1) "Additive TBBPA" means the chemical tetrabromobisphenol A, chemical abstracts service number 79-94-7, as of the effective date of this section, in a form that has not undergone a reactive process and is not covalently bonded to a polymer in a product or product component.

(2)(a) "Children's product" includes any of the following:

(i) Toys;

(ii) Children's cosmetics;

(iii) Children's jewelry;

(iv) A product designed or intended by the manufacturer to help a child with sucking or teething, to facilitate sleep, relaxation, or the feeding of a child, or to be worn as clothing by children; or

(v) A portable infant or child safety seat designed to attach to an automobile seat.

(b) "Children's product" does not include the following:

(i) Batteries;

(ii) Slings and catapults;

(iii) Sets of darts with metallic points;

(iv) Toy steam engines;

(v) Bicycles and tricycles;

(vi) Video toys that can be connected to a video screen and are operated at a nominal voltage exceeding twenty-four volts;

(vii) Chemistry sets;

(viii) Consumer and children's electronic products, including but not limited to personal computers, audio and video equipment, calculators, wireless phones, game consoles, and hand-held devices incorporating a video screen, used to access interactive software and their associated peripherals;

(ix) Interactive software, intended for leisure and entertainment, such as computer games, and their storage media, such as compact discs;

(x) BB guns, pellet guns, and air rifles;

(xi) Snow sporting equipment, including skis, poles, boots, snow boards, sleds, and bindings;

(xii) Sporting equipment, including but not limited to bats, balls, gloves, sticks, pucks, and pads;

(xiii) Roller skates;

(xiv) Scooters;

(xv) Model rockets;

(xvi) Athletic shoes with cleats or spikes; and

(xvii) Pocket knives and multitools.

(3) "Decabromodiphenyl ether" means the chemical decabromodiphenyl ether, chemical abstracts service number 1163-19-5, as of the effective date of this section.

(4) "HBCD" means the chemical hexabromocyclododecane, chemical abstracts service number 25637-99-4, as of the effective date of this section.

(5) "High priority chemical" means a chemical used as a flame retardant in amounts greater than one thousand parts per million in any product component of residential upholstered furniture, as defined in RCW 70.76.010, or children's products and that meets the criteria of a high priority chemical of high concern for children under RCW 70.240.030(1) as identified by a state agency, federal agency, or accredited research university, or other scientific evidence deemed authoritative by the department of health on the

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

basis of credible scientific evidence as known to do one or more of the following:

- (a) Harm the normal development of a fetus or child or cause other developmental toxicity;
 - (b) Cause cancer, genetic damage, or reproductive harm;
 - (c) Disrupt the endocrine system;
 - (d) Damage the nervous system, immune system, or organs or cause other systemic toxicity;
 - (e) Be persistent, bioaccumulative, and toxic; or
 - (f) Be very persistent and very bioaccumulative.
- (6) "IPTPP" means the chemical isopropylated triphenyl phosphate, chemical abstracts service number 68937-41-7, as of the effective date of this section.

(7) "Manufacturer" includes any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces residential upholstered furniture as defined in RCW 70.76.010 or children's product or an importer or domestic distributor of residential upholstered furniture as defined in RCW 70.76.010 or children's product. For the purposes of this subsection, "importer" means the owner of the residential upholstered furniture as defined in RCW 70.76.010 or children's product.

(8) "TBB" means the chemical (2-ethylhexyl)-2,3,4,5-tetrabromobenzoate, chemical abstracts service number 183658-27-7, as of the effective date of this section.

(9) "TBPH" means the chemical bis (2-ethylhexyl)-2,3,4,5-tetrabromophthalate, chemical abstracts service number 26040-51-7, as of the effective date of this section.

(10) "TCEP" means the chemical (tris(2-chloroethyl)phosphate); chemical abstracts service number 115-96-8, as of the effective date of this section.

(11) "TCPP" means the chemical tris (1-chloro-2-propyl) phosphate); chemical abstracts service number 13674-84-5, as of the effective date of this section.

(12) "TDCPP" means the chemical (tris(1,3-dichloro-2-propyl)phosphate); chemical abstracts service number 13674-87-8, as of the effective date of this section.

(13) "TPP" means the chemical triphenyl phosphate, chemical abstracts service number 115-86-6, as of the effective date of this section.

(14) "Toy" means a product designed or intended by the manufacturer to be used by a child at play.

(15) "Very bioaccumulative" means having a bioconcentration factor or bioaccumulation factor greater than or equal to five thousand, or if neither are available, having a log Kow greater than 5.0.

(16) "Very persistent" means having a half-life greater than or equal to one of the following:

- (a) A half-life in soil or sediment of greater than one hundred eighty days; or
- (b) A half-life greater than or equal to sixty days in water or evidence of long-range transport.

NEW SECTION. Sec. 2. A new section is added to chapter 70.240 RCW to read as follows:

Beginning July 1, 2017, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state children's products or residential upholstered furniture, as defined in RCW 70.76.010, containing any of the following flame retardants in amounts greater than one thousand parts per million in any product component:

- (1) TDCPP;
- (2) TCEP;
- (3) Decabromodiphenyl ether;
- (4) HBCD; or

(5) Additive TBBPA.

NEW SECTION. Sec. 3. A new section is added to chapter 70.240 RCW to read as follows:

(1) By rule, the department shall consider whether to add the following flame retardants to the list of chemicals of high concern for children:

- (a) IPTPP;
- (b) TBB;
- (c) TBPH;
- (d) TCPP;
- (e) TPP.

(2) If after January 1, 2016, a flame retardant listed in subsection (1) of this section is identified as a chemical of high concern for children, the department of health, in consultation with the department, must create a stakeholder advisory committee for each flame retardant chemical within one year of the adoption of the rule that identifies the flame retardant chemical as a chemical of high concern for children. The stakeholder advisory committee is developed to provide stakeholder input, expertise, and additional information. All advisory committee meetings must be open to the public. The advisory committee membership must include, but not be limited to, representatives from: Large and small business sectors; community, environmental, and public health advocacy groups; local governments; affected and interested businesses; and public health agencies. State agencies and technical experts may be requested to participate. In addition, the department of health shall provide technical expertise on human health impacts including: Early childhood and fetal exposure, exposure reduction, and safer substitutes.

(3) The department must conduct their analysis consistent with credible scientific evidence and take into consideration information relating to the hazards of and the quantitative extent of exposures to the chemical under its intended or reasonably anticipated conditions of use.

(4) When developing policy recommendations consistent with subsection (5) of this section, the department of health, in consultation with the department, must include the following types of information, and evaluation:

- (a) Chemical name, properties, uses, and manufacturers;
- (b) An analysis of available information on the production, unintentional production, uses, and disposal of the chemical;
- (c) Quantitative estimates of the potential human and environmental exposures associated with the use and release of the chemical;

(d) An assessment of the potential impacts on human health and the environment resulting from the quantitative exposure estimates referred to in (c) of this subsection;

(e) Recommendations for:

- (i) Managing, reducing, and phasing out the different uses and releases of the chemical;
 - (ii) Minimizing exposure to the chemical;
 - (iii) Using safer substitutes; and
 - (iv) Encouraging the development of safer alternatives;
- (f) Recommendations on an evaluation of the following factors:

- (i) Environmental and human health benefits;
- (ii) Economic and social impacts;
- (iii) Feasibility;
- (iv) Availability and effectiveness of safer substitutes for uses of the chemical; and
- (v) Consistency with existing federal and state regulatory requirements.

(5) The department of health must include recommendations on policy options for reducing exposure, designating and

developing safer substitutes, and restricting or prohibiting the use of the chemicals in consumer products. If the department of health, in consultation with the department, determines that a chemical should be restricted or prohibited from use in children's products, residential upholstered furniture as defined in RCW 70.76.010, or other commercial products or processes, the department of health, in consultation with the department, must submit a recommendation to the appropriate policy committees of the legislature. In conjunction with its recommendation to the legislature, the department of health, in consultation with the department, must cite the peer-reviewed science and other sources of information that the department reviewed and ultimately relied upon in support of the recommendation to restrict or prohibit the chemical.

Sec. 4. RCW 70.240.050 and 2008 c 288 s 7 are each amended to read as follows:

(1) A manufacturer of products that are restricted under this chapter must notify persons that sell the manufacturer's products in this state about the provisions of this chapter no less than ninety days prior to the effective date of the restrictions.

(2) A manufacturer that produces, sells, or distributes a product prohibited from manufacture, sale, or distribution in this state under this chapter shall recall the product and reimburse the retailer or any other purchaser for the product.

(3) A manufacturer of ((children's)) products in violation of this chapter is subject to a civil penalty not to exceed five thousand dollars for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed ten thousand dollars for each repeat offense. Penalties collected under this section must be deposited in the state toxics control account created in RCW 70.105D.070.

(4) Retailers who unknowingly sell products that are restricted from sale under this chapter are not liable under this chapter.

(5) The sale or purchase of any previously owned products containing a chemical restricted under this chapter made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter."

On page 1, line 5 of the title, after "products;" strike the remainder of the title and insert "amending RCW 70.240.050; and adding new sections to chapter 70.240 RCW."

The President declared the question before the Senate to be the committee striking amendment by the Committee on Ways & Means to Engrossed Substitute House Bill No. 2545 be not adopted.

The motion by Senator Ericksen carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following committee striking amendment by the Committee on Health Care not be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Additive TBBPA" means the chemical tetrabromobisphenol A, chemical abstracts service number 79-94-7, as of the effective date of this section, in a form that has not undergone a reactive process and is not covalently bonded to a polymer in a product or product component.

(2) "Children's product" has the same meaning as defined in RCW 70.240.010. For the purposes of this chapter, children's product does not include an inaccessible electronic component

part located inside a children's electronic product and not capable of being touched or mouthed, whether or not such part is visible to a user of the product.

(3) "Decabromodiphenyl ether" means the chemical decabromodiphenyl ether, chemical abstracts service number 1163-19-5, as of the effective date of this section.

(4) "HBCD" means the chemical hexabromocyclododecane, chemical abstracts service number 25637-99-4, as of the effective date of this section.

(5) "High priority chemical" has the same meaning as defined in RCW 70.240.010, but only includes chemicals that are: (a) Used as flame retardants; and (b) in any product component of a children's product or residential upholstered furniture, as defined in RCW 70.76.010.

(6) "IPTPP" means the chemical isopropylated triphenyl phosphate, chemical abstracts service number 68937-41-7, as of the effective date of this section.

(7) "Manufacturer" has the same meaning as defined in RCW 70.240.010 and also includes a manufacturer of residential upholstered furniture, as defined in RCW 70.76.010.

(8) "TBB" means the chemical (2-ethylhexyl)-2,3,4,5-tetrabromobenzoate, chemical abstracts service number 183658-27-7, as of the effective date of this section.

(9) "TBPH" means the chemical bis (2-ethylhexyl)-2,3,4,5-tetrabromophthalate, chemical abstracts service number 26040-51-7, as of the effective date of this section.

(10) "TCEP" means the chemical (tris(2-chloroethyl)phosphate), chemical abstracts service number 115-96-8, as of the effective date of this section.

(11) "TCPP" means the chemical tris (1-chloro-2-propyl) phosphate, chemical abstracts service number 13674-84-5, as of the effective date of this section.

(12) "TDCPP" means the chemical (tris(1,3-dichloro-2-propyl)phosphate), chemical abstracts service number 13674-87-8, as of the effective date of this section.

(13) "TPP" means the chemical triphenyl phosphate, chemical abstracts service number 115-86-6, as of the effective date of this section.

(14) "V6" means the chemical bis(chloromethyl)propane-1,3-diyltetrakis (2-chloroethyl) bisphosphate, chemical abstracts service number 385051-10-4, as of the effective date of this section.

NEW SECTION. Sec. 2. Beginning July 1, 2017, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state children's products or residential upholstered furniture, as defined in RCW 70.76.010, containing any of the following flame retardants in amounts greater than one thousand parts per million in any product component:

- (1) TDCPP;
- (2) TCEP;
- (3) Decabromodiphenyl ether;
- (4) HBCD; or
- (5) Additive TBBPA.

NEW SECTION. Sec. 3. (1) Consistent with the process and evaluative criteria adopted by the department of ecology by rule under chapter 70.240 RCW, the department of ecology, in consultation with the department of health, must make a determination regarding whether a flame retardant listed in (a) through (f) of this subsection meets the criteria of a high priority chemical of high concern for children:

- (a) IPTPP;
- (b) TBB;
- (c) TBPH;
- (d) TCPP;
- (e) TPP; and

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(f) V6.

(2) If a flame retardant listed in subsection (1)(a) through (f) meets the criteria of a high priority chemical of high concern for children, then the department of ecology, in consultation with the department of health, shall determine whether additional manufacturer data on use in children's products is needed in order to further evaluate the flame retardant. If additional manufacturer data is deemed necessary, the department of ecology may initiate rule making to add the flame retardant according to the process and criteria adopted in rule by the department of ecology under chapter 70.240 RCW.

(3) If the department of ecology, in consultation with the department of health, determines that a flame retardant chemical in subsection (1)(a) through (f) of this section meets the criteria of a chemical of high concern for children and there is available information on use of the flame retardant chemical in children's products, then the department of ecology shall submit a report to the legislature by December 1, 2016. The report to the legislature must contain:

(a) A determination by the department of health as to whether children or vulnerable populations are likely to be exposed to the chemical directly or indirectly from its use in products. The determination of the department of health must be made after an evaluation of available information on:

(i) Chemical name, properties, manufacturers, and production volumes;

(ii) Levels of the flame retardants in consumer products;

(iii) Migration of the flame retardants out of products during and after use;

(iv) Levels of the flame retardants in humans and the environment, including but not limited to the home environment; and

(v) Quantitative estimates of the potential human and environmental exposures;

(b) A review of available toxicity data to evaluate the health concerns for children or vulnerable populations;

(c) A determination of whether a safer alternative has been identified to meet applicable fire safety standards for residential furniture and children's products by evaluating existing chemical action plans and assessments of safer alternatives that have been completed for flame retardant chemicals; and

(d) Recommendations regarding whether the legislature should restrict the use of the flame retardants listed in subsection (1)(a) through (f) of this section in children's products or residential upholstered furniture, as defined in RCW 70.76.010, or both. This recommendation must address:

(i) Allowable levels of any restricted flame retardant chemicals in a product, which may not be less than one thousand parts per million; and

(ii) The date when any restrictions should take effect.

(4) The departments of health and ecology must identify the sources of information they reviewed and ultimately relied upon in making the determinations required in subsection (2) of this section, including peer-reviewed science.

(5) The department of ecology, in consultation with the department of health, must create an external advisory committee to provide early stakeholder input, expertise, and additional information for the report to the legislature required under subsection (2) of this section and any rule making carried out under section 4 of this act. All advisory meetings must be open to the public. The advisory committee membership must include, but not be limited to, representatives from: Large and small business sectors; community, environmental, and public health advocacy groups; local governments; affected and interested businesses; groups representing firefighters; and public health

agencies. State agencies and technical experts may be requested to participate.

(6) If the department of ecology, in consultation with the department of health, submits a report under subsection (2) of this section to the legislature recommending restricting a flame retardant chemical listed in subsection (1)(a) through (f) of this section, the rule-making process under section 4 of this act may not commence prior to the end of the 2017 regular legislative session.

NEW SECTION. Sec. 4. (1) Before December 1st of any year until December 1, 2021, the secretary of the department of health may propose a rule to restrict flame retardants consistent with the department of ecology's recommendations under section 3(2) of this act to restrict a flame retardant. This rule may not be finalized and adopted before the end of the regular legislative session in the year following the rule proposal under this section and may not be finalized and adopted if the legislature takes action during that following regular legislative session to implement restrictions on flame retardants listed in section 3(1)(a) through (f) of this act consistent with the department of ecology's recommendations under section 3(2) of this act.

(2) A violation of rules adopted pursuant to this chapter is subject to the penalties provided in RCW 70.240.050.

(3) The department of health may adopt rules as necessary for the purpose of implementing, administering, and enforcing this chapter.

(4) This section expires July 1, 2022.

Sec. 5. RCW 70.240.050 and 2008 c 288 s 7 are each amended to read as follows:

(1) A manufacturer of products that are restricted under this chapter or chapter 70.--- RCW (the new chapter created in section 6 of this act) must notify persons that sell the manufacturer's products in this state about the provisions of this chapter no less than ninety days prior to the effective date of the restrictions.

(2) A manufacturer that produces, sells, or distributes a product prohibited from manufacture, sale, or distribution in this state under this chapter or chapter 70.--- RCW (the new chapter created in section 6 of this act) shall recall the product and reimburse the retailer or any other purchaser for the product.

(3) A manufacturer of ((children's)) products in violation of this chapter or chapter 70.--- RCW (the new chapter created in section 6 of this act) is subject to a civil penalty not to exceed five thousand dollars for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed ten thousand dollars for each repeat offense. Penalties collected under this section must be deposited in the state toxics control account created in RCW 70.105D.070.

(4) Retailers who unknowingly sell products that are restricted from sale under this chapter or chapter 70.--- RCW (the new chapter created in section 6 of this act) are not liable under this chapter.

(5) The sale or purchase of any previously owned products containing a chemical restricted under this chapter or chapter 70.--- RCW (the new chapter created in section 6 of this act) made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter and chapter 70.--- RCW (the new chapter created in section 6 of this act).

NEW SECTION. Sec. 6. Sections 1 through 4 of this act constitute a new chapter in Title 70 RCW."

On page 1, line 5 of the title, after "products;" strike the remainder of the title and insert "; amending RCW 70.240.050; adding a new chapter to Title 70 RCW; and providing an expiration date."

The President declared the question before the Senate to be the committee striking amendment by the Committee on Health Care to Engrossed Substitute House Bill No. 2545 be not adopted.

The motion by Senator Ericksen carried and the committee striking amendment was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following striking amendment no. 730 by Senators Ericksen and Parlette be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 70.240.010 and 2008 c 288 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Children's cosmetics" means cosmetics that are made for, marketed for use by, or marketed to children under the age of twelve. "Children's cosmetics" includes cosmetics that meet any of the following conditions:

(a) Represented in its packaging, display, or advertising as appropriate for use by children;

(b) Sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children; or

(c) Sold in any of the following:

(i) Retail store, catalogue, or online web site, in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(ii) A discrete portion of a retail store, catalogue, or online web site, in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(2) "Children's jewelry" means jewelry that is made for, marketed for use by, or marketed to children under the age of twelve. "Children's jewelry" includes jewelry that meets any of the following conditions:

(a) Represented in its packaging, display, or advertising as appropriate for use by children under the age of twelve;

(b) Sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children;

(c) Sized for children and not intended for use by adults; or

(d) Sold in any of the following:

(i) A vending machine;

(ii) Retail store, catalogue, or online web site, in which a person exclusively offers for sale products that are packaged, displayed, or advertised as appropriate for use by children; or

(iii) A discrete portion of a retail store, catalogue, or online web site, in which a person offers for sale products that are packaged, displayed, or advertised as appropriate for use by children.

(3)(a) "Children's product" includes any of the following:

(i) Toys;

(ii) Children's cosmetics;

(iii) Children's jewelry;

(iv) A product designed or intended by the manufacturer to help a child with sucking or teething, to facilitate sleep, relaxation, or the feeding of a child, or to be worn as clothing by children; or

(v) ((Child car seats)) Portable infant or child safety seat designed to attach to an automobile seat.

(b) "Children's product" does not include the following:

(i) Batteries;

(ii) Slings and catapults;

(iii) Sets of darts with metallic points;

(iv) Toy steam engines;

(v) Bicycles and tricycles;

(vi) Video toys that can be connected to a video screen and are operated at a nominal voltage exceeding twenty-four volts;

(vii) Chemistry sets;

(viii) Consumer and children's electronic products, including but not limited to personal computers, audio and video equipment, calculators, wireless phones, game consoles, and hand-held devices incorporating a video screen, used to access interactive software and their associated peripherals;

(ix) Interactive software, intended for leisure and entertainment, such as computer games, and their storage media, such as compact disks;

(x) BB guns, pellet guns, and air rifles;

(xi) Snow sporting equipment, including skis, poles, boots, snow boards, sleds, and bindings;

(xii) Sporting equipment, including, but not limited to bats, balls, gloves, sticks, pucks, and pads;

(xiii) Roller skates;

(xiv) Scooters;

(xv) Model rockets;

(xvi) Athletic shoes with cleats or spikes; and

(xvii) Pocket knives and multitools.

(4) "Cosmetics" includes articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and articles intended for use as a component of such an article. "Cosmetics" does not include soap, dietary supplements, or food and drugs approved by the United States food and drug administration.

(5) "Department" means the department of ecology.

(6) "High priority chemical" means a chemical identified by a state agency, federal agency, or accredited research university, or other scientific evidence deemed authoritative by the department on the basis of credible scientific evidence as known to do one or more of the following:

(a) Harm the normal development of a fetus or child or cause other developmental toxicity;

(b) Cause cancer, genetic damage, or reproductive harm;

(c) Disrupt the endocrine system;

(d) Damage the nervous system, immune system, or organs or cause other systemic toxicity;

(e) Be persistent, bioaccumulative, and toxic; or

(f) Be very persistent and very bioaccumulative.

(7) "Manufacturer" includes any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces ((a)) residential upholstered furniture as defined in RCW 70.76.010 or children's product or an importer or domestic distributor of ((a)) residential upholstered furniture as defined in RCW 70.76.010 or children's product. For the purposes of this subsection, "importer" means the owner of the residential upholstered furniture as defined in RCW 70.76.010 or children's product.

(8) "Phthalates" means di-(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), benzyl butyl phthalate (BBP), diisononyl phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP).

(9) "Toy" means a product designed or intended by the manufacturer to be used by a child at play.

(10) "Trade association" means a membership organization of persons engaging in a similar or related line of commerce, organized to promote and improve business conditions in that line of commerce and not to engage in a regular business of a kind ordinarily carried on for profit.

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(11) "Very bioaccumulative" means having a bioconcentration factor or bioaccumulation factor greater than or equal to five thousand, or if neither are available, having a log Kow greater than 5.0.

(12) "Very persistent" means having a half-life greater than or equal to one of the following:

(a) A half-life in soil or sediment of greater than one hundred eighty days;

(b) A half-life greater than or equal to sixty days in water or evidence of long-range transport.

(13) "Additive TBBPA" means the chemical tetrabromobisphenol A, chemical abstracts service number 79-94-7, as of the effective date of this section, in a form that has not undergone a reactive process and is not covalently bonded to a polymer in a product or product component.

(14) "Decabromodiphenyl ether" means the chemical decabromodiphenyl ether, chemical abstracts service number 1163-19-5, as of the effective date of this section.

(15) "HBDCD" means the chemical hexabromocyclododecane, chemical abstracts service number 25637-99-4, as of the effective date of this section.

(16) "IPTPP" means the chemical isopropylated triphenyl phosphate, chemical abstracts service number 68937-41-7, as of the effective date of this section.

(17) "TBB" means the chemical (2-ethylhexyl)-2,3,4,5-tetrabromobenzoate, chemical abstracts service number 183658-27-7, as of the effective date of this section.

(18) "TBPH" means the chemical bis (2-ethylhexyl)-2,3,4,5-tetrabromophthalate, chemical abstracts service number 26040-51-7, as of the effective date of this section.

(19) "TCEP" means the chemical (tris(2-chloroethyl)phosphate); chemical abstracts service number 115-96-8, as of the effective date of this section.

(20) "TCPP" means the chemical tris (1-chloro-2-propyl) phosphate); chemical abstracts service number 13674-84-5, as of the effective date of this section.

(21) "TDCPP" means the chemical (tris(1,3-dichloro-2-propyl)phosphate); chemical abstracts service number 13674-87-8, as of the effective date of this section.

(22) "TPP" means the chemical triphenyl phosphate, chemical abstracts service number 115-86-6, as of the effective date of this section.

(23) "V6" means the chemical bis(chloromethyl) propane-1,3-diyltetrakis (2-chloroethyl) bisphosphate, chemical abstracts service number 385051-10-4, as of the effective date of this section.

NEW SECTION. Sec. 2. A new section is added to chapter 70.240 RCW to read as follows:

Beginning July 1, 2017, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state children's products or residential upholstered furniture, as defined in RCW 70.76.010, containing any of the following flame retardants in amounts greater than one thousand parts per million in any product component:

- (1) TDCPP;
- (2) TCEP;
- (3) Decabromodiphenyl ether;
- (4) HBDCD; or
- (5) Additive TBBPA.

NEW SECTION. Sec. 3. A new section is added to chapter 70.240 RCW to read as follows:

(1) The department shall consider whether the following flame retardants meet the criteria of a chemical of high concern for children:

- (a) IPTPP;
- (b) TBB;
- (c) TBPH;
- (d) TCPP;
- (e) TPP;
- (f) V6.

(2)(a) Within one year of the department adopting a rule that identifies a flame retardant in subsection (1) of this section as a chemical of high concern for children, the department of health, in consultation with the department, must create a stakeholder advisory committee for each flame retardant chemical to provide stakeholder input, expertise, and additional information in the development of recommendations as provided under subsection (4) of this section. All advisory committee meetings must be open to the public.

(b) The advisory committee membership must include, but is not limited to, representatives from: Large and small business sectors; community, environmental, and public health advocacy groups; local governments; affected and interested businesses; and public health agencies.

(c) The department may request state agencies and technical experts to participate. The department of health shall provide technical expertise on human health impacts including: Early childhood and fetal exposure, exposure reduction, and safer substitutes.

(3) When developing policy options and recommendations consistent with subsection (4) of this section, the department must rely on credible scientific evidence and consider information relevant to the hazards based on the quantitative extent of exposures to the chemical under its intended or reasonably anticipated conditions of use. The department of health, in consultation with the department, must include the following:

- (a) Chemical name, properties, uses, and manufacturers;
- (b) An analysis of available information on the production, unintentional production, uses, and disposal of the chemical;
- (c) Quantitative estimates of the potential human and environmental exposures associated with the use and release of the chemical;
- (d) An assessment of the potential impacts on human health and the environment resulting from the quantitative exposure estimates referred to in (c) of this subsection;
- (e) An evaluation of:
 - (i) Environmental and human health benefits;
 - (ii) Economic and social impacts;
 - (iii) Feasibility;
 - (iv) Availability and effectiveness of safer substitutes for uses of the chemical;
- (v) Consistency with existing federal and state regulatory requirements; and
- (f) Recommendations for:
 - (i) Managing, reducing, and phasing out the different uses and releases of the chemical;
 - (ii) Minimizing exposure to the chemical;
 - (iii) Using safer substitutes; and
 - (iv) Encouraging the development of safer alternatives.

(4)(a) The department of health must submit to the legislature recommendations on policy options for reducing exposure, designating and developing safer substitutes, and restricting or prohibiting the use of the flame retardant chemicals identified in subsection (1) of this section as a chemical of high concern for children.

(b) When the department of health, in consultation with the department, determines that flame retardant chemicals identified in subsection (1) of this section as a chemical of high concern for children should be restricted or prohibited from use in children's

products, residential upholstered furniture as defined in RCW 70.76.010, or other commercial products or processes, the department of health must include citations of the peer-reviewed science and other sources of information reviewed and ultimately relied upon in support of the recommendation to restrict or prohibit the chemical.

Sec. 4. RCW 70.240.050 and 2008 c 288 s 7 are each amended to read as follows:

(1) A manufacturer of products that are restricted under this chapter must notify persons that sell the manufacturer's products in this state about the provisions of this chapter no less than ninety days prior to the effective date of the restrictions.

(2) A manufacturer that produces, sells, or distributes a product prohibited from manufacture, sale, or distribution in this state under this chapter shall recall the product and reimburse the retailer or any other purchaser for the product.

(3) A manufacturer of ((children's)) products in violation of this chapter is subject to a civil penalty not to exceed five thousand dollars for each violation in the case of a first offense. Manufacturers who are repeat violators are subject to a civil penalty not to exceed ten thousand dollars for each repeat offense. Penalties collected under this section must be deposited in the state toxics control account created in RCW 70.105D.070.

(4) Retailers who unknowingly sell products that are restricted from sale under this chapter are not liable under this chapter.

(5) The sale or purchase of any previously owned products containing a chemical restricted under this chapter made in casual or isolated sales as defined in RCW 82.04.040, or by a nonprofit organization, is exempt from this chapter."

On page 1, line 5 of the title, after "products;" strike the remainder of the title and insert "amending RCW 70.240.010 and 70.240.050; and adding new sections to chapter 70.240 RCW."

Senator Ericksen spoke in favor of adoption of the striking amendment no. 730.

The President declared the question before the Senate to be the adoption of striking amendment no. 730 by Senators Ericksen and Parlette to Engrossed Substitute House Bill No. 2545.

The motion by Senator Ericksen carried and the striking amendment no. 730 was adopted by voice vote.

MOTION

On motion of Senator Ericksen, the rules were suspended, Engrossed Substitute House Bill No. 2545, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen and Cleveland spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2545, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2545, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford,

Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

FOURTH SUBSTITUTE HOUSE BILL NO. 1541, by House Committee on Education (originally sponsored by Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall and Gregerson)

Implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee.

The measure was read the second time.

MOTION

Senator Litzow moved that the following committee striking amendment by the Committee on Ways & Means be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature has already established that it is a goal of the state to provide for a public school system that gives all students the opportunity to achieve personal and academic success. This goal contains within it a promise of excellence and opportunity for all students, not just some students. In 2012, in *McCleary v. State of Washington*, the Washington supreme court reaffirmed the positive constitutional right of every student by noting, "No child is excluded." In establishing the educational opportunity gap oversight and accountability committee in 2009, the legislature recognized that additional work was needed to fulfill the promise of excellence and opportunity for students of certain demographic groups, including English language learners.

(2) In its 2015 report to the legislature, the educational opportunity gap oversight and accountability committee made the following recommendations in keeping with its statutory purpose, which is to recommend specific policies and strategies to close the educational opportunity gap:

(a) Reduce the length of time students of color are excluded from school due to suspension and expulsion and provide students support for reengagement plans;

(b) Enhance the cultural competence of current and future educators and classified staff;

(c) Endorse all educators in English language learner and second language acquisition;

(d) Account for the transitional bilingual instruction program instructional services provided to English language learner students;

(e) Analyze the opportunity gap through deeper disaggregation of student demographic data;

(f) Invest in the recruitment, hiring, and retention of educators of color;

(g) Incorporate integrated student services and family engagement; and

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(h) Strengthen student transitions at each stage of the education development pathway: Early learning to elementary, elementary to secondary, secondary to college and career.

(3) The legislature finds that these recommendations represent a holistic approach to making progress toward closing the opportunity gap. The recommendations are interdependent and mutually reinforcing. Closing the opportunity gap requires highly skilled, culturally competent, and diverse educators who understand the communities and cultures that students come from; it requires careful monitoring of not only the academic performance but also the educational environment for all students, at a fine grain of detail to assure adequate accountability; and it requires a robust program of instruction, including appropriately trained educators, to help English language learners gain language proficiency as well as academic proficiency.

(4) Therefore, the legislature intends to adopt policies and programs to implement the six recommendations of the educational opportunity gap oversight and accountability committee and fulfill its promise of excellence and opportunity for all students.

PART I

DISPROPORTIONALITY IN STUDENT DISCIPLINE

Sec. 101. RCW 28A.600.490 and 2013 2nd sp.s. c 18 s 301 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall convene a discipline task force to develop standard definitions for causes of student disciplinary actions taken at the discretion of the school district. The task force must also develop data collection standards for disciplinary actions that are discretionary and for disciplinary actions that result in the exclusion of a student from school. The data collection standards must include data about education services provided while a student is subject to a disciplinary action, the status of petitions for readmission to the school district when a student has been excluded from school, credit retrieval during a period of exclusion, and school dropout as a result of disciplinary action.

(2) The discipline task force shall include representatives from the K-12 data governance group, the educational opportunity gap oversight and accountability committee, the state ethnic commissions, the governor's office of Indian affairs, the office of the education ((ombudsman)) ombuds, school districts, tribal representatives, and other education and advocacy organizations.

(3) The office of the superintendent of public instruction and the K-12 data governance group shall revise the statewide student data system to incorporate the student discipline data collection standards recommended by the discipline task force, and begin collecting data based on the revised standards in the 2015-16 school year.

NEW SECTION. Sec. 102. A new section is added to chapter 28A.320 RCW to read as follows:

(1) School districts shall annually disseminate discipline policies and procedures to students, families, and the community.

(2) School districts shall use disaggregated data collected pursuant to RCW 28A.300.042 to monitor the impact of the school district's discipline policies and procedures.

(3) School districts, in consultation with school district staff, students, families, and the community, shall periodically review and update their discipline rules, policies, and procedures.

NEW SECTION. Sec. 103. A new section is added to chapter 28A.345 RCW to read as follows:

(1) The Washington state school directors' association shall create model school district discipline policies and procedures and post these models publicly by December 1, 2016. In

developing these model policies and procedures, the association shall request technical assistance and guidance from the equity and civil rights office within the office of the superintendent of public instruction and the Washington state human rights commission. The model policies and procedures shall be updated as necessary.

(2) School districts shall adopt and enforce discipline policies and procedures consistent with the model policy by the beginning of the 2017-18 school year.

NEW SECTION. Sec. 104. A new section is added to chapter 28A.415 RCW to read as follows:

(1) The office of the superintendent of public instruction, subject to the availability of amounts appropriated for this specific purpose, shall develop a training program to support the implementation of discipline policies and procedures under chapter 28A.600 RCW.

(2) School districts are strongly encouraged to provide the trainings to all school and district staff interacting with students, including instructional staff and noninstructional staff, as well as within a reasonable time following any substantive change to school discipline policies or procedures.

(3) To the maximum extent feasible, the trainings must incorporate or adapt existing online training or curriculum, including securing materials or curriculum under contract or purchase agreements within available funds.

(4) The trainings must be developed in modules that allow:

(a) Access to material over a reasonable number of training sessions;

(b) Delivery in person or online; and

(c) Use in a self-directed manner.

Sec. 105. RCW 28A.600.015 and 2013 2nd sp.s. c 18 s 302 are each amended to read as follows:

(1) The superintendent of public instruction shall adopt and distribute to all school districts lawful and reasonable rules prescribing the substantive and procedural due process guarantees of pupils in the common schools. Such rules shall authorize a school district to use informal due process procedures in connection with the short-term suspension of students to the extent constitutionally permissible: PROVIDED, That the superintendent of public instruction deems the interest of students to be adequately protected. When a student suspension or expulsion is appealed, the rules shall authorize a school district to impose the suspension or expulsion temporarily after an initial hearing for no more than ten consecutive school days or until the appeal is decided, whichever is earlier. Any days that the student is temporarily suspended or expelled before the appeal is decided shall be applied to the term of the student suspension or expulsion and shall not limit or extend the term of the student suspension or expulsion. An expulsion or suspension of a student may not be for an indefinite period of time.

(2) Short-term suspension procedures may be used for suspensions of students up to and including, ten consecutive school days.

(3) Emergency expulsions must end or be converted to another form of corrective action within ten school days from the date of the emergency removal from school. Notice and due process rights must be provided when an emergency expulsion is converted to another form of corrective action.

(4) School districts may not impose long-term suspension or expulsion as a form of discretionary discipline.

(5) Any imposition of discretionary and nondiscretionary discipline is subject to the bar on suspending the provision of educational services pursuant to subsection (8) of this section.

(6) As used in this chapter, "discretionary discipline" means a disciplinary action taken by a school district for student

behavior that violates rules of student conduct adopted by a school district board of directors under RCW 28A.600.010 and this section, but does not constitute action taken in response to any of the following:

(a) A violation of RCW 28A.600.420;

(b) An offense in RCW 13.04.155;

(c) Two or more violations of RCW 9A.46.120, 9.41.280, 28A.600.455, 28A.635.020, or 28A.635.060 within a three-year period; or

(d) Behavior that adversely impacts the health or safety of other students or educational staff.

(7) Except as provided in RCW 28A.600.420, school districts are not required to impose long-term suspension or expulsion for behavior that constitutes a violation or offense listed under subsection (6)(a) through (d) of this section and should first consider alternative actions.

(8) School districts may not suspend the provision of educational services to a student as a disciplinary action. A student may be excluded from a particular classroom or instructional or activity area for the period of suspension or expulsion, but the school district must provide an opportunity for a student to receive educational services during a period of suspension or expulsion.

(9) Nothing in this section creates any civil liability for school districts, or creates a new cause of action or new theory of negligence against a school district board of directors, a school district, or the state.

Sec. 106. RCW 28A.600.020 and 2013 2nd sp.s. c 18 s 303 are each amended to read as follows:

(1) The rules adopted pursuant to RCW 28A.600.010 shall be interpreted to ensure that the optimum learning atmosphere of the classroom is maintained, and that the highest consideration is given to the judgment of qualified certificated educators regarding conditions necessary to maintain the optimum learning atmosphere.

(2) Any student who creates a disruption of the educational process in violation of the building disciplinary standards while under a teacher's immediate supervision may be excluded by the teacher from his or her individual classroom and instructional or activity area for all or any portion of the balance of the school day, or up to the following two days, or until the principal or designee and teacher have conferred, whichever occurs first. Except in emergency circumstances, the teacher first must attempt one or more alternative forms of corrective action. In no event without the consent of the teacher may an excluded student return to the class during the balance of that class or activity period or up to the following two days, or until the principal or his or her designee and the teacher have conferred.

(3) In order to preserve a beneficial learning environment for all students and to maintain good order and discipline in each classroom, every school district board of directors shall provide that written procedures are developed for administering discipline at each school within the district. Such procedures shall be developed with the participation of parents and the community, and shall provide that the teacher, principal or designee, and other authorities designated by the board of directors, make every reasonable attempt to involve the parent or guardian and the student in the resolution of student discipline problems. Such procedures shall provide that students may be excluded from their individual classes or activities for periods of time in excess of that provided in subsection (2) of this section if such students have repeatedly disrupted the learning of other students. The procedures must be consistent with the rules of the superintendent of public instruction and must provide for early involvement of parents in attempts to improve the student's behavior.

(4) The procedures shall assure, pursuant to RCW 28A.400.110, that all staff work cooperatively toward consistent enforcement of proper student behavior throughout each school as well as within each classroom.

(5)(a) A principal shall consider imposing long-term suspension or expulsion as a sanction when deciding the appropriate disciplinary action for a student who, after July 27, 1997:

(i) Engages in two or more violations within a three-year period of RCW 9A.46.120, ((28A.320.135,)) 28A.600.455, 28A.600.460, 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280((, or 28A.320.140)); or

(ii) Engages in one or more of the offenses listed in RCW 13.04.155.

(b) The principal shall communicate the disciplinary action taken by the principal to the school personnel who referred the student to the principal for disciplinary action.

(6) Any corrective action involving a suspension or expulsion from school for more than ten days must have an end date of not more than ((one calendar year)) the length of an academic term, as defined by the school board, from the time of corrective action. Districts shall make reasonable efforts to assist students and parents in returning to an educational setting prior to and no later than the end date of the corrective action. Where warranted based on public health or safety, a school may petition the superintendent of the school district, pursuant to policies and procedures adopted by the office of the superintendent of public instruction, for authorization to exceed the ((one calendar year)) academic term limitation provided in this subsection. The superintendent of public instruction shall adopt rules outlining the limited circumstances in which a school may petition to exceed the ((one calendar year)) academic term limitation, including safeguards to ensure that the school district has made every effort to plan for the student's return to school. School districts shall report to the office of the superintendent of public instruction the number of petitions made to the school board and the number of petitions granted on an annual basis.

(7) Nothing in this section prevents a public school district, educational service district, the Washington state center for childhood deafness and hearing loss, or the state school for the blind if it has suspended or expelled a student from the student's regular school setting from providing educational services to the student in an alternative setting or modifying the suspension or expulsion on a case-by-case basis. An alternative setting should be comparable, equitable, and appropriate to the regular education services a student would have received without the exclusionary discipline. Example alternative settings include alternative high schools, one-on-one tutoring, and online learning.

Sec. 107. RCW 28A.600.022 and 2013 2nd sp.s. c 18 s 308 are each amended to read as follows:

(1) School districts should make efforts to have suspended or expelled students return to an educational setting as soon as possible. School districts ((should)) must convene a meeting with the student and the student's parents or guardians within twenty days of the student's long-term suspension or expulsion, but no later than five days before the student's enrollment, to discuss a plan to reengage the student in a school program. Families must have access to, provide meaningful input on, and have the opportunity to participate in a culturally sensitive and culturally responsive reengagement plan.

(2) In developing a reengagement plan, school districts should consider shortening the length of time that the student is suspended or expelled, other forms of corrective action, and supportive interventions that aid in the student's academic success and keep the student engaged and on track to graduate. School districts must create a reengagement plan tailored to the student's

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

individual circumstances, including consideration of the incident that led to the student's long-term suspension or expulsion. The plan should aid the student in taking the necessary steps to remedy the situation that led to the student's suspension or expulsion.

(3) Any reengagement meetings conducted by the school district involving the suspended or expelled student and his or her parents or guardians are not intended to replace a petition for readmission.

Sec. 108. RCW 43.41.400 and 2012 c 229 s 585 are each amended to read as follows:

(1) An education data center shall be established in the office of financial management. The education data center shall jointly, with the legislative evaluation and accountability program committee, conduct collaborative analyses of early learning, K-12, and higher education programs and education issues across the P-20 system, which includes the department of early learning, the superintendent of public instruction, the professional educator standards board, the state board of education, the state board for community and technical colleges, the workforce training and education coordinating board, the student achievement council, public and private nonprofit four-year institutions of higher education, and the employment security department. The education data center shall conduct collaborative analyses under this section with the legislative evaluation and accountability program committee and provide data electronically to the legislative evaluation and accountability program committee, to the extent permitted by state and federal confidentiality requirements. The education data center shall be considered an authorized representative of the state educational agencies in this section under applicable federal and state statutes for purposes of accessing and compiling student record data for research purposes.

(2) The education data center shall:

(a) In consultation with the legislative evaluation and accountability program committee and the agencies and organizations participating in the education data center, identify the critical research and policy questions that are intended to be addressed by the education data center and the data needed to address the questions;

(b) Coordinate with other state education agencies to compile and analyze education data, including data on student demographics that is disaggregated by distinct ethnic categories within racial subgroups, and complete P-20 research projects;

(c) Collaborate with the legislative evaluation and accountability program committee and the education and fiscal committees of the legislature in identifying the data to be compiled and analyzed to ensure that legislative interests are served;

(d) Annually provide to the K-12 data governance group a list of data elements and data quality improvements that are necessary to answer the research and policy questions identified by the education data center and have been identified by the legislative committees in (c) of this subsection. Within three months of receiving the list, the K-12 data governance group shall develop and transmit to the education data center a feasibility analysis of obtaining or improving the data, including the steps required, estimated time frame, and the financial and other resources that would be required. Based on the analysis, the education data center shall submit, if necessary, a recommendation to the legislature regarding any statutory changes or resources that would be needed to collect or improve the data;

(e) Monitor and evaluate the education data collection systems of the organizations and agencies represented in the education data center ensuring that data systems are flexible, able to adapt to evolving needs for information, and to the extent

feasible and necessary, include data that are needed to conduct the analyses and provide answers to the research and policy questions identified in (a) of this subsection;

(f) Track enrollment and outcomes through the public centralized higher education enrollment system;

(g) Assist other state educational agencies' collaborative efforts to develop a long-range enrollment plan for higher education including estimates to meet demographic and workforce needs;

(h) Provide research that focuses on student transitions within and among the early learning, K-12, and higher education sectors in the P-20 system; ((and))

(i) Prepare a regular report on the educational and workforce outcomes of youth in the juvenile justice system, using data disaggregated by age, and by ethnic categories and racial subgroups in accordance with RCW 28A.300.042; and

(j) Make recommendations to the legislature as necessary to help ensure the goals and objectives of this section and RCW 28A.655.210 and 28A.300.507 are met.

(3) The department of early learning, superintendent of public instruction, professional educator standards board, state board of education, state board for community and technical colleges, workforce training and education coordinating board, student achievement council, public four-year institutions of higher education, department of social and health services and employment security department shall work with the education data center to develop data-sharing and research agreements, consistent with applicable security and confidentiality requirements, to facilitate the work of the center. The education data center shall also develop data-sharing and research agreements with the administrative office of the courts to conduct research on educational and workforce outcomes using data maintained under RCW 13.50.010(12) related to juveniles. Private, nonprofit institutions of higher education that provide programs of education beyond the high school level leading at least to the baccalaureate degree and are accredited by the Northwest association of schools and colleges or their peer accreditation bodies may also develop data-sharing and research agreements with the education data center, consistent with applicable security and confidentiality requirements. The education data center shall make data from collaborative analyses available to the education agencies and institutions that contribute data to the education data center to the extent allowed by federal and state security and confidentiality requirements applicable to the data of each contributing agency or institution.

Sec. 109. RCW 13.50.010 and 2015 c 265 s 2 and 2015 c 262 s 1 are each reenacted and amended to read as follows:

(1) For purposes of this chapter:

(a) "Good faith effort to pay" means a juvenile offender has either (i) paid the principal amount in full; (ii) made at least eighty percent of the value of full monthly payments within the period from disposition or deferred disposition until the time the amount of restitution owed is under review; or (iii) can show good cause why he or she paid an amount less than eighty percent of the value of full monthly payments;

(b) "Juvenile justice or care agency" means any of the following: Police, diversion units, court, prosecuting attorney, defense attorney, detention center, attorney general, the legislative children's oversight committee, the office of the family and children's ombuds, the department of social and health services and its contracting agencies, schools; persons or public or private agencies having children committed to their custody; and any placement oversight committee created under RCW 72.05.415;

(c) "Official juvenile court file" means the legal file of the juvenile court containing the petition or information, motions, memorandums, briefs, findings of the court, and court orders;

(d) "Records" means the official juvenile court file, the social file, and records of any other juvenile justice or care agency in the case;

(e) "Social file" means the juvenile court file containing the records and reports of the probation counselor.

(2) Each petition or information filed with the court may include only one juvenile and each petition or information shall be filed under a separate docket number. The social file shall be filed separately from the official juvenile court file.

(3) It is the duty of any juvenile justice or care agency to maintain accurate records. To this end:

(a) The agency may never knowingly record inaccurate information. Any information in records maintained by the department of social and health services relating to a petition filed pursuant to chapter 13.34 RCW that is found by the court to be false or inaccurate shall be corrected or expunged from such records by the agency;

(b) An agency shall take reasonable steps to assure the security of its records and prevent tampering with them; and

(c) An agency shall make reasonable efforts to insure the completeness of its records, including action taken by other agencies with respect to matters in its files.

(4) Each juvenile justice or care agency shall implement procedures consistent with the provisions of this chapter to facilitate inquiries concerning records.

(5) Any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency and who has been denied access to those records by the agency may make a motion to the court for an order authorizing that person to inspect the juvenile justice or care agency record concerning that person. The court shall grant the motion to examine records unless it finds that in the interests of justice or in the best interests of the juvenile the records or parts of them should remain confidential.

(6) A juvenile, or his or her parents, or any person who has reasonable cause to believe information concerning that person is included in the records of a juvenile justice or care agency may make a motion to the court challenging the accuracy of any information concerning the moving party in the record or challenging the continued possession of the record by the agency. If the court grants the motion, it shall order the record or information to be corrected or destroyed.

(7) The person making a motion under subsection (5) or (6) of this section shall give reasonable notice of the motion to all parties to the original action and to any agency whose records will be affected by the motion.

(8) The court may permit inspection of records by, or release of information to, any clinic, hospital, or agency which has the subject person under care or treatment. The court may also permit inspection by or release to individuals or agencies, including juvenile justice advisory committees of county law and justice councils, engaged in legitimate research for educational, scientific, or public purposes. Each person granted permission to inspect juvenile justice or care agency records for research purposes shall present a notarized statement to the court stating that the names of juveniles and parents will remain confidential.

(9) The court shall release to the caseload forecast council the records needed for its research and data-gathering functions. Access to caseload forecast data may be permitted by the council for research purposes only if the anonymity of all persons mentioned in the records or information will be preserved.

(10) Juvenile detention facilities shall release records to the caseload forecast council upon request. The commission shall not

disclose the names of any juveniles or parents mentioned in the records without the named individual's written permission.

(11) Requirements in this chapter relating to the court's authority to compel disclosure shall not apply to the legislative children's oversight committee or the office of the family and children's ombuds.

(12) For the purpose of research only, the administrative office of the courts shall maintain an electronic research copy of all records in the judicial information system related to juveniles. Access to the research copy is restricted to the ((Washington state center for court research)) administrative office of the courts for research purposes as authorized by the supreme court or by state statute. The ((Washington state center for court research)) administrative office of the courts shall maintain the confidentiality of all confidential records and shall preserve the anonymity of all persons identified in the research copy. Data contained in the research copy may be shared with other governmental agencies as authorized by state statute, pursuant to data-sharing and research agreements, and consistent with applicable security and confidentiality requirements. The research copy may not be subject to any records retention schedule and must include records destroyed or removed from the judicial information system pursuant to RCW 13.50.270 and 13.50.100(3).

(13) The court shall release to the Washington state office of public defense records needed to implement the agency's oversight, technical assistance, and other functions as required by RCW 2.70.020. Access to the records used as a basis for oversight, technical assistance, or other agency functions is restricted to the Washington state office of public defense. The Washington state office of public defense shall maintain the confidentiality of all confidential information included in the records.

(14) The court shall release to the Washington state office of civil legal aid records needed to implement the agency's oversight, technical assistance, and other functions as required by RCW 2.53.045. Access to the records used as a basis for oversight, technical assistance, or other agency functions is restricted to the Washington state office of civil legal aid. The Washington state office of civil legal aid shall maintain the confidentiality of all confidential information included in the records, and shall, as soon as possible, destroy any retained notes or records obtained under this section that are not necessary for its functions related to RCW 2.53.045.

PART II

EDUCATOR CULTURAL COMPETENCE

NEW SECTION. Sec. 201. A new section is added to chapter 28A.345 RCW to read as follows:

The Washington state school directors' association, in consultation with the office of the superintendent of public instruction, the professional educator standards board, the steering committee established in RCW 28A.405.100, and the educational opportunity gap oversight and accountability committee, must develop a plan for the creation and delivery of cultural competency training for school board directors and superintendents. The training program must also include the foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition, including information regarding best practices to implement the tribal history and culture curriculum. The content of the training must be aligned with the standards for cultural competence developed by the professional educator standards board under RCW 28A.410.270.

Sec. 202. RCW 28A.405.106 and 2012 c 35 s 5 are each amended to read as follows:

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(1) Subject to funds appropriated for this purpose, the office of the superintendent of public instruction must develop and make available a professional development program to support the implementation of the evaluation systems required by RCW 28A.405.100. The program components may be organized into professional development modules for principals, administrators, and teachers. The professional development program shall include a comprehensive online training package.

(2) The training program must include, but not be limited to, the following topics:

- (a) Introduction of the evaluation criteria for teachers and principals and the four-level rating system;
- (b) Orientation to and use of instructional frameworks;
- (c) Orientation to and use of the leadership frameworks;
- (d) Best practices in developing and using data in the evaluation systems, including multiple measures, student growth data, classroom observations, and other measures and evidence;
- (e) Strategies for achieving maximum rater agreement;
- (f) Evaluator feedback protocols in the evaluation systems;
- (g) Examples of high quality teaching and leadership; and
- (h) Methods to link the evaluation process to ongoing educator professional development.

(3) The training program must also include the foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition, including information regarding best practices to implement the tribal history and culture curriculum. The content of the training must be aligned with the standards for cultural competence developed by the professional educator standards board under RCW 28A.410.270. The office of the superintendent of public instruction, in consultation with the professional educator standards board, the steering committee established in RCW 28A.405.100, and the educational opportunity gap oversight and accountability committee, must integrate the content for cultural competence into the overall training for principals, administrators, and teachers to support the revised evaluation systems.

(4) To the maximum extent feasible, the professional development program must incorporate or adapt existing online training or curriculum, including securing materials or curriculum under contract or purchase agreements within available funds. Multiple modes of instruction should be incorporated including videos of classroom teaching, participatory exercises, and other engaging combinations of online audio, video, and print presentation.

((4)) (5) The professional development program must be developed in modules that allow:

- (a) Access to material over a reasonable number of training sessions;
- (b) Delivery in person or online; and
- (c) Use in a self-directed manner.

((5)) (6) The office of the superintendent of public instruction must maintain a web site that includes the online professional development materials along with sample evaluation forms and templates, links to relevant research on evaluation and on high quality teaching and leadership, samples of contract and collective bargaining language on key topics, examples of multiple measures of teacher and principal performance, suggestions for data to measure student growth, and other tools that will assist school districts in implementing the revised evaluation systems.

((6)) (7) The office of the superintendent of public instruction must identify the number of in-service training hours associated with each professional development module and develop a way for users to document their completion of the

training. Documented completion of the training under this section is considered approved in-service training for the purposes of RCW 28A.415.020.

((7)) (8) The office of the superintendent of public instruction shall periodically update the modules to reflect new topics and research on performance evaluation so that the training serves as an ongoing source of continuing education and professional development.

((8)) (9) The office of the superintendent of public instruction shall work with the educational service districts to provide clearinghouse services for the identification and publication of professional development opportunities for teachers and principals that align with performance evaluation criteria.

Sec. 203. RCW 28A.405.120 and 2012 c 35 s 2 are each amended to read as follows:

(1) School districts shall require each administrator, each principal, or other supervisory personnel who has responsibility for evaluating classroom teachers or principals to have training in evaluation procedures.

(2) Before school district implementation of the revised evaluation systems required under RCW 28A.405.100, principals and administrators who have evaluation responsibilities must engage in professional development designed to implement the revised systems and maximize rater agreement. The professional development to support the revised evaluation systems must also include foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition.

NEW SECTION. Sec. 204. A new section is added to chapter 28A.415 RCW to read as follows:

(1) Subject to funds appropriated specifically for this purpose, the office of the superintendent of public instruction, in collaboration with the educational opportunity gap oversight and accountability committee, the professional educator standards board, colleges of education, and representatives from diverse communities and community-based organizations, must develop a content outline for professional development and training in cultural competence for school staff.

(2) The content of the cultural competence professional development and training must be aligned with the standards developed by the professional educator standards board under RCW 28A.410.270. The training program must also include the foundational elements of cultural competence, focusing on multicultural education and principles of English language acquisition, including information regarding best practices to implement the tribal history and culture curriculum.

(3) The cultural competence professional development and training must contain components that are appropriate for classified school staff and district administrators as well as certificated instructional staff and principals at the building level. The professional development and training must also contain components suitable for delivery by individuals from the local community or community-based organizations with appropriate expertise.

(4) The legislature encourages educational service districts and school districts to use the cultural competence professional development and training developed under this section and provide opportunities for all school and school district staff to gain knowledge and skills in cultural competence, including in partnership with their local communities.

NEW SECTION. Sec. 205. A new section is added to chapter 28A.657 RCW to read as follows:

Required action districts as provided in RCW 28A.657.030, and districts with schools that receive the federal school

improvement grant under the American recovery and reinvestment act of 2009, and districts with schools identified by the superintendent of public instruction as priority or focus are strongly encouraged to provide the cultural competence professional development and training developed under RCW 28A.405.106, 28A.405.120, and section 204 of this act for classified, certificated instructional, and administrative staff of the school. The professional development and training may be delivered by an educational service district, through district in-service, or by another qualified provider, including in partnership with the local community.

PART III

INSTRUCTING ENGLISH LANGUAGE LEARNERS

Sec. 301. RCW 28A.180.040 and 2013 2nd sp.s. c 9 s 4 are each amended to read as follows:

(1) Every school district board of directors shall:

(a) Make available to each eligible pupil transitional bilingual instruction to achieve competency in English, in accord with rules of the superintendent of public instruction;

(b) Wherever feasible, ensure that communications to parents emanating from the schools shall be appropriately bilingual for those parents of pupils in the bilingual instruction program;

(c) Determine, by administration of an English test approved by the superintendent of public instruction the number of eligible pupils enrolled in the school district at the beginning of a school year and thereafter during the year as necessary in individual cases;

(d) Ensure that a student who is a child of a military family in transition and who has been assessed as in need of, or enrolled in, a bilingual instruction program, the receiving school shall initially honor placement of the student into a like program.

(i) The receiving school shall determine whether the district's program is a like program when compared to the sending school's program; and

(ii) The receiving school may conduct subsequent assessments pursuant to RCW 28A.180.090 to determine appropriate placement and continued enrollment in the program;

(e) Before the conclusion of each school year, measure each eligible pupil's improvement in learning the English language by means of a test approved by the superintendent of public instruction;

(f) Provide in-service training for teachers, counselors, and other staff, who are involved in the district's transitional bilingual program. Such training shall include appropriate instructional strategies for children of culturally different backgrounds, use of curriculum materials, and program models; and

(g) Make available a program of instructional support for up to two years immediately after pupils exit from the program, for exited pupils who need assistance in reaching grade-level performance in academic subjects even though they have achieved English proficiency for purposes of the transitional bilingual instructional program.

(2) Beginning in the 2019-20 school year, all classroom teachers assigned using funds for the transitional bilingual instruction program to provide supplemental instruction for eligible pupils must hold an endorsement in bilingual education or English language learner, or both.

(3) The definitions in Article II of RCW 28A.705.010 apply to subsection (1)(d) of this section.

PART IV

ENGLISH LANGUAGE LEARNER ACCOUNTABILITY

Sec. 401. RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each amended to read as follows:

The superintendent of public instruction shall develop an evaluation system designed to measure increases in the English

and academic proficiency of eligible pupils. When developing the system, the superintendent shall:

(1) Require school districts to assess potentially eligible pupils within ten days of registration using an English proficiency assessment or assessments as specified by the superintendent of public instruction. Results of these assessments shall be made available to both the superintendent of public instruction and the school district;

(2) Require school districts to annually assess all eligible pupils at the end of the school year using an English proficiency assessment or assessments as specified by the superintendent of public instruction. Results of these assessments shall be made available to both the superintendent of public instruction and the school district;

(3) Develop a system to evaluate increases in the English and academic proficiency of students who are, or were, eligible pupils. This evaluation shall include students when they are in the program and after they exit the program until they finish their K-12 career or transfer from the school district. The purpose of the evaluation system is to inform schools, school districts, parents, and the state of the effectiveness of the transitional bilingual programs in school and school districts in teaching these students English and other content areas, such as mathematics and writing; and

(4) ((Report to the education and fiscal committees of the legislature by November 1, 2002, regarding the development of the systems described in this section and a timeline for the full implementation of those systems. The legislature shall approve and provide funding for the evaluation system in subsection (3) of this section before any implementation of the system developed under subsection (3) of this section may occur.)) Subject to funds appropriated specifically for this purpose, provide school districts with technical assistance and support in selecting research-based program models, instructional materials, and professional development for program staff, including disseminating information about best practices and innovative programs. The information must include research about the differences between conversational language proficiency, academic language proficiency, and subject-specific language proficiency and the implications this research has on instructional practices and evaluation of program effectiveness.

NEW SECTION. Sec. 402. A new section is added to chapter 28A.657 RCW to read as follows:

At the beginning of each school year, the office of the superintendent of public instruction shall identify schools in the top five percent of schools with the highest percent growth during the previous two school years in enrollment of English language learner students as compared to previous enrollment trends. The office shall notify the identified schools, and the school districts in which the schools are located are strongly encouraged to provide the cultural competence professional development and training developed under RCW 28A.405.106, 28A.405.120, and section 204 of this act for classified, certificated instructional, and administrative staff of the schools. The professional development and training may be delivered by an educational service district, through district in-service, or by another qualified provider, including in partnership with the local community.

PART V

DISAGGREGATED STUDENT DATA

Sec. 501. RCW 28A.300.042 and 2013 2nd sp.s. c 18 s 307 are each amended to read as follows:

(1) Beginning with the 2017-18 school year, and using the phase-in provided in subsection (2) of this section, the superintendent of public instruction must collect and school districts must submit all student-level data using the United States department of education 2007 race and ethnicity reporting

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

guidelines, including the subracial and subethnic categories within those guidelines, with the following modifications:

(a) Further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;

(b) Further disaggregation of countries of origin for Asian students;

(c) Further disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and

(d) For students who report as multiracial, collection of their racial and ethnic combination of categories.

(2) Beginning with the 2017-18 school year, school districts shall collect student-level data as provided in subsection (1) of this section for all newly enrolled students, including transfer students. When the students enroll in a different school within the district, school districts shall resurvey the newly enrolled students for whom subracial and subethnic categories were not previously collected. School districts may resurvey other students.

(3) All student data-related reports required of the superintendent of public instruction in this title must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794).

((2)) (4) All student data-related reports ((required of)) prepared by the superintendent of public instruction regarding student suspensions and expulsions as required ((in RCW 28A.300.046)) under this title are subject to disaggregation by subgroups including:

- (a) Gender;
- (b) Foster care;
- (c) Homeless, if known;
- (d) School district;
- (e) School;
- (f) Grade level;
- (g) Behavior infraction code, including:
 - (i) Bullying;
 - (ii) Tobacco;
 - (iii) Alcohol;
 - (iv) Illicit drug;
 - (v) Fighting without major injury;
 - (vi) Violence without major injury;
 - (vii) Violence with major injury;
 - (viii) Possession of a weapon; and
 - (ix) Other behavior resulting from a short-term or long-term suspension, expulsion, or interim alternative education setting intervention;
- (h) Intervention applied, including:
 - (i) Short-term suspension;
 - (ii) Long-term suspension;
 - (iii) Emergency expulsion;
 - (iv) Expulsion;
 - (v) Interim alternative education settings;
 - (vi) No intervention applied; and
 - (vii) Other intervention applied that is not described in this subsection ((2)) (4)(h);
- (i) Number of days a student is suspended or expelled, to be counted in half or full days; and
- (j) Any other categories added at a future date by the data governance group.

subsection ((2)) (4)(h);

(i) Number of days a student is suspended or expelled, to be counted in half or full days; and

(j) Any other categories added at a future date by the data governance group.

((3)) (5) All student data-related reports required of the superintendent of public instruction regarding student

suspensions and expulsions as required in RCW 28A.300.046 are subject to cross-tabulation at a minimum by the following:

- (a) School and district;
- (b) Race, low income, special education, transitional bilingual, migrant, foster care, homeless, students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794), and categories to be added in the future;
- (c) Behavior infraction code; and
- (d) Intervention applied.

(6) The K-12 data governance group shall develop the data protocols and guidance for school districts in the collection of data as required under this section, and the office of the superintendent of public instruction shall modify the statewide student data system as needed. The office of the superintendent of public instruction shall also incorporate training for school staff on best practices for collection of data on student race and ethnicity in other training or professional development related to data provided by the office.

NEW SECTION. Sec. 502. Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall convene a task force to review the United States department of education 2007 race and ethnicity reporting guidelines and develop race and ethnicity guidance for the state. The task force must include representatives from the educational opportunity gap oversight and accountability committee, the ethnic commissions, the governor's office of Indian affairs, and a diverse group of parents. The guidance must clarify for students and families why information about race and ethnicity is collected and how students and families can help school administrators properly identify them. The guidance must also describe the best practices for school administrators to use when identifying the race and ethnicity of students and families. The task force must use the United States census and the American community survey in the development of the guidance.

Sec. 503. RCW 28A.300.505 and 2015 c 210 s 2 are each amended to read as follows:

(1) The office of the superintendent of public instruction shall develop standards for school data systems that focus on validation and verification of data entered into the systems to ensure accuracy and compatibility of data. The standards shall address but are not limited to the following topics:

- (a) Date validation;
- (b) Code validation, which includes gender, race or ethnicity, and other code elements;
- (c) Decimal and integer validation; and
- (d) Required field validation as defined by state and federal requirements.

(2) The superintendent of public instruction shall develop a reporting format and instructions for school districts to collect and submit data that must include:

(a) Data on student demographics that is disaggregated ((by distinct ethnic categories within racial subgroups so that analyses may be conducted on student achievement using the disaggregated data)) as required by RCW 28A.300.042; and

(b) Starting no later than the 2016-17 school year, data on students from military families. The K-12 data governance group established in RCW 28A.300.507 must develop best practice guidelines for the collection and regular updating of this data on students from military families. Collection and updating of this data must use the United States department of education 2007 race and ethnicity reporting guidelines, including the subracial and subethnic categories within those guidelines, with the following modifications:

(i) Further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;

(ii) Further disaggregation of countries of origin for Asian students;

(iii) Further disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and

(iv) For students who report as multiracial, collection of their racial and ethnic combination of categories.

(3) For the purposes of this section, "students from military families" means the following categories of students, with data to be collected and submitted separately for each category:

(a) Students with a parent or guardian who is a member of the active duty United States armed forces; and

(b) Students with a parent or guardian who is a member of the reserves of the United States armed forces or a member of the Washington national guard.

NEW SECTION. Sec. 504. (1) To increase the visibility of the opportunity gap in schools with small subgroups of students and to hold schools accountable to individual student-level support, by August 1, 2016, the office of the superintendent of public instruction, in cooperation with the K-12 data governance group established within the office of the superintendent of public instruction, the education data center established within the office of financial management, and the state board of education, shall adopt a rule that the only student data that should not be reported for public reporting and accountability is data where the school or district has fewer than ten students in a grade level or student subgroup.

(2) This section expires August 1, 2017.

PART VI RECRUITMENT AND RETENTION OF EDUCATORS

Sec. 601. RCW 28A.300.507 and 2009 c 548 s 203 are each amended to read as follows:

(1) A K-12 data governance group shall be established within the office of the superintendent of public instruction to assist in the design and implementation of a K-12 education data improvement system for financial, student, and educator data. It is the intent that the data system reporting specifically serve requirements for teachers, parents, superintendents, school boards, the office of the superintendent of public instruction, the legislature, and the public.

(2) The K-12 data governance group shall include representatives of the education data center, the office of the superintendent of public instruction, the legislative evaluation and accountability program committee, the professional educator standards board, the state board of education, and school district staff, including information technology staff. Additional entities with expertise in education data may be included in the K-12 data governance group.

(3) The K-12 data governance group shall:

(a) Identify the critical research and policy questions that need to be addressed by the K-12 education data improvement system;

(b) Identify reports and other information that should be made available on the internet in addition to the reports identified in subsection (5) of this section;

(c) Create a comprehensive needs requirement document detailing the specific information and technical capacity needed by school districts and the state to meet the legislature's expectations for a comprehensive K-12 education data improvement system as described under RCW 28A.655.210;

(d) Conduct a gap analysis of current and planned information compared to the needs requirement document, including an analysis of the strengths and limitations of an education data

system and programs currently used by school districts and the state, and specifically the gap analysis must look at the extent to which the existing data can be transformed into canonical form and where existing software can be used to meet the needs requirement document;

(e) Focus on financial and cost data necessary to support the new K-12 financial models and funding formulas, including any necessary changes to school district budgeting and accounting, and on assuring the capacity to link data across financial, student, and educator systems; and

(f) Define the operating rules and governance structure for K-12 data collections, ensuring that data systems are flexible and able to adapt to evolving needs for information, within an objective and orderly data governance process for determining when changes are needed and how to implement them. Strong consideration must be made to the current practice and cost of migration to new requirements. The operating rules should delineate the coordination, delegation, and escalation authority for data collection issues, business rules, and performance goals for each K-12 data collection system, including:

(i) Defining and maintaining standards for privacy and confidentiality;

(ii) Setting data collection priorities;

(iii) Defining and updating a standard data dictionary;

(iv) Ensuring data compliance with the data dictionary;

(v) Ensuring data accuracy; and

(vi) Establishing minimum standards for school, student, financial, and teacher data systems. Data elements may be specified "to the extent feasible" or "to the extent available" to collect more and better data sets from districts with more flexible software. Nothing in RCW 43.41.400, this section, or RCW 28A.655.210 should be construed to require that a data dictionary or reporting should be hobbled to the lowest common set. The work of the K-12 data governance group must specify which data are desirable. Districts that can meet these requirements shall report the desirable data. Funding from the legislature must establish which subset data are absolutely required.

(4)(a) The K-12 data governance group shall provide updates on its work as requested by the education data center and the legislative evaluation and accountability program committee.

(b) The work of the K-12 data governance group shall be periodically reviewed and monitored by the educational data center and the legislative evaluation and accountability program committee.

(5) To the extent data is available, the office of the superintendent of public instruction shall make the following minimum reports available on the internet. The reports must either be run on demand against current data, or, if a static report, must have been run against the most recent data:

(a) The percentage of data compliance and data accuracy by school district;

(b) The magnitude of spending per student, by student estimated by the following algorithm and reported as the detailed summation of the following components:

(i) An approximate, prorated fraction of each teacher or human resource element that directly serves the student. Each human resource element must be listed or accessible through online tunneling in the report;

(ii) An approximate, prorated fraction of classroom or building costs used by the student;

(iii) An approximate, prorated fraction of transportation costs used by the student; and

(iv) An approximate, prorated fraction of all other resources within the district. District-wide components should be disaggregated to the extent that it is sensible and economical;

(c) The cost of K-12 basic education, per student, by student, by school district, estimated by the algorithm in (b) of this subsection, and reported in the same manner as required in (b) of this subsection;

(d) The cost of K-12 special education services per student, by student receiving those services, by school district, estimated by the algorithm in (b) of this subsection, and reported in the same manner as required in (b) of this subsection;

(e) Improvement on the statewide assessments computed as both a percentage change and absolute change on a scale score metric by district, by school, and by teacher that can also be filtered by a student's length of full-time enrollment within the school district;

(f) Number of K-12 students per classroom teacher on a per teacher basis;

(g) Number of K-12 classroom teachers per student on a per student basis;

(h) Percentage of a classroom teacher per student on a per student basis; ((and))

(i) Percentage of classroom teachers per school district and per school disaggregated as described in RCW 28A.300.042(1) for student-level data;

(j) Average length of service of classroom teachers per school district and per school disaggregated as described in RCW 28A.300.042(1) for student-level data; and

(k) The cost of K-12 education per student by school district sorted by federal, state, and local dollars.

(6) The superintendent of public instruction shall submit a preliminary report to the legislature by November 15, 2009, including the analyses by the K-12 data governance group under subsection (3) of this section and preliminary options for addressing identified gaps. A final report, including a proposed phase-in plan and preliminary cost estimates for implementation of a comprehensive data improvement system for financial, student, and educator data shall be submitted to the legislature by September 1, 2010.

(7) All reports and data referenced in this section and RCW 43.41.400 and 28A.655.210 shall be made available in a manner consistent with the technical requirements of the legislative evaluation and accountability program committee and the education data center so that selected data can be provided to the legislature, governor, school districts, and the public.

(8) Reports shall contain data to the extent it is available. All reports must include documentation of which data are not available or are estimated. Reports must not be suppressed because of poor data accuracy or completeness. Reports may be accompanied with documentation to inform the reader of why some data are missing or inaccurate or estimated.

**PART VII
TRANSITIONS**

NEW SECTION. Sec. 701. A new section is added to chapter 43.215 RCW to read as follows:

The department, in collaboration with the office of the superintendent of public instruction, shall create a community information and involvement plan to inform home-based, tribal, and family early learning providers of the early achievers program under RCW 43.215.100.

**PART VIII
INTEGRATED STUDENT SERVICES AND FAMILY
ENGAGEMENT**

NEW SECTION. Sec. 801. A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the Washington integrated student supports protocol is established. The protocol shall be developed by the

center for the improvement of student learning, established in RCW 28A.300.130, based on the framework described in this section. The purposes of the protocol include:

(a) Supporting a school-based approach to promoting the success of all students by coordinating academic and nonacademic supports to reduce barriers to academic achievement and educational attainment;

(b) Fulfilling a vision of public education where educators focus on education, students focus on learning, and auxiliary supports enable teaching and learning to occur unimpeded;

(c) Encouraging the creation, expansion, and quality improvement of community-based supports that can be integrated into the academic environment of schools and school districts;

(d) Increasing public awareness of the evidence showing that academic outcomes are a result of both academic and nonacademic factors; and

(e) Supporting statewide and local organizations in their efforts to provide leadership, coordination, technical assistance, professional development, and advocacy to implement high-quality, evidence-based, student-centered, coordinated approaches throughout the state.

(2)(a) The Washington integrated student supports protocol must be sufficiently flexible to adapt to the unique needs of schools and districts across the state, yet sufficiently structured to provide all students with the individual support they need for academic success.

(b) The essential framework of the Washington integrated student supports protocol includes:

(i) Needs assessments: A needs assessment must be conducted for all at-risk students in order to develop or identify the needed academic and nonacademic supports within the students' school and community. These supports must be coordinated to provide students with a package of mutually reinforcing supports designed to meet the individual needs of each student.

(ii) Integration and coordination: The school and district leadership and staff must develop close relationships with providers of academic and nonacademic supports to enhance the effectiveness of the protocol.

(iii) Community partnerships: Community partners must be engaged to provide nonacademic supports to reduce barriers to students' academic success, including supports to students' families.

(iv) Data driven: Students' needs and outcomes must be tracked over time to determine student progress and evolving needs.

(c) The framework must facilitate the ability of any academic or nonacademic provider to support the needs of at-risk students, including, but not limited to: Out-of-school providers, social workers, mental health counselors, physicians, dentists, speech therapists, and audiologists.

NEW SECTION. Sec. 802. (1) The legislature intends to integrate the delivery of various academic and nonacademic programs and services through a single protocol. This coordination and consolidation of assorted services, such as expanded learning opportunities, mental health, medical screening, and access to food and housing, is intended to reduce barriers to academic achievement and educational attainment by weaving together existing public and private resources needed to support student success in school.

(2) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall create a work group to determine how to best implement the framework described in section 801 of this act throughout the state.

(3) The work group must be composed of the following members, who must reflect the geographic diversity across the state:

(a) The superintendent of public instruction or the superintendent's designee;

(b) Three principals and three superintendents representing districts with diverse characteristics, selected by state associations of principals and superintendents, respectively;

(c) A representative from a statewide organization specializing in out-of-school learning;

(d) A representative from an organization with expertise in the needs of homeless students;

(e) A school counselor from an elementary school, a middle school, and a high school, selected by a state association of school counselors;

(f) A representative of an organization that is an expert on a multitiered system of supports; and

(g) A representative from a career and technical student organization.

(4) The superintendent of public instruction shall consult and may contract for services with a national nonpartisan, nonprofit research center that has provided data and analyses to improve policies and programs serving children and youth for over thirty-five years.

(5) The work group must submit to the appropriate committees of the legislature a report recommending policies that need to be adopted or revised to implement the framework described in section 801 of this act throughout the state by October 1, 2017. The work group must submit a preliminary report by October 1, 2016, and a final report by October 1, 2017.

(6) This section expires August 1, 2018.

Sec. 803. RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each amended to read as follows:

(1) ((Beginning in the 2015-16 school year, expenditure of funds from the learning assistance program must be consistent with the provisions of RCW 28A.655.235.

(2)) Use of best practices that have been demonstrated through research to be associated with increased student achievement magnifies the opportunities for student success. To the extent they are included as a best practice or strategy in one of the state menus or an approved alternative under this section or RCW 28A.655.235, the following are services and activities that may be supported by the learning assistance program:

(a) Extended learning time opportunities occurring:

(i) Before or after the regular school day;

(ii) On Saturday; and

(iii) Beyond the regular school year;

(b) Services under RCW 28A.320.190;

(c) Professional development for certificated and classified staff that focuses on:

(i) The needs of a diverse student population;

(ii) Specific literacy and mathematics content and instructional strategies; and

(iii) The use of student work to guide effective instruction and appropriate assistance;

(d) Consultant teachers to assist in implementing effective instructional practices by teachers serving participating students;

(e) Tutoring support for participating students;

(f) Outreach activities and support for parents of participating students, including employing parent and family engagement coordinators; and

(g) Up to five percent of a district's learning assistance program allocation may be used for development of partnerships with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports to participating students who are

significantly at risk of not being successful in school to reduce barriers to learning, increase student engagement, and enhance students' readiness to learn. The ((office of the superintendent of public instruction)) school board must approve in an open meeting any community-based organization or local agency before learning assistance funds may be expended.

((((3))) (2) In addition to the state menu developed under RCW 28A.655.235, the office of the superintendent of public instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop additional state menus of best practices and strategies for use in the learning assistance program to assist struggling students at all grade levels in English language arts and mathematics and reduce disruptive behaviors in the classroom. The office of the superintendent of public instruction shall publish the state menus by July 1, 2015, and update the state menus by each July 1st thereafter.

((((4))) (3)(a) Beginning in the 2016-17 school year, except as provided in (b) of this subsection, school districts must use a practice or strategy that is on a state menu developed under subsection ((3)) (2) of this section or RCW 28A.655.235.

(b) Beginning in the 2016-17 school year, school districts may use a practice or strategy that is not on a state menu developed under subsection ((3)) (2) of this section for two school years initially. If the district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction shall approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is dependent on the district continuing to demonstrate increased improved outcomes for participating students.

(c) Beginning in the 2016-17 school year, school districts may enter cooperative agreements with state agencies, local governments, or school districts for administrative or operational costs needed to provide services in accordance with the state menus developed under this section and RCW 28A.655.235.

((((5))) (4) School districts are encouraged to implement best practices and strategies from the state menus developed under this section and RCW 28A.655.235 before the use is required.

Sec. 804. RCW 28A.300.130 and 2009 c 578 s 6 are each amended to read as follows:

(1) To facilitate access to information and materials on educational improvement and research, the superintendent of public instruction, ((to the extent funds are appropriated)) subject to the availability of amounts appropriated for this specific purpose, shall establish the center for the improvement of student learning. The center shall work in conjunction with parents, educational service districts, institutions of higher education, and education, parent, community, and business organizations.

(2) The center, ((to the extent funds are appropriated for this purpose)) subject to the availability of amounts appropriated for this specific purpose, and in conjunction with other staff in the office of the superintendent of public instruction, shall:

(a) Serve as a clearinghouse for information regarding successful educational improvement and parental involvement programs in schools and districts, and information about efforts within institutions of higher education in the state to support educational improvement initiatives in Washington schools and districts;

(b) Provide best practices research that can be used to help schools develop and implement: Programs and practices to improve instruction; systems to analyze student assessment data, with an emphasis on systems that will combine the use of state and local data to monitor the academic progress of each and every

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

student in the school district; comprehensive, school-wide improvement plans; school-based shared decision-making models; programs to promote lifelong learning and community involvement in education; school-to-work transition programs; programs to meet the needs of highly capable students; programs and practices to meet the needs of students with disabilities; programs and practices to meet the diverse needs of students based on gender, racial, ethnic, economic, and special needs status; research, information, and technology systems; and other programs and practices that will assist educators in helping students learn the essential academic learning requirements;

(c) Develop and maintain an internet web site to increase the availability of information, research, and other materials;

(d) Work with appropriate organizations to inform teachers, district and school administrators, and school directors about the waivers available and the broadened school board powers under RCW 28A.320.015;

(e) Provide training and consultation services, including conducting regional summer institutes;

(f) Identify strategies for improving the success rates of ethnic and racial student groups and students with disabilities, with disproportionate academic achievement;

(g) Work with parents, teachers, and school districts in establishing a model absentee notification procedure that will properly notify parents when their student has not attended a class or has missed a school day. The office of the superintendent of public instruction shall consider various types of communication with parents including, but not limited to, ((electronic mail)) email, phone, and postal mail; and

(h) Perform other functions consistent with the purpose of the center as prescribed in subsection (1) of this section.

(3) The superintendent of public instruction shall select and employ a director for the center.

(4) The superintendent may enter into contracts with individuals or organizations including but not limited to: School districts; educational service districts; educational organizations; teachers; higher education faculty; institutions of higher education; state agencies; business or community-based organizations; and other individuals and organizations to accomplish the duties and responsibilities of the center. In carrying out the duties and responsibilities of the center, the superintendent, whenever possible, shall use practitioners to assist agency staff as well as assist educators and others in schools and districts.

(5) The office of the superintendent of public instruction shall report to the legislature by September 1, 2007, and thereafter biennially, regarding the effectiveness of the center for the improvement of student learning, how the services provided by the center for the improvement of student learning have been used and by whom, and recommendations to improve the accessibility and application of knowledge and information that leads to improved student learning and greater family and community involvement in the public education system."

On page 1, line 3 of the title, after "committee;" strike the remainder of the title and insert "amending RCW 28A.600.490, 28A.600.015, 28A.600.020, 28A.600.022, 43.41.400, 28A.405.106, 28A.405.120, 28A.180.040, 28A.180.090, 28A.300.042, 28A.300.505, 28A.300.507, 28A.165.035, and 28A.300.130; reenacting and amending RCW 13.50.010; adding a new section to chapter 28A.320 RCW; adding new sections to chapter 28A.345 RCW; adding new sections to chapter 28A.415 RCW; adding new sections to chapter 28A.657 RCW; adding a new section to chapter 43.215 RCW; adding a new section to chapter 28A.300 RCW; creating new sections; and providing expiration dates."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Fourth Substitute House Bill No. 1541.

The motion by Senator Litzow carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Litzow, the rules were suspended, Fourth Substitute House Bill No. 1541, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and McCoy spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Fourth Substitute House Bill No. 1541, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Fourth Substitute House Bill No. 1541, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Billig, Braun, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Pedersen, Ranker, Rivers, Rolfes, Schoesler, Sheldon and Takko

Voting nay: Senators Angel, Bailey, Brown, Dansel, Ericksen, Padden, Parlette, Pearson, Roach and Warnick

Excused: Senator Carlyle

FOURTH SUBSTITUTE HOUSE BILL NO. 1541, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SPECIAL ORDER OF BUSINESS

Pursuant to Rule 18, the hour fixed for consideration of a special order of business having arrived, the President called the Senate to order and announced that Engrossed House Bill 2362 to be before the Senate and was immediately considered.

SECOND READING

ENGROSSED HOUSE BILL NO. 2362, by Representatives Hansen, Pettigrew, Nealey and Kirby

Concerning video and/or sound recordings made by law enforcement or corrections officers.

The measure was read the second time.

MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Law & Justice not be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that technological developments present opportunities for additional truth-finding, transparency, and accountability in interactions between law enforcement or corrections officers and the public. The legislature intends to promote transparency and accountability by permitting access to video and/or sound recordings of interactions with law enforcement or corrections officers, while preserving the public's reasonable expectation that the recordings of these interactions will not be publicly disclosed to enable voyeurism or exploitation.

Sec. 2. RCW 42.56.240 and 2015 c 224 s 3 and 2015 c 91 s 1 are each reenacted and amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) Information contained in a local or regionally maintained gang database as well as the statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and email address;

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business;

(10) The felony firearm offense conviction database of felony firearm offenders established in RCW 43.43.822;

(11) The identity of a state employee or officer who has in good faith filed a complaint with an ethics board, as provided in RCW 42.52.410, or who has in good faith reported improper governmental action, as defined in RCW 42.40.020, to the auditor or other public official, as defined in RCW 42.40.020;

(12) The following security threat group information collected and maintained by the department of corrections pursuant to RCW 72.09.745: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the number of security threat group members, affiliates, or associates; ((and))

(13) The global positioning system data that would indicate the location of the residence of an employee or worker of a criminal justice agency as defined in RCW 10.97.030; and

(14) Body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:

(i)(A) Any areas of medical facility, counseling, or therapeutic program office where: (I) A patient is registered to receive treatment, receiving treatment, waiting for treatment, or being transported in the course of treatment; or (II) health care information is shared with patients, their families, or among the care team; or (B) information that meets the definition of protected health information for purposes of the health insurance portability and accountability act of 1996 or health care information for purposes of chapter 70.02 RCW;

(ii) The interior of a place of residence where a person has a reasonable expectation of privacy;

(iii) An intimate image as defined in RCW 9A.86.010;

(iv) A minor;

(v) The body of a deceased person;

(vi) The identity of or communications from a victim or witness of an incident involving domestic violence as defined in RCW 10.99.020 or sexual assault as defined in RCW 70.125.030, or disclosure of intimate images as defined in RCW 9A.86.010. If at the time of recording the victim or witness indicates a desire for disclosure or nondisclosure of the recorded identity or communications, such desire shall govern; or

(vii) The identifiable location information of a community-based domestic violence program as defined in RCW 70.123.020, or emergency shelter as defined in RCW 70.123.020.

(b) The presumptions set out in (a) of this subsection may be rebutted by specific evidence in individual cases.

(c) In a court action seeking the right to inspect or copy a body worn camera recording, a person who prevails against a law enforcement or corrections agency that withholds or discloses all or part of a body worn camera recording pursuant to (a) of this subsection is not entitled to fees, costs, or awards pursuant to RCW 42.56.550 unless it is shown that the law enforcement or corrections agency acted in bad faith or with gross negligence.

(d) A request for body worn camera recordings must:

(i) Specifically identify a name of a person or persons involved in the incident;

(ii) Provide the incident or case number;

(iii) Provide the date, time, and location of the incident or incidents; or

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(iv) Identify a law enforcement or corrections officer involved in the incident or incidents.

(e)(i) A person directly involved in an incident recorded by the requested body worn camera recording, an attorney representing a person directly involved in an incident recorded by the requested body worn camera recording, a person or his or her attorney who requests a body worn camera recording relevant to a criminal case involving that person, or the executive director from either the Washington state commission on African-American affairs, Asian Pacific American affairs, or Hispanic affairs, has the right to obtain the body worn camera recording, subject to any exemption under this chapter or any applicable law. In addition, an attorney who represents a person regarding a potential or existing civil cause of action involving the denial of civil rights under the federal or state Constitution, or a violation of a United States department of justice settlement agreement, has the right to obtain the body worn camera recording if relevant to the cause of action, subject to any exemption under this chapter or any applicable law. The attorney must explain the relevancy of the requested body worn camera recording to the cause of action and specify that he or she is seeking relief from redaction costs under this subsection (14)(e).

(ii) A law enforcement or corrections agency responding to requests under this subsection (14)(e) may not require the requesting individual to pay costs of any redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of a body worn camera recording.

(iii) A law enforcement or corrections agency may require any person requesting a body worn camera recording pursuant to this subsection (14)(e) to identify himself or herself to ensure he or she is a person entitled to obtain the body worn camera recording under this subsection (14)(e).

(f)(i) A law enforcement or corrections agency responding to a request to disclose body worn camera recordings may require any requester not listed in (e) of this subsection to pay the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body worn camera recording prior to disclosure only to the extent necessary to comply with the exemptions in this chapter or any applicable law.

(ii) An agency that charges redaction costs under this subsection (14)(f) must use redaction technology that provides the least costly commercially available method of redacting body worn camera recordings, to the extent possible and reasonable.

(iii) In any case where an agency charges a requestor for the costs of redacting a body worn camera recording under this subsection (14)(f), the time spent on redaction of the recording shall not count towards the agency's allocation of, or limitation on, time or costs spent responding to public records requests under this chapter, as established pursuant to local ordinance, policy, procedure, or state law.

(g) For purposes of this subsection (14):

(i) "Body worn camera recording" means a video and/or sound recording that is made by a body worn camera attached to the uniform or eyewear of a law enforcement or corrections officer from a covered jurisdiction while in the course of his or her official duties and that is made on or after the effective date of this section and prior to July 1, 2019; and

(ii) "Covered jurisdiction" means any jurisdiction that has deployed body worn cameras as of the effective date of this section, regardless of whether or not body worn cameras are being deployed in the jurisdiction on the effective date of this section, including, but not limited to, jurisdictions that have deployed body worn cameras on a pilot basis.

(h) Nothing in this subsection shall be construed to restrict access to body worn camera recordings as otherwise permitted by law for official or recognized civilian and accountability bodies or pursuant to any court order.

(i) Nothing in this section is intended to modify the obligations of prosecuting attorneys and law enforcement under *Brady v. Maryland*, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963), *Kyles v. Whitley*, 541 U.S. 419, 115 S. Ct. 1555, 131 L. Ed.2d 490 (1995), and the relevant Washington court criminal rules and statutes.

Sec. 3. RCW 42.56.080 and 2005 c 483 s 1 and 2005 c 274 s 285 are each reenacted and amended to read as follows:

Public records shall be available for inspection and copying, and agencies shall, upon request for identifiable public records, make them promptly available to any person including, if applicable, on a partial or installment basis as records that are part of a larger set of requested records are assembled or made ready for inspection or disclosure. Agencies shall not deny a request for identifiable public records solely on the basis that the request is overbroad. Agencies shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request except to establish whether inspection and copying would violate RCW 42.56.070(9) or 42.56.240(14), or other statute which exempts or prohibits disclosure of specific information or records to certain persons. Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency. Agencies shall honor requests received by mail for identifiable public records unless exempted by provisions of this chapter.

Sec. 4. RCW 42.56.120 and 2005 c 483 s 2 are each amended to read as follows:

No fee shall be charged for the inspection of public records((. No fee shall be charged for)) or locating public documents and making them available for copying, except as provided in RCW 42.56.240(14). A reasonable charge may be imposed for providing copies of public records and for the use by any person of agency equipment or equipment of the office of the secretary of the senate or the office of the chief clerk of the house of representatives to copy public records, which charges shall not exceed the amount necessary to reimburse the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives for its actual costs directly incident to such copying. Agency charges for photocopies shall be imposed in accordance with the actual per page cost or other costs established and published by the agency. In no event may an agency charge a per page cost greater than the actual per page cost as established and published by the agency. To the extent the agency has not determined the actual per page cost for photocopies of public records, the agency may not charge in excess of fifteen cents per page. An agency may require a deposit in an amount not to exceed ten percent of the estimated cost of providing copies for a request. If an agency makes a request available on a partial or installment basis, the agency may charge for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed, the agency is not obligated to fulfill the balance of the request.

NEW SECTION. Sec. 5. (1) A law enforcement or corrections agency that deploys body worn cameras must establish policies regarding the use of the cameras. The policies must, at a minimum, address:

(a) When a body worn camera must be activated and deactivated, and when a law enforcement or corrections officer has the discretion to activate and deactivate the body worn camera;

(b) How a law enforcement or corrections officer is to respond to circumstances when it would be reasonably anticipated that a person may be unwilling or less willing to communicate with an officer who is recording the communication with a body worn camera;

(c) How a law enforcement or corrections officer will document when and why a body worn camera was deactivated prior to the conclusion of an interaction with a member of the public while conducting official law enforcement or corrections business;

(d) How, and under what circumstances, a law enforcement or corrections officer is to inform a member of the public that he or she is being recorded, including in situations where the person is a non-English speaker or has limited English proficiency, or where the person is deaf or hard of hearing;

(e) How officers are to be trained on body worn camera usage and how frequently the training is to be reviewed or renewed; and

(f) Security rules to protect data collected and stored from body worn cameras.

(2) A law enforcement or corrections agency that deploys body worn cameras before the effective date of this section must establish the policies within one hundred twenty days of the effective date of this section. A law enforcement or corrections agency that deploys body worn cameras on or after the effective date of this section must establish the policies before deploying body worn cameras.

(3) This section expires July 1, 2019.

NEW SECTION. Sec. 6. Footage from a body worn camera recording may not be introduced as evidence in a criminal proceeding unless there is probable cause to believe that the footage is evidence of criminal activity constituting a felony offense or a violation of RCW 46.61.502 or 46.61.504, or where the footage is obtained in the course of executing a valid warrant or obtained under exigent circumstances. For the purposes of this section, "body worn camera recording" means a video and/or sound recording that is made by a body worn camera attached to the uniform or eyewear of a law enforcement or corrections officer while in the course of his or her official duties.

NEW SECTION. Sec. 7. (1) The legislature shall convene a task force with the following voting members to examine the use of body worn cameras by law enforcement and corrections agencies:

(a) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(b) One member from each of the two largest caucuses in the house of representatives, appointed by the speaker of the house of representatives;

(c) A representative from the governor's office;

(d) Two representatives from the Washington association of prosecuting attorneys;

(e) A representative from the Washington defender association;

(f) A representative of the Washington association of criminal defense lawyers;

(g) A representative from the American civil liberties union of Washington;

(h) A representative from the Washington association of sheriffs and police chiefs;

(i) Four chief local law enforcement officers, at least two of whom must be from local law enforcement agencies that have deployed body worn cameras, appointed jointly by the president of the senate and the speaker of the house of representatives;

(j) Three law enforcement officers, one representing the council of metropolitan police and sheriffs and two representing the Washington council of police and sheriffs;

(k) Two representatives of local governments responsible for oversight of law enforcement, appointed jointly by the president of the senate and the speaker of the house of representatives;

(l) A representative from the Washington coalition for open government;

(m) A representative of the news media, appointed jointly by the president of the senate and the speaker of the house of representatives;

(n) A representative of victims advocacy groups, appointed jointly by the president of the senate and the speaker of the house of representatives;

(o) Two representatives with experience in interactions between law enforcement and the public, appointed by the Washington state commission on African-American affairs;

(p) Two representatives with experience in interactions between law enforcement and the public, appointed by the Washington state commission on Asian Pacific American affairs;

(q) Two representatives with experience in interactions between law enforcement and the public, appointed by the Washington state commission on Hispanic affairs;

(r) One representative of immigrant or refugee communities, appointed jointly by the president of the senate and the speaker of the house of representatives;

(s) One person with expertise in the technology of retaining and redacting body worn camera recordings, appointed jointly by the president of the senate and the speaker of the house of representatives;

(t) Two representatives of the tribal communities with experience in interactions between law enforcement and the public, appointed jointly by the president of the senate and the speaker of the house of representatives; and

(u) A public member, appointed jointly by the president of the senate and the speaker of the house of representatives.

(2) The task force shall choose two cochairs from among its legislative members.

(3) The task force may request such information, recordings, and other records from agencies as the task force deems appropriate for it to effectuate this section. A participating agency must provide such information, recordings, or records upon request subject to exemptions under chapter 42.56 RCW or any applicable law.

(4) Staff support for the task force shall be provided by the senate committee services and the house of representatives office of program research.

(5) Legislative members of the task force may be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer, governmental entity, or other organization, are entitled to be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(6) The expenses of the task force shall be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house executive rules committee, or their successor committees.

(7) The task force shall hold public meetings in locations that include rural and urban communities and communities in the eastern and western parts of the state.

(8) The task force shall specifically consider and report on the use of body worn cameras in health care facilities subject to the health insurance portability and accountability act of 1996, P.L. 104-191, and the uniform health care information act, chapter 70.02 RCW. The task force shall consult with subject matter experts, including, but not limited to, the Washington state hospital association and the Washington state medical association, and any findings or recommendations must be

consistent with the obligations of health care facilities under both federal and state law.

(9) The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2018. The report must include, but is not limited to, findings and recommendations regarding costs assessed to requesters, policies adopted by agencies, retention and retrieval of data, model policies regarding body worn cameras that at a minimum address the issues identified in section 5 of this act, and the use of body worn cameras for gathering evidence, surveillance, and police accountability. The task force must allow a minority report to be included with the task force report if requested by a member of the task force.

(10) This section expires June 1, 2019.

NEW SECTION. Sec. 8. Section 5 of this act constitutes a new chapter in Title 10 RCW.

NEW SECTION. Sec. 9. Section 6 of this act constitutes a new chapter in Title 5 RCW."

On page 1, line 2 of the title, after "officers;" strike the remainder of the title and insert "amending RCW 42.56.120; reenacting and amending RCW 42.56.240 and 42.56.080; adding a new chapter to Title 10 RCW; adding a new chapter to Title 5 RCW; creating new sections; and providing expiration dates."

The President declared the question before the Senate to be the committee striking amendment by the Committee on Law & Justice to Engrossed House Bill No. 2362 be not adopted.

The motion by Senator Padden carried and the committee striking amendment was not adopted by voice vote.

PERSONAL PRIVILEGE

Senator Jayapal: "I just want to remind the floor leader that it's entirely in his jurisdiction to decide which bill comes up when and he certainly could have brought this bill up before 5:00 o'clock in the evening. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Baumgartner: "I just think anyone that speaks on this bill should have to come back tomorrow."

MOTION

On motion of Senator Habib, and without objection, Senator Mullet was excused.

MOTION

Senator Padden moved that the following striking amendment no. 713 by Senators Padden, Pedersen and Brown be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that technological developments present opportunities for additional truth-finding, transparency, and accountability in interactions between law enforcement or corrections officers and the public. The legislature intends to promote transparency and accountability by permitting access to video and/or sound recordings of interactions with law enforcement or corrections officers, while preserving the public's reasonable expectation that the recordings of these interactions will not be publicly disclosed to enable voyeurism or exploitation.

Sec. 2. RCW 42.56.240 and 2015 c 224 s 3 and 2015 c 91 s 1 are each reenacted and amended to read as follows:

The following investigative, law enforcement, and crime victim information is exempt from public inspection and copying under this chapter:

(1) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy;

(2) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath;

(3) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b);

(4) License applications under RCW 9.41.070; copies of license applications or information on the applications may be released to law enforcement or corrections agencies;

(5) Information revealing the identity of child victims of sexual assault who are under age eighteen. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator;

(6) Information contained in a local or regionally maintained gang database as well as the statewide gang database referenced in RCW 43.43.762;

(7) Data from the electronic sales tracking system established in RCW 69.43.165;

(8) Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and email address;

(9) Personally identifying information collected by law enforcement agencies pursuant to local security alarm system programs and vacation crime watch programs. Nothing in this subsection shall be interpreted so as to prohibit the legal owner of a residence or business from accessing information regarding his or her residence or business;

(10) The felony firearm offense conviction database of felony firearm offenders established in RCW 43.43.822;

(11) The identity of a state employee or officer who has in good faith filed a complaint with an ethics board, as provided in RCW 42.52.410, or who has in good faith reported improper governmental action, as defined in RCW 42.40.020, to the auditor or other public official, as defined in RCW 42.40.020;

(12) The following security threat group information collected and maintained by the department of corrections pursuant to RCW 72.09.745: (a) Information that could lead to the identification of a person's security threat group status, affiliation, or activities; (b) information that reveals specific security threats associated with the operation and activities of security threat groups; and (c) information that identifies the

number of security threat group members, affiliates, or associates; ((and))

(13) The global positioning system data that would indicate the location of the residence of an employee or worker of a criminal justice agency as defined in RCW 10.97.030; and

(14) Body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:

(i)(A) Any areas of a medical facility, counseling, or therapeutic program office where:

(I) A patient is registered to receive treatment, receiving treatment, waiting for treatment, or being transported in the course of treatment; or

(II) Health care information is shared with patients, their families, or among the care team; or

(B) Information that meets the definition of protected health information for purposes of the health insurance portability and accountability act of 1996 or health care information for purposes of chapter 70.02 RCW;

(ii) The interior of a place of residence where a person has a reasonable expectation of privacy;

(iii) An intimate image as defined in RCW 9A.86.010;

(iv) A minor;

(v) The body of a deceased person;

(vi) The identity of or communications from a victim or witness of an incident involving domestic violence as defined in RCW 10.99.020 or sexual assault as defined in RCW 70.125.030, or disclosure of intimate images as defined in RCW 9A.86.010. If at the time of recording the victim or witness indicates a desire for disclosure or nondisclosure of the recorded identity or communications, such desire shall govern; or

(vii) The identifiable location information of a community-based domestic violence program as defined in RCW 70.123.020, or emergency shelter as defined in RCW 70.123.020.

(b) The presumptions set out in (a) of this subsection may be rebutted by specific evidence in individual cases.

(c) In a court action seeking the right to inspect or copy a body worn camera recording, a person who prevails against a law enforcement or corrections agency that withholds or discloses all or part of a body worn camera recording pursuant to (a) of this subsection is not entitled to fees, costs, or awards pursuant to RCW 42.56.550 unless it is shown that the law enforcement or corrections agency acted in bad faith or with gross negligence.

(d) A request for body worn camera recordings must:

(i) Specifically identify a name of a person or persons involved in the incident;

(ii) Provide the incident or case number;

(iii) Provide the date, time, and location of the incident or incidents; or

(iv) Identify a law enforcement or corrections officer involved in the incident or incidents.

(e)(i) A person directly involved in an incident recorded by the requested body worn camera recording, an attorney representing a person directly involved in an incident recorded by the requested body worn camera recording, a person or his or her attorney who requests a body worn camera recording relevant to a criminal case involving that person, or the executive director from either the Washington state commission on African-American affairs, Asian Pacific American affairs, or Hispanic

affairs, has the right to obtain the body worn camera recording, subject to any exemption under this chapter or any applicable law. In addition, an attorney who represents a person regarding a potential or existing civil cause of action involving the denial of civil rights under the federal or state Constitution, or a violation of a United States department of justice settlement agreement, has the right to obtain the body worn camera recording if relevant to the cause of action, subject to any exemption under this chapter or any applicable law. The attorney must explain the relevancy of the requested body worn camera recording to the cause of action and specify that he or she is seeking relief from redaction costs under this subsection (14)(e).

(ii) A law enforcement or corrections agency responding to requests under this subsection (14)(e) may not require the requesting individual to pay costs of any redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of a body worn camera recording.

(iii) A law enforcement or corrections agency may require any person requesting a body worn camera recording pursuant to this subsection (14)(e) to identify himself or herself to ensure he or she is a person entitled to obtain the body worn camera recording under this subsection (14)(e).

(f)(i) A law enforcement or corrections agency responding to a request to disclose body worn camera recordings may require any requester not listed in (e) of this subsection to pay the reasonable costs of redacting, altering, distorting, pixelating, suppressing, or otherwise obscuring any portion of the body worn camera recording prior to disclosure only to the extent necessary to comply with the exemptions in this chapter or any applicable law.

(ii) An agency that charges redaction costs under this subsection (14)(f) must use redaction technology that provides the least costly commercially available method of redacting body worn camera recordings, to the extent possible and reasonable.

(iii) In any case where an agency charges a requestor for the costs of redacting a body worn camera recording under this subsection (14)(f), the time spent on redaction of the recording shall not count towards the agency's allocation of, or limitation on, time or costs spent responding to public records requests under this chapter, as established pursuant to local ordinance, policy, procedure, or state law.

(g) For purposes of this subsection (14):

(i) "Body worn camera recording" means a video and/or sound recording that is made by a body worn camera attached to the uniform or eyewear of a law enforcement or corrections officer from a covered jurisdiction while in the course of his or her official duties and that is made on or after the effective date of this section and prior to July 1, 2019; and

(ii) "Covered jurisdiction" means any jurisdiction that has deployed body worn cameras as of the effective date of this section, regardless of whether or not body worn cameras are being deployed in the jurisdiction on the effective date of this section, including, but not limited to, jurisdictions that have deployed body worn cameras on a pilot basis.

(h) Nothing in this subsection shall be construed to restrict access to body worn camera recordings as otherwise permitted by law for official or recognized civilian and accountability bodies or pursuant to any court order.

(i) Nothing in this section is intended to modify the obligations of prosecuting attorneys and law enforcement under *Brady v. Maryland*, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963), *Kyles v. Whitley*, 541 U.S. 419, 115 S. Ct. 1555, 131 L. Ed.2d 490 (1995), and the relevant Washington court criminal rules and statutes.

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

(j) A law enforcement or corrections agency must retain body worn camera recordings for at least sixty days and thereafter may destroy the records.

Sec. 3. RCW 42.56.080 and 2005 c 483 s 1 and 2005 c 274 s 285 are each reenacted and amended to read as follows:

Public records shall be available for inspection and copying, and agencies shall, upon request for identifiable public records, make them promptly available to any person including, if applicable, on a partial or installment basis as records that are part of a larger set of requested records are assembled or made ready for inspection or disclosure. Agencies shall not deny a request for identifiable public records solely on the basis that the request is overbroad. Agencies shall not distinguish among persons requesting records, and such persons shall not be required to provide information as to the purpose for the request except to establish whether inspection and copying would violate RCW 42.56.070(9) or 42.56.240(14), or other statute which exempts or prohibits disclosure of specific information or records to certain persons. Agency facilities shall be made available to any person for the copying of public records except when and to the extent that this would unreasonably disrupt the operations of the agency. Agencies shall honor requests received by mail for identifiable public records unless exempted by provisions of this chapter.

Sec. 4. RCW 42.56.120 and 2005 c 483 s 2 are each amended to read as follows:

No fee shall be charged for the inspection of public records((. No fee shall be charged for)) or locating public documents and making them available for copying, except as provided in RCW 42.56.240(14). A reasonable charge may be imposed for providing copies of public records and for the use by any person of agency equipment or equipment of the office of the secretary of the senate or the office of the chief clerk of the house of representatives to copy public records, which charges shall not exceed the amount necessary to reimburse the agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives for its actual costs directly incident to such copying. Agency charges for photocopies shall be imposed in accordance with the actual per page cost or other costs established and published by the agency. In no event may an agency charge a per page cost greater than the actual per page cost as established and published by the agency. To the extent the agency has not determined the actual per page cost for photocopies of public records, the agency may not charge in excess of fifteen cents per page. An agency may require a deposit in an amount not to exceed ten percent of the estimated cost of providing copies for a request. If an agency makes a request available on a partial or installment basis, the agency may charge for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed, the agency is not obligated to fulfill the balance of the request.

NEW SECTION. Sec. 5. (1) A law enforcement or corrections agency that deploys body worn cameras must establish policies regarding the use of the cameras. The policies must, at a minimum, address:

(a) When a body worn camera must be activated and deactivated, and when a law enforcement or corrections officer has the discretion to activate and deactivate the body worn camera;

(b) How a law enforcement or corrections officer is to respond to circumstances when it would be reasonably anticipated that a person may be unwilling or less willing to communicate with an officer who is recording the communication with a body worn camera;

(c) How a law enforcement or corrections officer will document when and why a body worn camera was deactivated

prior to the conclusion of an interaction with a member of the public while conducting official law enforcement or corrections business;

(d) How, and under what circumstances, a law enforcement or corrections officer is to inform a member of the public that he or she is being recorded, including in situations where the person is a non-English speaker or has limited English proficiency, or where the person is deaf or hard of hearing;

(e) How officers are to be trained on body worn camera usage and how frequently the training is to be reviewed or renewed; and

(f) Security rules to protect data collected and stored from body worn cameras.

(2) A law enforcement or corrections agency that deploys body worn cameras before the effective date of this section must establish the policies within one hundred twenty days of the effective date of this section. A law enforcement or corrections agency that deploys body worn cameras on or after the effective date of this section must establish the policies before deploying body worn cameras.

(3) This section expires July 1, 2019.

NEW SECTION. Sec. 6. For a city or town that is not deploying body worn cameras on the effective date of this section, a legislative authority of a city or town is strongly encouraged to adopt an ordinance or resolution authorizing the use of body worn cameras prior to their use by law enforcement or a corrections agency. Any ordinance or resolution authorizing the use of body worn cameras should identify a community involvement process for providing input into the development of operational policies governing the use of body worn cameras.

NEW SECTION. Sec. 7. (1) The legislature shall convene a task force with the following voting members to examine the use of body worn cameras by law enforcement and corrections agencies:

(a) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(b) One member from each of the two largest caucuses in the house of representatives, appointed by the speaker of the house of representatives;

(c) A representative from the governor's office;

(d) Two representatives from the Washington association of prosecuting attorneys;

(e) A representative from the Washington defender association;

(f) A representative of the Washington association of criminal defense lawyers;

(g) A representative from the American civil liberties union of Washington;

(h) A representative from the Washington association of sheriffs and police chiefs;

(i) Four chief local law enforcement officers, at least two of whom must be from local law enforcement agencies that have deployed body worn cameras, appointed jointly by the president of the senate and the speaker of the house of representatives;

(j) Three law enforcement officers, one representing the council of metropolitan police and sheriffs and two representing the Washington council of police and sheriffs;

(k) Two representatives of local governments responsible for oversight of law enforcement, appointed jointly by the president of the senate and the speaker of the house of representatives;

(l) A representative from the Washington coalition for open government;

(m) A representative of the news media, appointed jointly by the president of the senate and the speaker of the house of representatives;

(n) A representative of victims advocacy groups, appointed jointly by the president of the senate and the speaker of the house of representatives;

(o) Two representatives with experience in interactions between law enforcement and the public, appointed by the Washington state commission on African-American affairs;

(p) Two representatives with experience in interactions between law enforcement and the public, appointed by the Washington state commission on Asian Pacific American affairs;

(q) Two representatives with experience in interactions between law enforcement and the public, appointed by the Washington state commission on Hispanic affairs;

(r) One representative of immigrant or refugee communities, appointed jointly by the president of the senate and the speaker of the house of representatives;

(s) One person with expertise in the technology of retaining and redacting body worn camera recordings, appointed jointly by the president of the senate and the speaker of the house of representatives;

(t) Two representatives of the tribal communities with experience in interactions between law enforcement and the public, appointed jointly by the president of the senate and the speaker of the house of representatives;

(u) A public member, appointed jointly by the president of the senate and the speaker of the house of representatives; and

(v) A representative of the Washington state fraternal order of police.

(2) The task force shall choose two cochairs from among its legislative members.

(3) The task force may request such information, recordings, and other records from agencies as the task force deems appropriate for it to effectuate this section. A participating agency must provide such information, recordings, or records upon request subject to exemptions under chapter 42.56 RCW or any applicable law.

(4) Staff support for the task force shall be provided by the senate committee services and the house of representatives office of program research.

(5) Legislative members of the task force may be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer, governmental entity, or other organization, are entitled to be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(6) The expenses of the task force shall be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house executive rules committee, or their successor committees.

(7) The task force shall hold public meetings in locations that include rural and urban communities and communities in the eastern and western parts of the state.

(8) The task force shall specifically consider and report on the use of body worn cameras in health care facilities subject to the health insurance portability and accountability act of 1996, P.L. 104-191, and the uniform health care information act, chapter 70.02 RCW. The task force shall consult with subject matter experts, including, but not limited to, the Washington state hospital association and the Washington state medical association, and any findings or recommendations must be consistent with the obligations of health care facilities under both federal and state law.

(9) The task force shall report its findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2017. The report must include, but is not limited to, findings and recommendations regarding

costs assessed to requesters, policies adopted by agencies, retention and retrieval of data, model policies regarding body worn cameras that at a minimum address the issues identified in section 5 of this act, and the use of body worn cameras for gathering evidence, surveillance, and police accountability. The task force must allow a minority report to be included with the task force report if requested by a member of the task force.

(10) This section expires June 1, 2019.

NEW SECTION. Sec. 8. (1) For state and local agencies, a body worn camera may only be used by officers employed by a general authority Washington law enforcement agency as defined in RCW 10.93.020, any officer employed by the department of corrections, and personnel for jails as defined in RCW 70.48.020 and detention facilities as defined in RCW 13.40.020.

(2) This section expires July 1, 2019.

NEW SECTION. Sec. 9. Sections 5, 6, and 8 of this act constitute a new chapter in Title 10 RCW."

On page 1, line 2 of the title, after "officers;" strike the remainder of the title and insert "amending RCW 42.56.120; reenacting and amending RCW 42.56.240 and 42.56.080; adding a new chapter to Title 10 RCW; creating new sections; and providing expiration dates."

MOTION

Senator Roach moved that the following amendment no. 736 by Senator Roach on page 3, beginning on line 12 of the striking amendment be adopted:

On page 3, beginning on line 12 of the amendment, after "recordings" strike all material through "subsection" on line 15

Beginning on page 3, at the beginning of line 17 of the amendment, strike all material through "(g)" on page 5, line 31 and insert "unless a victim or witness whose image or communication is contained in the recording requests the recording, law enforcement requests the recording, or under a court order.

(a)"

Reletter the remaining subsections consecutively and correct any internal references accordingly.

Senators Roach, Hargrove, Benton and Hasegawa spoke in favor of adoption of the amendment.

Senators Padden and Pedersen spoke against adoption of the amendment.

Senator Roach demanded a roll call.

The President declared that one-sixth of the members failed to join the demand and the demand was not sustained.

MOTION

Senator Roach demanded a division.

The President declared the question before the Senate to be the adoption of amendment no. 736 by Senator Roach to the striking amendment to Engrossed House Bill No. 2362.

The motion by Senator Roach did not carry and the amendment was not adopted on a rising vote.

MOTION

Senator Jayapal moved that the following amendment no. 716 by Senators Jayapal, Dansel and McCoy to the striking amendment be adopted:

On page 5, line 37 of the amendment, after "July 1," strike "2019" and insert "2018"

FIFTY FOURTH DAY, MARCH 4, 2016

2016 REGULAR SESSION

On page 8, line 16 of the amendment, after "July 1," strike "2019" and insert "2018"

On page 11, line 12 of the amendment, after "June 1," strike "2019" and insert "2018"

On page 11, line 19 of the amendment, after "July 1," strike "2019" and insert "2018"

Senators Jayapal and Roach spoke in favor of adoption of the amendment.

Senators Padden and Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 716 by Senators Jayapal, Dansel and McCoy to the striking amendment to Engrossed House Bill No. 2362.

The motion by Senator Jayapal did not carry and amendment no. 716 was not adopted by voice vote.

MOTION

Senator Jayapal moved that the following amendment no. 717 by Senators Jayapal, Dansel and McCoy to the striking amendment be adopted:

On page 7, beginning on line 29 of the amendment, after "camera" strike all material through "camera" on line 31 and insert "must be activated and deactivated. When a body worn camera is attached to an officer or an officer's uniform or otherwise provided to an officer for use in recording the officer's activities while on duty, it must be operated to continuously record. Exceptions may be set by the law enforcement or corrections agency to allow for deactivation when an officer is: (i) Using a public or private restroom, except when an officer's presence in such restroom is related to law enforcement activity; (ii) on a scheduled or routine break and not gaged in any law enforcement activity; or (iii) engaged in sensitive situations such as domestic violence incidents or confidential encounters with informants;"

Senators Jayapal and Hasegawa spoke in favor of adoption of the amendment.

Senators Padden and Pedersen spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 717 by Senators Jayapal, Dansel and McCoy to the striking amendment to Engrossed House Bill No. 2362.

The motion by Senator Jayapal did not carry and amendment no. 717 was not adopted by voice vote.

MOTION

Senator Jayapal moved that the following amendment no. 718 by Senators Jayapal, Dansel, Froct and McCoy to the striking amendment be adopted:

On page 8, after line 16, strike all of section 6, and insert the following:

"NEW SECTION. Sec. 6. For a city or town that is not deploying body worn cameras on the effective date of this section, a legislative authority of a city or town must adopt an ordinance or resolution authorizing the use of body worn cameras prior to their use by law enforcement or a corrections agency. Any ordinance or resolution authorizing the use of body worn cameras must identify a community involvement process for providing

input into the development of operational policies governing the use of body worn cameras."

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senators Jayapal, Froct, Hasegawa and Billig spoke in favor of adoption of the amendment to the striking amendment.

Senators Padden and Pedersen spoke against adoption of the amendment to the striking amendment.

MOTION

Senator Jayapal demanded a division.

The President declared the question before the Senate to be the adoption of amendment no. 718 by Senators Jayapal, Dansel, Froct and McCoy to the striking amendment to Engrossed House Bill No. 2362.

The motion by Senator Jayapal did not carry and amendment no. 718 was not adopted on a rising vote.

MOTION

Senator Roach moved that the following amendment no. 737 by Senator Roach to the striking amendment be adopted:

On page 11, line 3 of the amendment, after "December 1," strike "2017" and insert "2016"

Senators Roach and Froct spoke in favor of adoption of the amendment to the striking amendment.

Senators Padden and Pedersen spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 737 by Senator Roach to the striking amendment to Engrossed House Bill No. 2362.

The motion by Senator Roach did not carry and amendment no. 737 was not adopted by voice vote.

MOTION

Senator Jayapal moved that the following amendment no. 719 by Senators Jayapal, Dansel, Froct and McCoy to the striking amendment be adopted:

On page 11, after line 21 of the amendment, insert the following:

"NEW SECTION. Sec. 10. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Senator Jayapal spoke in favor of adoption of the amendment to the striking amendment.

Senator Pedersen spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 719 by Senators Jayapal, Dansel, Froct and McCoy to the striking amendment to Engrossed House Bill No. 2362.

The motion by Senator Jayapal did not carry and amendment no. 719 was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the striking amendment no. 713 by Senators Padden, Pedersen and Brown to Engrossed House Bill No. 2362.

The motion by Senator Padden carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed House Bill No. 2362, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Pedersen, Frockt and Roach spoke in favor of passage of the bill.

Senator Jayapal spoke against passage of the bill.

MOTION

On motion of Senator Ericksen, and without objection, Senator Baumgartner was excused.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2362, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2362, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 37; Nays, 9; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Conway, Dammeier, Darneille, Ericksen, Fain,

Fraser, Frockt, Habib, Hewitt, Hill, Hobbs, Honeyford, King, Liias, Litzow, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Cleveland, Dandel, Hargrove, Hasegawa, Jayapal, Keiser, McAuliffe and McCoy

Excused: Senators Baumgartner, Carlyle and Mullet

ENGROSSED HOUSE BILL NO. 2362, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator McCoy: "In our rush to get bills done and get as many done I didn't have the opportunity to thank the entire body and the caucus and the committee staff on finally getting House Bill 1541 passed. We've worked a long time on it and we're just very grateful to get it done. I want to thank everybody. Thank you."

MOTION

At 6:14 p.m., on motion of Senator Fain, the Senate adjourned until 1:00 o'clock p.m., Monday, March 7, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTY SEVENTH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, March 7, 2016

The Senate was called to order at 1:00 o'clock p.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present, with the exception of Senator Baumgartner.

The Sergeant at Arms Color Guard consisting of Pages Mr. Clayton Shirley and Miss Shauna Christine Flores, presented the Colors.

Page Mr. Johnson Kuang led the Senate in the Pledge of Allegiance.

Senator Warnick offered the prayer.

MOTION

On motion of Senator Fain the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

March 3, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LARRY BROWN, reappointed May 2, 2014, for the term ending April 3, 2018, as Member of the State Board for Community and Technical Colleges.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

EMILY K. DUNN-WILDER, appointed October 7, 2015, for the term ending June 30, 2016, as Member of the The Evergreen State College Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ALLIE M. JOINER, reappointed June 23, 2015, for the term ending July 1, 2020, as Member of the Center for Childhood Deafness and Hearing Loss Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Early Learning & K-12 Education.

March 2, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

SEPI SOLEIMANPOUR, reappointed January 28, 2016, for the term ending January 19, 2020, as Member of the Pharmacy Quality Assurance Commission.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Health Care.

MOTION

On motion of Senator Fain, and without objection, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House has passed:

SECOND SUBSTITUTE HOUSE BILL NO. 2839
and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House has passed:

SENATE BILL NO. 5143,
SENATE BILL NO. 5270,
SUBSTITUTE SENATE BILL NO. 5597,
SUBSTITUTE SENATE BILL NO. 5670,
SUBSTITUTE SENATE BILL NO. 6117,
SENATE BILL NO. 6156,
ENGROSSED SENATE BILL NO. 6166,
SENATE BILL NO. 6171,
ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 6242,
SENATE BILL NO. 6245,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6248,
 SUBSTITUTE SENATE BILL NO. 6283,
 SENATE BILL NO. 6325,
 SUBSTITUTE SENATE BILL NO. 6358,
 SENATE BILL NO. 6400,
 SENATE BILL NO. 6405,
 SUBSTITUTE SENATE BILL NO. 6449,
 SENATE BILL NO. 6475,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6513,
 ENGROSSED SENATE BILL NO. 6589,
 SENATE BILL NO. 6607,
 SENATE JOINT MEMORIAL NO. 8019,
 SENATE JOINT RESOLUTION NO. 8210.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE
 BILLS

E2SHB 2453 by House Committee on Appropriations (originally sponsored by Representatives Jinkins, Rodne, Cody, Schmick, Chandler, Dunshee, Muri, Kilduff and Ormsby)

AN ACT Relating to improving oversight of the state hospitals; adding a new chapter to Title 72 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 2985 by House Committee on Capital Budget (originally sponsored by Representatives Riccelli, Short, Ormsby, Parker, Holy, Manweller, McCaslin, Tharinger, Peterson, Stanford, Kretz, Magendanz and Moscoso)

AN ACT Relating to excluding certain school facilities from the inventory of educational space for determining eligibility for state assistance for common school construction; and amending RCW 28A.525.055.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committee as designated.

MOTION

On motion of Senator Fain, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
 8722

By Senators Liias, Fain, King, Keiser, Benton, Nelson, Frockt, Jayapal, McCoy, McAuliffe, Fraser, and Habib

WHEREAS, Joan M. "Joni" Earl is retiring from her position as Chief Executive Officer of Sound Transit after leading the agency for fifteen years; and

WHEREAS, Ms. Earl's prior government experience as Deputy County Executive of Snohomish County, City Manager of Mill Creek, and Director of Internal Management and Chief Fiscal Officer of Kitsap County together made her uniquely suited to pay attention to both the big picture and the financial bottom line, and she brought to Sound Transit laser-sharp business sense and drive for results; and

WHEREAS, From the time she was named Acting Executive Director in January 2001 and made Executive Director six months later, Ms. Earl instilled an agency culture of accountability and transparency around doing public projects; and

WHEREAS, In her 15 years leading Sound Transit, the agency evolved to become one of the nation's leading transit agencies; and

WHEREAS, Ms. Earl and her leadership team dramatically restructured the way Sound Transit manages major projects, which by 2003 led to the restoration of \$500 million in federal funding for building the initial segment of the Link regional light rail system; and

WHEREAS, Link light rail service opened between Seattle and Sea-Tac Airport in 2009; and

WHEREAS, As Sound Transit's CEO and throughout her public career, Ms. Earl has forged important partnerships, working closely with elected and community leaders at all levels and across political aisles, in particular with the late Representative Ruth Fisher, after whom the Sound Transit board room is named; and

WHEREAS, Sound Transit's regional system of ST Express buses, Sounder trains, and Link light rail will provide more than 41 million rides this year, improving the economic and social health of central Puget Sound, home to 40 percent of the state's population, 70 percent of our state's economic activity, and 97 percent of our state's congestion; and

WHEREAS, Ms. Earl's extraordinary vision and leadership provide a legacy for generations to come, truly leaving Puget Sound communities and our economy better than she found them, and we are grateful for her remarkable contributions to the state of Washington; and

WHEREAS, Ms. Earl's service is marked not only by her accomplishments, but also through the dignified way she treated her coworkers, employees, and the community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize and congratulate Ms. Joni Earl for her lifetime of outstanding public service, and for her dedication to transparency and accountability in doing the public's business; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Ms. Earl and to the Board of Directors of Sound Transit.

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

Senators Liias, Pedersen, Fain, Fraser, Pearson, McCoy and Habib spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8722.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

INTRODUCTION OF GUESTS

The President welcomed and introduced Ms. Joni Earl, the CEO Emeritus of Sound Transit, and her husband, Mr. Charlie Earl, former Executive Director of the State Board for Community and Technical Colleges, who were seated at the rostrum.

MOTION

Senator Ranker moved adoption of the following resolution:

SENATE RESOLUTION
8711

By Senators Ranker, Ericksen, Danel, Frockt, Cleveland, Bailey, McCoy, Nelson, Liias, Hasegawa, McAuliffe, and Habib

WHEREAS, Dr. W. Bruce Shepard is retiring from his position as President of Western Washington University in June 2016, after serving as the University's 13th President; and

WHEREAS, President Shepard is a true public servant in higher education, with four decades of experience as an educator and academic leader, including eight years as President of Western Washington University, seven years of public service as Chancellor of the University of Wisconsin-Green Bay, six years of service as Provost at Eastern Oregon University, and twenty-three years with Oregon State University, where he earned tenure as a Professor of Political Science and served in various roles in the University's administration; and

WHEREAS, Under President Shepard's leadership, Western Washington University has been recognized as a regional and national leader for academic success and community engagement, including repeated recognition by U.S. News & World Report as the highest ranking public master's degree granting university in the Pacific Northwest and one of the best values in public higher education by Kiplinger's; ranking first in the nation three years in a row among medium-sized universities in sending graduates to the Peace Corps; and being the top national producer in 2013 among public master's degree granting institutions for Fulbright Scholarship winners; and

WHEREAS, President Shepard has prioritized Western's role in building a stronger Washington as a publicly-purposed university, highlighted by the fact that nine out of ten Western students are from the state of Washington, and the vast majority of Western alumni live in Washington, including in every county throughout the state; and

WHEREAS, President Shepard led the University to successfully navigate the Great Recession, effectively managing the University's finances while protecting Western's distinctive academic excellence as well as affordability for students; and

WHEREAS, During President Shepard's tenure at Western, STEM degree production has increased by fifty percent, including a tripling of the number of computer science degrees produced; and

WHEREAS, President Shepard has strengthened Western's commitment to serving, educating, and graduating first-generation, low-income, and traditionally underserved students,

helping to establish an empathetic campus culture that values inclusivity and diversity; and

WHEREAS, Through his leadership, President Shepard has consistently challenged the Western community and residents throughout Washington State to consider tough questions around racial privilege, equity, and social justice, and worked to ensure that quality higher education is accessible to students of all backgrounds and demographics; and

WHEREAS, Through his leadership, President Shepard has fostered greater equity and inclusion on the Western Washington University campus through multiple initiatives that have enhanced the quality of life for students, faculty, and staff; and

WHEREAS, President Shepard has been a champion of shared governance and leading by listening, beginning his service at Western by holding listening sessions involving several thousand faculty, staff, and students on campus, followed by over one hundred conversations with diverse constituency groups around Washington and beyond; and

WHEREAS, Under President Shepard's leadership, Western has invigorated a culture of philanthropy and elevated its reputation throughout the state, leading to the success of the sixty million dollar Western Stands for Washington fundraising campaign; and

WHEREAS, President Shepard's legacy and devotion to public higher education will have lasting beneficial effects on the state of Washington and the students, faculty, and staff of Western Washington University for years to come;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize President Bruce Shepard for his service in higher education and for his dedication to access, innovation, diversity, equity, sustainability, and academic excellence; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to President Shepard and the Board of Trustees of Western Washington University.

Senators Ranker, Ericksen, Liias, Carlyle, Frockt, Takko and Bailey spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8711.

The motion by Senator Ranker carried and the resolution was adopted by voice vote.

INTRODUCTION OF GUEST

The President welcomed and introduced Mr. Bruce Shepard, President of Western Washington University who was seated in the gallery.

MOTION

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION
8704

By Senators Hasegawa, Ranker, Bailey, Baumgartner, Conway, Becker, Frockt, Carlyle, Liias, McCoy, McAuliffe, and Hobbs

WHEREAS, In June 2016, Cyndie Shepard is retiring from her position as the first lady of Western Washington University

and as the executive director of Western's award-winning Compass 2 Campus mentoring program; and

WHEREAS, Cyndie Shepard has excelled as the first lady of Western Washington University in working with her husband, Western President Bruce Shepard, to develop friendships and partnerships on campus and in the community, state, and nation; and in creating opportunities for people from all walks of life; and

WHEREAS, Cyndie Shepard has proven to be a true champion for education in three states, particularly in raising aspirations for students from traditionally underrepresented, diverse, and first generation backgrounds to pursue higher education through mentoring programs in Washington and Wisconsin; and

WHEREAS, Cyndie Shepard has taught at several universities and colleges across the nation including the University of Wisconsin-Green Bay, Murray State University, Eastern Oregon University, and Blue Mountain Community College; and has extensive experience in P-12 education, special education, and administration; and

WHEREAS, The Western community and the people of Washington have benefited from the contributions and leadership of Cyndie Shepard, who has particularly distinguished herself for her creation, development, and leadership of Western's Compass 2 Campus program, a nationally recognized, award-winning mentoring initiative that places Western students in local school districts to encourage students to graduate from high school and pursue higher education; and

WHEREAS, The Compass 2 Campus program was transported to Central Washington University last year, in recognition of its great success at Western and in Whatcom and Skagit counties; and

WHEREAS, The Western Washington University Compass 2 Campus Mentorship Initiative is a pilot program implemented by House Bill No. 1986 which was signed by the governor on May 11, 2009; and

WHEREAS, Cyndie Shepard served as director and co-founder of the Phuture Phoenix program at University of Wisconsin-Green Bay, where the program continues to be successful and has been transported to University of Wisconsin-Eau Claire and Silver Lake College; and

WHEREAS, Compass 2 Campus and the Phuture Phoenix programs have proven to increase GPA and reduce truancy among elementary, middle, and high school students; empower students to make good choices about the future; increase students' leadership and commitment to giving back to their communities; and empower more students to graduate from high school and encourage them to consider some form of higher education; and

WHEREAS, Cyndie Shepard presents on mentorship and student engagement at numerous conferences and community events, teaches at Western in the Woodring College of Education and in the dance department, is past president of Western's chapter of Phi Kappa Phi, is on the Woodring Diversity Committee, and is an advisory board member for the GRADS Program in Bellingham Public Schools; and

WHEREAS, Cyndie Shepard's legacy and devotion to public education will have lasting beneficial effects on the people of the state of Washington, those who come from disadvantaged backgrounds, and those college students who served as mentors to those students in area schools, for years to come;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Cyndie Shepard for her service to Western Washington University and for her dedication to K-16 education and to student access and success; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the

Senate to Cyndie Shepard and the Board of Trustees of Western Washington University.

Senators Hasegawa, Ericksen, Ranker and McAuliffe spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8704.

The motion by Senator Hasegawa carried and the resolution was adopted by voice vote.

INTRODUCTION OF GUEST

The President welcomed and introduced Ms. Cyndie Shepard, first lady of Western Washington University, who was seated in the gallery.

PERSONAL PRIVILEGE

Senator O'Ban: "Thank you, Mr. President. Further to the events of last Friday when this body, in solidarity with the Brad Tower family, recognized the tremendous, unspeakable loss to that family. I took note of some of the very appropriate comments made on the floor by a number of the members. Particularly, I was moved by Senator Carlyle's comments about the need for a community, the community of those in which one has lost so much as Brad Tower and his family, and the need for that community to come alongside and show it's solidarity. So, in a very small way, we are doing that through the ribbons that you found on your desk. I suggested to several this idea and my intrepid LA and her colleague, Krista Winters, got together and created these and made them available to you and any member, any staff and any others, who are members of this community to wear in solidarity with the Tower family. So, that's the purpose of the ribbon and we'll wear it to show in this very modest way that we remember that family and we want to show them that we will continue to remember and pray for them. Thank you."

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

MOTION

At 1:53 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:09 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5206 with the following amendment(s): 5206-S AMH GGIT H4628.1

Strike everything after the enacting clause and insert the following:

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

"Sec. 1. RCW 43.09.310 and 2005 c 387 s 2 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the state auditor shall annually audit the statewide combined financial statements prepared by the office of financial management and make post-audits of state agencies. Post-audits of state agencies shall be made at such periodic intervals as is determined by the state auditor. Audits of combined financial statements shall include determinations as to the validity and accuracy of accounting methods, procedures and standards utilized in their preparation, as well as the accuracy of the financial statements themselves. A report shall be made of each such audit and post-audit upon completion thereof, and one copy shall be transmitted to the governor, one to the director of financial management, one to the state agency audited, one to the joint legislative audit and review committee, one each to the standing committees on ways and means of the house and senate, one to the chief clerk of the house, one to the secretary of the senate, and at least one shall be kept on file in the office of the state auditor. A copy of any report containing findings of noncompliance with state law shall be transmitted to the attorney general and shall be subject to the process provided in section 2 of this act.

(2) Audits of the department of labor and industries must be coordinated with the audits required under RCW 51.44.115 to avoid duplication of audits.

NEW SECTION. Sec. 2. A new section is added to chapter 43.09 RCW to read as follows:

(1) Within ninety days of receipt of an audit under RCW 43.09.310 containing findings of noncompliance with state law, the subject state agency shall submit a response and a plan for remediation to the governor, the state auditor, the office of financial management, the joint legislative audit and review committee, and the relevant fiscal and policy committees of the senate and house of representatives.

(2) If, at the next succeeding audit of the subject state agency, the state auditor determines that the subject state agency has failed to make substantial progress in remediating the noncompliance with state law, the state auditor shall notify the entities specified in subsection (1) of this section.

(3) Upon receipt of a notification under subsection (2) of this section, a fiscal or policy committee of the senate or house of representatives may refer the matter to the senate committee on facilities and operations or the executive rules committee of the house of representatives.

(4) The obligation to prepare and submit a plan for remediation under this section applies only:

(a) If the agency's general fund-state biennial budget exceeds one billion dollars; and

(b) Subject to the availability of amounts appropriated for this specific purpose."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Becker moved that the Senate refuse to concur in the House amendment(s) to Substitute Senate Bill No. 5206 and ask the House to recede therefrom.

Senators Becker and Fraser spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate refuse to concur in the House amendment(s) to Substitute Senate Bill No. 5206 and ask the House to recede therefrom.

The motion by Senator Becker carried and the Senate refused to concur in the House amendment(s) to Substitute Senate Bill No. 5206 and asked the House to recede therefrom by voice vote.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed SENATE BILL NO. 6274 with the following amendment(s): 6274 AMH BUYS LEWI 016

On page 3, line 13, after "By December 1," strike "((2014)) 2020" and insert "2014"

On page 4, line 8, after "((2016))" strike "2022" and insert "2017"

On page 4, line 11, after "((2016))" strike "2022" and insert "2017"

On page 4, line 13, after "June 30," strike "2022" and insert "2017"

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Pearson moved that the Senate refuse to concur in the House amendment(s) to Senate Bill No. 6274 and ask the House to recede therefrom.

Senators Pearson and Jayapal spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Pearson that the Senate refuse to concur in the House amendment(s) to Senate Bill No. 6274 and ask the House to recede therefrom.

The motion by Senator Pearson carried and the Senate refused to concur in the House amendment(s) to Senate Bill No. 6274 and asked the House to recede therefrom by voice vote.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6525 with the following amendment(s): 6525-S-E AMH LG H4516.20.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.27.085 and 1989 c 256 s 1 are each amended to read as follows:

(1) There is hereby created the building code council account in the state treasury. Moneys deposited into the account shall be used by the building code council, after appropriation, to perform the purposes of the council.

(2) All moneys collected under subsection (3) of this section shall be deposited into the building code council account. Every four years the state treasurer shall report to the legislature on the balances in the account so that the legislature may adjust the charges imposed under subsection (3) of this section.

(3) There is imposed a fee of four dollars and fifty cents on each building permit issued by a county or a city, plus an additional surcharge of two dollars for each residential unit, but not including the first unit, on each building containing more than one residential unit. Quarterly each county and city shall remit moneys collected under this section to the state treasury; however,

no remittance is required until a minimum of fifty dollars has accumulated pursuant to this subsection.

(4) In addition to the fees under subsection (3) of this section, there is imposed a temporary surcharge of one dollar on each residential building permit issued by a county or a city, and a temporary surcharge of five dollars and fifty cents for each nonresidential building permit issued by a county or a city. These temporary surcharges expire July 1, 2018.

Sec. 2. RCW 19.27.070 and 2011 1st sp.s. c 43 s 244 are each amended to read as follows:

There is hereby established in the department of enterprise services a state building code council, to be appointed by the governor.

(1) The state building code council shall consist of fifteen members:

(a) Two members must be county elected legislative body members or elected executives;

(b) Two members must be city elected legislative body members or mayors;

(c) One member must be a local government building code enforcement official;

(d) One member must be a local government fire service official;

(e) One member must be a person with a physical disability and shall represent the disability community;

(f) One member must represent the general public; and

(g) Seven members must represent the private sector as follows:

(i) One member shall represent general construction, specializing in commercial and industrial building construction;

((f)) (ii) One member shall represent general construction, specializing in residential and multifamily building construction;

((g)) (iii) One member shall represent the architectural design profession;

((h)) (iv) One member shall represent the structural engineering profession;

((i)) (v) One member shall represent the mechanical engineering profession;

((j)) (vi) One member shall represent the construction building trades;

((k)) (vii) One member shall represent manufacturers, installers, or suppliers of building materials and components(;

(l) One member must be a person with a physical disability and shall represent the disability community; and

(m) One member shall represent the general public)).

(2) At least six of these fifteen members shall reside east of the crest of the Cascade mountains.

(3) The council shall include: Two members of the house of representatives appointed by the speaker of the house, one from each caucus; two members of the senate appointed by the president of the senate, one from each caucus; and an employee of the electrical division of the department of labor and industries, as ex officio, nonvoting members with all other privileges and rights of membership.

(4)(a) Terms of office shall be for three years, or for so long as the member remains qualified for the appointment.

(b) The council shall elect a member to serve as chair of the council for one-year terms of office.

(c) Any member who is appointed by virtue of being an elected official or holding public employment shall be removed from the council if he or she ceases being such an elected official or holding such public employment.

(d)(i) Any member who is appointed to represent a specific private sector industry must maintain sufficiently similar employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement

or unemployment is not cause for termination. However, if a councilmember enters into employment outside of the industry he or she has been appointed to represent, then he or she shall be removed from the council.

(ii) Any member who is appointed after the effective date of this section to represent a specific private sector industry must maintain sufficiently similar private sector employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement or unemployment is not cause for termination. However, if a councilmember appointed after the effective date of this section to represent a specific private sector industry enters into employment outside of the industry, or outside of the private sector, he or she has been appointed to represent, then he or she shall be removed from the council.

(e) Any member who no longer qualifies for appointment under this section may not vote on council actions, but may participate as an ex officio, nonvoting member until a replacement member is appointed. A member must notify the council staff and the governor's office within thirty days of the date the member no longer qualifies for appointment under this section. The governor shall appoint a qualified replacement for the member within sixty days of notice.

(5) Before making any appointments to the building code council, the governor shall seek nominations from recognized organizations which represent the entities or interests identified in this section.

(6) Members shall not be compensated but shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

((7) The department of enterprise services shall provide administrative and clerical assistance to the building code council.))

Sec. 3. RCW 19.27.074 and 1989 c 266 s 3 are each amended to read as follows:

(1) The state building code council shall:

(a) Adopt and maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes as deemed appropriate by the council;

(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply to single-family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Propose a budget for the operation of the state building code council to be submitted to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory committees which may include members of the council; and

(b) ((Employ permanent and temporary staff and contract for services; and

(c)) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.

(3)(a) All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of statewide applicability shall be pursuant to the administrative procedure act, chapter 34.05 RCW.

(b) All council decisions relating to the codes enumerated in RCW 19.27.031 shall require approval by at least a majority of the members of the council.

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(c) All decisions to adopt or amend codes of statewide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

(4) The department of enterprise services shall employ permanent and temporary staff and contract for services for the state building code council.

Sec. 4. RCW 19.27A.020 and 2015 c 11 s 3 are each amended to read as follows:

(1) The state building code council in the department of enterprise services shall adopt rules to be known as the Washington state energy code as part of the state building code.

(2) The council shall follow the legislature's standards set forth in this section to adopt rules to be known as the Washington state energy code. The Washington state energy code shall be designed to:

(a) Construct increasingly energy efficient homes and buildings that help achieve the broader goal of building zero fossil-fuel greenhouse gas emission homes and buildings by the year 2031;

(b) Require new buildings to meet a certain level of energy efficiency, but allow flexibility in building design, construction, and heating equipment efficiencies within that framework; and

(c) Allow space heating equipment efficiency to offset or substitute for building envelope thermal performance.

(3) The Washington state energy code shall take into account regional climatic conditions. One climate zone includes: Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Skamania, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties. The other climate zone includes all other counties not listed in this subsection (3). The assignment of a county to a climate zone may not be changed by adoption of a model code or rule. Nothing in this section prohibits the council from adopting the same rules or standards for each climate zone.

(4) The Washington state energy code for residential buildings shall be the 2006 edition of the Washington state energy code, or as amended by rule by the council.

(5) The minimum state energy code for new nonresidential buildings shall be the Washington state energy code, 2006 edition, or as amended by the council by rule.

(6)(a) Except as provided in (b) of this subsection, the Washington state energy code for residential structures shall preempt the residential energy code of each city, town, and county in the state of Washington.

(b) The state energy code for residential structures does not preempt a city, town, or county's energy code for residential structures which exceeds the requirements of the state energy code and which was adopted by the city, town, or county prior to March 1, 1990. Such cities, towns, or counties may not subsequently amend their energy code for residential structures to exceed the requirements adopted prior to March 1, 1990.

(7) The state building code council shall consult with the department of enterprise services as provided in RCW 34.05.310 prior to publication of proposed rules. The director of the department of enterprise services shall recommend to the state building code council any changes necessary to conform the proposed rules to the requirements of this section.

(8) The state building code council shall evaluate and consider adoption of the international energy conservation code in Washington state in place of the existing state energy code.

(9) The definitions in RCW 19.27A.140 apply throughout this section.

NEW SECTION. Sec. 5. A new section is added to chapter 19.27 RCW to read as follows:

(1)(a) A legislative task force on the state building code council's administration and operations is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall appoint the following eight members:

(A) Two current members of the building code council representing the private sector;

(B) One current member of the building code council representing local government;

(C) One current member of the building code council representing labor interests; and

(D) Four members who regularly work with the council, each representing one of the following: Local government, private sector interests, labor interests, and environmental interests.

(iv) The director of the department of enterprise services shall appoint one member from the department of enterprise services and one member from the department of commerce energy program.

(b) The task force shall choose its chair from among its legislative membership. The legislative members of the task force shall convene the initial meeting of the task force.

(2) The task force shall review and provide recommendations on the following issues:

(a) The current structure, operations, and resources of the council;

(b) The building code development process and length, including the policy and procedure, technical, and economic aspects including the public and private construction costs of review and adoption of the state building code;

(c) Total resources necessary for an effective state building code development process, including staffing and needs;

(d) Options for long-term, reliable funding of the council;

(e) The powers, duties, and support services of the department of enterprise services relevant to the council;

(f) Council membership, composition, and size; and

(g) The council's compliance with current statutes and requirements.

(3) Staff support for the task force must be provided by senate committee services and the office of program research.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the appropriate committees of the legislature by October 1, 2017.

(7) This section expires October 1, 2017."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Angel moved that the Senate refuse to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6525 and ask the House to recede therefrom.

Senators Angel and McCoy spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Angel that the Senate refuse to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6525 and ask the House to recede therefrom.

The motion by Senator Angel carried and the Senate refused to concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6525 and asked the House to recede therefrom by voice vote.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6360 with the following amendment(s): 6360-S AMH JUDI H4585.10.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The office of the attorney general shall convene a work group of stakeholders to provide input and feedback on the development of a plan and program for the efficient statewide consolidation of an individual's traffic-based financial obligations imposed by courts of limited jurisdiction into a unified and affordable payment plan.

(2) The following must be invited to participate in the work group:

(a) The administrator for the courts or the administrator for the courts' designee;

(b) The director of the Washington state department of licensing or the director's designee;

(c) A district or municipal court judge, appointed by the district and municipal court judges' association;

(d) A prosecutor, appointed by the Washington association of prosecuting attorneys, or the prosecutor's designee;

(e) A public defender, jointly appointed by the Washington defender association and the Washington association of criminal defense lawyers;

(f) A district or municipal court administrator or manager, appointed by the district and municipal court management association;

(g) A representative of a civil legal aid organization, appointed by the office of civil legal aid;

(h) The chief of the Washington state patrol or the chief's designee;

(i) A representative of a statewide association of police chiefs and sheriffs, selected by the association;

(j) The director of the Washington traffic safety commission or the director's designee;

(k) A representative of a statewide association of city governments, selected by the association;

(l) A representative of a statewide association of counties, selected by the association; and

(m) A representative of a statewide association of collection professionals.

(3) The work group shall convene as necessary.

(4) The stakeholder work group shall provide final feedback and recommendations to the office of the attorney general no later than September 15, 2017.

NEW SECTION. Sec. 2. (1) At a minimum, the plan must:

(a) Provide for the participation in the statewide system by all courts of limited jurisdiction;

(b) Establish proposed uniform procedures and eligibility criteria for participation in the program by individuals, how payment plans will be established, how community restitution in lieu of all or part of a monetary penalty may be incorporated in the payment plans, and the circumstances and procedures for terminating an individual's participation in the program;

(c) Provide recommendations regarding which traffic-based financial obligations should be included and whether any should not be included. These recommendations must address whether or not to include obligations arising out of red light camera violations; and

(d) Provide recommendations regarding how to create and implement the program through supreme court rule making, legislation, or a combination thereof.

(2) Considerations for the program may include, but not be limited to:

(a) Procedures to allow traffic-based financial obligations incurred after establishment of a payment plan to be added to and consolidated with an existing unified payment plan;

(b) Provisions for waiving previously accumulated interest once a person is determined to be eligible for the program, establishes a payment plan, and makes an initial payment in accordance with the terms of such a plan;

(c) Procedures for communicating to the courts of limited jurisdiction when a person enters into a payment plan for traffic-based financial obligations and makes an initial payment thereon, so that the courts of limited jurisdiction can notify the department of licensing and which shall result in the department of licensing releasing any suspension of that person's driver's license or driver's privilege based on failure to respond to or pay those traffic-based financial obligations;

(d) A process for proportionally allocating any moneys collected through a consolidated payment plan between the courts that imposed the financial obligations included in the consolidated plan;

(e) Whether to contract with outside entities to administer the program;

(f) What fee, if any, should be assessed to the individual participating in the program for the administration of such services, which may be calculated on a periodic, percentage, or other basis, and the limits on such fees if the program is to be administered by an outside entity;

(g) Appropriate uniform administrative protocols and associated workflow coordination for the administrative office of the courts and for courts of limited jurisdiction;

(h) Uniform guidelines for establishing reasonable, affordable payment plans that are based on an individual's income and capacity to pay, as well as policies and procedures for recording the terms of such plans in a written document provided to program participants;

(i) Policies and procedures to remit money received on a monthly basis to courts that includes an accounting of the involved case numbers and their remaining balances due; and

(j) Policies and procedures for establishing default for when a program participant fails to meet the terms of the payment plan, for other grounds for terminating program participation, and to provide timely notice to courts.

NEW SECTION. Sec. 3. (1) Notwithstanding any other provision in this act, the plan required by this act must not:

(a) Provide for or make recommendations regarding the reinstatement of driving privileges when the revocation of a person's driving privileges is made mandatory by the provisions of chapter 46.20 RCW or other law; or

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(b) Include provisions or recommendations related to altering the original amount of any traffic-based financial obligation imposed by any court of limited jurisdiction.

(2) Nothing herein prohibits local jurisdictions or state agencies from offering training in how to provide participants with life skills, driver's education, or budget management classes, or from offering other resources targeted towards addressing the social barriers facing participants with chronically suspended driver's licenses for unpaid traffic fines.

NEW SECTION. Sec. 4. The office of the attorney general shall submit a report detailing its recommendations and the plan and program required by this act to the Washington state supreme court, the governor, and appropriate committees of the legislature no later than December 1, 2017.

NEW SECTION. Sec. 5. This act expires December 31, 2017."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate refuse to concur in the House amendment(s) to Substitute Senate Bill No. 6360 and ask the House to recede therefrom.

Senators Padden and Pedersen spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Padden that the Senate refuse to concur in the House amendment(s) to Substitute Senate Bill No. 6360 and ask the House to recede therefrom.

The motion by Senator Padden carried and the Senate refused to concur in the House amendment(s) to Substitute Senate Bill No. 6360 and asked the House to recede therefrom by voice vote.

MOTION

On motion of Senator Fain, and without objection, Senator Baumgartner was excused.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SENATE BILL NO. 6180 with the following amendment(s): 6180 AMH ENGR H4577.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes the importance of supporting the development of and providing opportunities for disadvantaged business enterprises in state contracting with the Washington state department of transportation. With the recent passage of an historic sixteen-year investment in the state's transportation system creating new opportunities for minority contracting, it is critical that existing programs and processes at the department of transportation are strengthened and better positioned to ensure greater participation among disadvantaged business enterprises. Many of these business enterprises have historically experienced discrimination in the contracting process and are justly worried about whether these new projects will bring about an equal share of prosperity. The legislature finds that the department of transportation could improve its efforts to engage disadvantaged business enterprises in a manner that would increase trust in the contracting

community. As such, it is the intent of the legislature to create a disadvantaged business enterprise advisory committee that will provide leadership in advancing opportunities for minority and disadvantaged contractors in state transportation projects, and provide recommendations for improvements to the legislature. The legislature also intends to consider advisory committee recommendations to increase the number of disadvantaged business enterprise firms, to increase minority workers in construction trades, and to create economic opportunities for minority communities. Furthermore, the legislature intends for the department of transportation to develop goals specific to disadvantaged business enterprises and to the connecting Washington account projects funded in the 2015 transportation revenue package with input from the advisory committee.

NEW SECTION. Sec. 2. A new section is added to chapter 47.01 RCW to read as follows:

(1) The disadvantaged business enterprise advisory committee is created within the commission with the intent to advise the commission on issues and concerns from the disadvantaged business enterprise community and to increase the level of accountability and transparency regarding disadvantaged business enterprise inclusion spending levels, goal setting, and overall participation on both state-only funded transportation projects and procurement services and transportation projects and procurement services that include federal funds. The advisory committee must create a mission and vision and must provide the following data, analysis, and recommendations to the transportation committees of the legislature:

(a) A review of the department's nonminority women's business waiver request to the federal highway administration and the United States department of transportation, including identification of key issues, an analysis of the impact of the waiver on nonminority women's businesses, and recommended solutions that would lead to waiver approval;

(b) An analysis of the impact, if any, chapter 3, Laws of 1999 (Initiative Measure No. 200) has had on disadvantaged business enterprise participation in transportation projects and procurement services and recommendations on improvements;

(c) An analysis of the implementation of the results of existing disparity studies conducted by the department and recommendations on how the department can build on the existing studies to achieve better results in disadvantaged business enterprise inclusion;

(d) An outreach to the existing minority contracting community to collect information and gather feedback from the community on the perceptions of the current disadvantaged business enterprise contracting process, procedures, and results;

(e) An analysis of current disadvantaged business enterprise support services and the certification process overseen by the office of minority and women's business enterprises and provide recommendations on how the office and the department can increase the pool of eligible businesses, improve support services, respond to contractor needs, and increase overall participation in transportation projects. Any resulting recommendations from this subsection must also be reported to the technology and economic development committee in the house of representatives and the trade and economic development committee in the senate;

(f) A review of the types and manners of oversight the department provides to prime contractors to ensure that established disadvantaged business enterprise goals on federally funded projects are met, including the means, methods, and results of such oversight, and recommend improvements to the oversight process; and

(g) Any other recommendations or issues identified that will provide improved access to transportation projects and

procurement services by disadvantaged business enterprises and increase transparency and accountability of the department's efforts to the legislature, including a recommendation on if the advisory committee's termination date should be moved to 2020.

(2) The advisory committee must provide a progress report to the joint transportation committee by December 2016 and provide recommendations for the items listed in subsection (1) of this section to the joint transportation committee and the house of representatives and senate transportation committees by July 1, 2017. The advisory committee must continually monitor the department's efforts and provide an evaluative report on the department's efforts, identify any gaps or continuing issues, and provide further recommendations to the transportation committees of the legislature by December 1, 2018.

(3) The department, office of minority and women's business enterprises, department of labor and industries, department of enterprise services, and other relevant state agencies must be available to assist in supplying necessary data and information to fulfill the advisory committee's purposes. The department must provide the past three years of contract awards, total funding available to contractors and awarded contracts, support services programmatic funding, work plans, and end-of-year reports. This data and information must be provided to the advisory committee before the first meeting, and the department must continually work with the advisory committee to respond to ongoing data requests.

(4) To the extent possible, the advisory committee must coordinate with the governor's subcabinet on business diversity.

(5)(a) The advisory committee must consist of seventeen members, which must meet at least two times in the 2015-2017 fiscal biennium and regularly thereafter or as needed. The advisory committee members must be jointly appointed by the speaker of the house of representatives and the president of the senate who must appoint:

(i) Representatives from the commission on Hispanic affairs, commission on African-American affairs, commission on Asian Pacific American affairs, and office of Indian affairs, with at least two representatives from each commission or office being appointed, a representative from the civil rights coalition, and a representative from Tabor 100; and

(ii) One member from each of the two largest caucuses in the house of representatives and the senate.

(b) Additionally, the advisory committee must include two disadvantaged business enterprise representatives selected by the office of minority and women's business enterprises and one representative from the department of transportation's office of equal opportunity.

(c) The advisory committee must elect from its membership a chair and vice chair.

(6) Advisory committee members are eligible for travel and per diem reimbursement.

(7) The commission must, to the extent possible, hire a consultant experienced with supporting, managing, and improving disadvantaged business enterprise goals in a public sector setting to organize and facilitate the advisory committee's work.

(8) The advisory committee terminates December 31, 2018.

Sec. 3. RCW 47.01.071 and 2007 c 516 s 4 are each amended to read as follows:

The transportation commission shall have the following functions, powers, and duties:

(1) To propose policies to be adopted by the governor and the legislature designed to assure the development and maintenance of a comprehensive and balanced statewide transportation system which will meet the needs of the people of this state for safe and efficient transportation services. Wherever appropriate, the

policies shall provide for the use of integrated, intermodal transportation systems. The policies must be aligned with the goals established in RCW 47.04.280. To this end the commission shall:

(a) Develop transportation policies which are based on the policies, goals, and objectives expressed and inherent in existing state laws;

(b) Inventory the adopted policies, goals, and objectives of the local and area-wide governmental bodies of the state and define the role of the state, regional, and local governments in determining transportation policies, in transportation planning, and in implementing the state transportation plan;

(c) Establish a procedure for review and revision of the state transportation policy and for submission of proposed changes to the governor and the legislature; and

(d) Integrate the statewide transportation plan with the needs of the elderly and persons with disabilities, and coordinate federal and state programs directed at assisting local governments to answer such needs;

(2) To provide for the effective coordination of state transportation planning with national transportation policy, state and local land use policies, and local and regional transportation plans and programs;

(3) In conjunction with the provisions under RCW 47.01.075, to provide for public involvement in transportation designed to elicit the public's views both with respect to adequate transportation services and appropriate means of minimizing adverse social, economic, environmental, and energy impact of transportation programs;

(4) By December 2010, to prepare a comprehensive and balanced statewide transportation plan consistent with the state's growth management goals and based on the transportation policy goals provided under RCW 47.04.280 and applicable state and federal laws. The plan must reflect the priorities of government developed by the office of financial management and address regional needs, including multimodal transportation planning. The plan must, at a minimum: (a) Establish a vision for the development of the statewide transportation system; (b) identify significant statewide transportation policy issues; and (c) recommend statewide transportation policies and strategies to the legislature to fulfill the requirements of subsection (1) of this section. The plan must be the product of an ongoing process that involves representatives of significant transportation interests and the general public from across the state. Every four years, the plan shall be reviewed and revised, and submitted to the governor and the house of representatives and senate standing committees on transportation.

The plan shall take into account federal law and regulations relating to the planning, construction, and operation of transportation facilities;

(5) By December 2007, the office of financial management shall submit a baseline report on the progress toward attaining the policy goals under RCW 47.04.280 in the 2005-2007 fiscal biennium. By October 1, 2008, beginning with the development of the 2009-2011 biennial transportation budget, and by October 1st biennially thereafter, the office of financial management shall submit to the legislature and the governor a report on the progress toward the attainment by state transportation agencies of the state transportation policy goals and objectives prescribed by statute, appropriation, and governor directive. The report must, at a minimum, include the degree to which state transportation programs have progressed toward the attainment of the policy goals established under RCW 47.04.280, as measured by the objectives and performance measures established by the office of financial management under RCW 47.04.280;

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(6) To propose to the governor and the legislature prior to the convening of each regular session held in an odd-numbered year a recommended budget for the operations of the commission as required by RCW 47.01.061;

(7) To adopt such rules as may be necessary to carry out reasonably and properly those functions expressly vested in the commission by statute;

(8) To contract with the office of financial management or other appropriate state agencies for administrative support, accounting services, computer services, and other support services necessary to carry out its other statutory duties;

(9) To conduct transportation-related studies and policy analysis to the extent directed by the legislature or governor in the biennial transportation budget act, or as otherwise provided in law, and subject to the availability of amounts appropriated for this specific purpose; ((and))

(10) To administer the disadvantaged business enterprise advisory committee created in section 2 of this act; and

(11) To exercise such other specific powers and duties as may be vested in the transportation commission by this or any other provision of law."

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator King moved that the Senate refuse to concur in the House amendment(s) to Senate Bill No. 6180 and ask the House to recede therefrom.

Senator King spoke in favor of the motion.

MOTION

Senator Hobbs moved that the Senate do concur in the House amendment(s) to Senate Bill No. 6180.

Senators Hobbs and Jayapal spoke in favor of the motion.

Senator King spoke against the motion.

MOTION

Senator Liias demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

PARLIAMENTARY INQUIRY

Senator Hobbs: "I notice the board says do not concur. I made the higher motion to concur. Where are we at right now?"

REPLY BY THE PRESIDENT

President Owen: "A motion to concur is the higher rank. So, that is the motion we are on is to concur. If you vote yes, you're voting to concur. It is incorrect on the screen."

The President declared the question before the Senate to be the motion by Senator Hobbs that the Senate do concur in the House amendment(s) to Senate Bill No. 6180.

PARLIAMENTARY INQUIRY

Senator Padden: "If you do not want to concur, you should vote no on this. Is that correct?"

REPLY BY THE PRESIDENT

President Owen: "That's correct."

PARLIAMENTARY INQUIRY

Senator Rolfes: "How many votes are needed for this motion to pass? Is it a majority of the body or is it twenty-five?"

REPLY BY THE PRESIDENT

President Owen: "Majority of those present. Final passage is a majority of the Senate."

ROLL CALL

The Secretary called the roll on the motion by Senator Hobbs and the motion failed by the following vote: Yeas, 23; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

Voting nay: Senators Angel, Bailey, Becker, Benton, Braun, Brown, Dammeier, Dandel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Excused: Senator Baumgartner

Having failed to receive a majority, the motion by Senator Hobbs did not carry and the Senate refused to concur in the House amendment(s) to Senate Bill No. 6180 and asked the House to recede therefrom by voice vote.

MESSAGE FROM THE HOUSE

March 7, 2016

MR. PRESIDENT:

The Speaker has signed:

- SENATE BILL NO. 5046,
- SECOND ENGROSSED SENATE BILL NO. 5251,
- SENATE BILL NO. 5581,
- ENGROSSED SENATE BILL NO. 5873,
- SENATE BILL NO. 6200,
- SENATE BILL NO. 6205,
- SUBSTITUTE SENATE BILL NO. 6254,
- SENATE BILL NO. 6263,
- SENATE BILL NO. 6296,
- SENATE BILL NO. 6299,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6309,
- SENATE BILL NO. 6345,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6356,
- SUBSTITUTE SENATE BILL NO. 6363,
- SENATE BILL NO. 6371,
- SUBSTITUTE SENATE BILL NO. 6519.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 7, 2016

MR. PRESIDENT:

The Speaker has signed:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL
NO. 1553,
SUBSTITUTE HOUSE BILL NO. 2017,
HOUSE BILL NO. 2320,
SECOND SUBSTITUTE HOUSE BILL NO. 2335,
HOUSE BILL NO. 2350,
SUBSTITUTE HOUSE BILL NO. 2519,
SUBSTITUTE HOUSE BILL NO. 2541,
SUBSTITUTE HOUSE BILL NO. 2584,
SUBSTITUTE HOUSE BILL NO. 2730,
HOUSE BILL NO. 2741,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2785,
HOUSE BILL NO. 2838.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5029 with the following amendment(s): 5029-S.E AMH JUDI H4583.10.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. SHORT TITLE. This act may be known and cited as the revised uniform fiduciary access to digital assets act.

NEW SECTION. Sec. 2. DEFINITIONS. In this chapter:

(1) "Account" means an arrangement under a terms-of-service agreement in which a custodian carries, maintains, processes, receives, or stores a digital asset of the user or provides goods or services to the user.

(2) "Agent" means an attorney in fact granted authority under a durable or nondurable power of attorney.

(3) "Carries" means engages in the transmission of an electronic communication.

(4) "Catalogue of electronic communications" means information that identifies each person with which a user has had an electronic communication, the time and date of the communication, and the electronic address of the person.

(5) "Content of an electronic communication" means information concerning the substance or meaning of the communication which:

(a) Has been sent or received by a user;

(b) Is in electronic storage by a custodian providing an electronic communication service to the public or is carried or maintained by a custodian providing a remote computing service to the public; and

(c) Is not readily accessible to the public.

(6) "Court" means the superior court of each county.

(7) "Custodian" means a person that carries, maintains, processes, receives, or stores a digital asset of a user.

(8) "Designated recipient" means a person chosen by a user using an online tool to administer digital assets of the user.

(9) "Digital asset" means an electronic record in which an individual has a right or interest. The term does not include an underlying asset or liability unless the asset or liability is itself an electronic record.

(10) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(11) "Electronic communication" has the meaning set forth in 18 U.S.C. Sec. 2510(12), as it existed on the effective date of this section.

(12) "Electronic communication service" means a custodian that provides to a user the ability to send or receive an electronic communication.

(13) "Fiduciary" means an original, additional, or successor personal representative, guardian, agent, or trustee.

(14) "Guardian" means a person appointed by a court to manage the estate or person, or both, of a living individual. The term includes a limited guardian or certified professional guardian.

(15) "Incapacitated person" means an individual for whom a guardian has been appointed.

(16) "Information" means data, text, images, videos, sounds, codes, computer programs, software, databases, or the like.

(17) "Online tool" means an electronic service provided by a custodian that allows the user, in an agreement distinct from the terms-of-service agreement between the custodian and user, to provide directions for disclosure or nondisclosure of digital assets to a third person.

(18) "Person" means an individual, estate, business or nonprofit entity, public corporation, government or governmental subdivision, agency, or instrumentality, or other legal entity.

(19) "Personal representative" means an executor, administrator, special administrator, or person that performs substantially the same function under law of this state other than this chapter.

(20) "Power of attorney" means a record that grants an agent authority to act in the place of a principal.

(21) "Principal" means an individual who grants authority to an agent in a power of attorney.

(22) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(23) "Remote computing service" means a custodian that provides to a user computer processing services or the storage of digital assets by means of an electronic communications system, as defined in 18 U.S.C. Sec. 2510(14), as it existed on the effective date of this section.

(24) "Terms-of-service agreement" means an agreement that controls the relationship between a user and a custodian.

(25) "Trustee" means a fiduciary with legal title to property under an agreement or declaration that creates a beneficial interest in another. The term includes a successor trustee.

(26) "User" means a person that has an account with a custodian.

(27) "Will" includes a codicil, testamentary instrument that only appoints an executor, and instrument that revokes or revises a testamentary instrument.

NEW SECTION. Sec. 3. APPLICABILITY. (1) This chapter applies to:

(a) A fiduciary acting under a will or power of attorney executed before, on, or after the effective date of this section;

(b) A personal representative acting for a decedent who died before, on, or after the effective date of this section;

(c) A guardian acting for an incapacitated person appointed before, on, or after the effective date of this section;

(d) A trustee acting under a trust created before, on, or after the effective date of this section; and

(e) A custodian if the user resides in this state or resided in this state at the time of the user's death.

(2) This chapter does not apply to a digital asset of an employer used by an employee in the ordinary course of the employer's business.

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

NEW SECTION. Sec. 4. USER DIRECTION FOR DISCLOSURE OF DIGITAL ASSETS. (1) A user may use an online tool to direct the custodian to disclose to a designated recipient or not to disclose some or all of the user's digital assets, including the content of electronic communications. If the online tool allows the user to modify or delete a direction at all times, a direction regarding disclosure using an online tool overrides a contrary direction by the user in a will, trust, power of attorney, or other record.

(2) If a user has not used an online tool to give direction under subsection (1) of this section or if the custodian has not provided an online tool, the user may allow or prohibit in a will, trust, power of attorney, or other record, disclosure to a fiduciary of some or all of the user's digital assets, including the content of electronic communications sent or received by the user.

(3) A user's direction under subsection (1) or (2) of this section overrides a contrary provision in a terms-of-service agreement that does not require the user to act affirmatively and distinctly from the user's assent to the terms-of-service agreement.

NEW SECTION. Sec. 5. TERMS-OF-SERVICE AGREEMENT. (1) This chapter does not change or impair a right of a custodian or a user under a terms-of-service agreement to access and use digital assets of the user.

(2) This chapter does not give a fiduciary or a designated recipient any new or expanded rights other than those held by the user for whom, or for whose estate, the fiduciary or designated recipient acts or represents.

(3) A fiduciary's or designated recipient's access to digital assets may be modified or eliminated by a user, by federal law, or by a terms-of-service agreement if the user has not provided direction under section 4 of this act.

NEW SECTION. Sec. 6. PROCEDURE FOR DISCLOSING DIGITAL ASSETS. (1) When disclosing digital assets of a user under this chapter, the custodian may at its sole discretion:

(a) Grant a fiduciary or designated recipient full access to the user's account;

(b) Grant a fiduciary or designated recipient partial access to the user's account sufficient to perform the tasks with which the fiduciary or designated recipient is charged; or

(c) Provide a fiduciary or designated recipient a copy in a record of any digital asset that, on the date the custodian received the request for disclosure, the user could have accessed if the user were alive and had full capacity and access to the account.

(2) A custodian may assess a reasonable administrative charge for the cost of disclosing digital assets under this chapter.

(3) A custodian need not disclose under this chapter a digital asset deleted by a user.

(4) If a user directs or a fiduciary or designated recipient requests a custodian to disclose under this chapter some, but not all, of the user's digital assets, the custodian need not disclose the assets if segregation of the assets would impose an undue burden on the custodian. If the custodian believes the direction or request imposes an undue burden, the custodian or the fiduciary or designated recipient may seek an order from the court to disclose:

(a) A subset limited by date of the user's digital assets;

(b) All of the user's digital assets to the fiduciary or designated recipient;

(c) None of the user's digital assets; or

(d) All of the user's digital assets to the court for review in camera.

NEW SECTION. Sec. 7. DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS OF DECEASED USER. If a deceased user consented to or a court directs

disclosure of the contents of electronic communications of the user, the custodian shall disclose to the personal representative of the estate of the user the content of an electronic communication sent or received by the user if the personal representative gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the death certificate of the user;

(3) A certified copy of the letter of appointment of the representative, or a small estate affidavit or court order;

(4) Unless the user provided direction using an online tool, a copy of the user's will, trust, power of attorney, or other record evidencing the user's consent to disclosure of the content of electronic communications; and

(5) If requested by the custodian:

(a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(b) Evidence linking the account to the user; or

(c) A finding by the court that:

(i) The user had a specific account with the custodian, identifiable by the information specified in (a) of this subsection;

(ii) Disclosure of the content of electronic communications of the user would not violate 18 U.S.C. Sec. 2701 et seq. and 47 U.S.C. Sec. 222, existing on the effective date of this section, or other applicable law;

(iii) Unless the user provided direction using an online tool, the user consented to disclosure of the content of electronic communications; or

(iv) Disclosure of the content of electronic communications of the user is reasonably necessary for administration of the estate.

NEW SECTION. Sec. 8. DISCLOSURE OF OTHER DIGITAL ASSETS OF DECEASED USER. Unless the user prohibited disclosure of digital assets or the court directs otherwise, a custodian shall disclose to the personal representative of the estate of a deceased user a catalogue of electronic communications sent or received by the user and digital assets, other than the content of electronic communications of the user, if the representative gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the death certificate of the user;

(3) A certified copy of the letter of appointment of the representative, or a small estate affidavit or court order; and

(4) If requested by the custodian:

(a) A number, user name, or address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(b) Evidence linking the account to the user;

(c) An affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or

(d) A finding by the court that:

(i) The user had a specific account with the custodian, identifiable by the information specified in (a) of this subsection; or

(ii) Disclosure of the user's digital assets is reasonably necessary for administration of the estate.

NEW SECTION. Sec. 9. DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS OF PRINCIPAL. To the extent a power of attorney expressly grants an agent authority over the content of electronic communications sent or received by the principal and unless directed otherwise by the principal or the court, a custodian shall disclose to the agent the content if the agent gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) An original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal;

(3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(4) If requested by the custodian:

(a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(b) Evidence linking the account to the principal.

NEW SECTION. Sec. 10. DISCLOSURE OF OTHER DIGITAL ASSETS OF PRINCIPAL. Unless otherwise ordered by the court, directed by the principal, or provided by a power of attorney, a custodian shall disclose to an agent with specific authority over digital assets or general authority to act on behalf of a principal a catalogue of electronic communications sent or received by the principal and digital assets, other than the content of electronic communications of the principal, if the agent gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) An original or a copy of the power of attorney that gives the agent specific authority over digital assets or general authority to act on behalf of the principal;

(3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(4) If requested by the custodian:

(a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(b) Evidence linking the account to the principal.

NEW SECTION. Sec. 11. DISCLOSURE OF DIGITAL ASSETS HELD IN TRUST WHEN TRUSTEE IS ORIGINAL USER. Unless otherwise ordered by the court or provided in a trust, a custodian shall disclose to a trustee that is an original user of an account any digital asset of that account held in trust, including a catalogue of electronic communications of the trustee and the content of electronic communications.

NEW SECTION. Sec. 12. DISCLOSURE OF CONTENT OF ELECTRONIC COMMUNICATIONS HELD IN TRUST WHEN TRUSTEE NOT ORIGINAL USER. Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose to a trustee that is not an original user of an account the content of an electronic communication sent or received by an original or successor user and carried, maintained, processed, received, or stored by the custodian in the account of the trust if the trustee gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the trust instrument, or a certification of the trust under RCW 11.98.075, that includes consent to disclosure of the content of electronic communications to the trustee;

(3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and

(4) If requested by the custodian:

(a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or

(b) Evidence linking the account to the trust.

NEW SECTION. Sec. 13. DISCLOSURE OF OTHER DIGITAL ASSETS HELD IN TRUST WHEN TRUSTEE NOT ORIGINAL USER. Unless otherwise ordered by the court,

directed by the user, or provided in a trust, a custodian shall disclose, to a trustee that is not an original user of an account, a catalogue of electronic communications sent or received by an original or successor user and stored, carried, or maintained by the custodian in an account of the trust and any digital assets, other than the content of electronic communications in which the trust has a right or interest, if the trustee gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the trust instrument or a certification of the trust under RCW 11.98.075;

(3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and

(4) If requested by the custodian:

(a) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or

(b) Evidence linking the account to the trust.

NEW SECTION. Sec. 14. DISCLOSURE OF DIGITAL ASSETS TO GUARDIAN OF INCAPACITATED PERSON.

(1) Unless otherwise ordered by the court, a guardian appointed due to a finding of incapacity under RCW 11.88.010(1) has the right to access an incapacitated person's digital assets other than the content of electronic communications.

(2) Unless otherwise ordered by the court or directed by the user, a custodian shall disclose to a guardian the catalogue of electronic communications sent or received by an incapacitated person and any digital assets, other than the content of electronic communications, if the guardian gives the custodian:

(a) A written request for disclosure in physical or electronic form;

(b) Certified copies of letters of guardianship and the court order appointing the guardian; and

(c) If requested by the custodian:

(i) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the account of the person; or

(ii) Evidence linking the account to the incapacitated person.

(3) A guardian may request a custodian of the incapacitated person's digital assets to suspend or terminate an account of the incapacitated person for good cause. A request made under this section must be accompanied by certified copies of letters of guardianship and the court order appointing the guardian.

NEW SECTION. Sec. 15. FIDUCIARY DUTY AND AUTHORITY. (1) The legal duties imposed on a fiduciary charged with managing tangible property apply to the management of digital assets, including:

(a) The duty of care;

(b) The duty of loyalty; and

(c) The duty of confidentiality.

(2) A fiduciary's or designated recipient's authority with respect to a digital asset of a user:

(a) Except as otherwise provided in section 4 of this act, is subject to the applicable terms-of-service agreement;

(b) Is subject to other applicable law, including copyright law;

(c) In the case of a fiduciary, is limited by the scope of the fiduciary's duties; and

(d) May not be used to impersonate the user.

(3) A fiduciary with authority over the property of a decedent, incapacitated person, principal, or settlor has the right to access any digital asset in which the decedent, incapacitated person, principal, or settlor had a right or interest and that is not held by a custodian or subject to a terms-of-service agreement.

(4) A fiduciary acting within the scope of the fiduciary's duties is an authorized user of the property of the decedent,

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

incapacitated person, principal, or settlor for the purpose of applicable computer fraud and unauthorized computer access laws.

(5) A fiduciary with authority over the tangible, personal property of a decedent, incapacitated person, principal, or settlor:

(a) Has the right to access the property and any digital asset stored in it; and

(b) Is an authorized user for the purpose of computer fraud and unauthorized computer access laws.

(6) A custodian may disclose information in an account to a fiduciary of the user when the information is required to terminate an account used to access digital assets licensed to the user.

(7) A fiduciary of a user may request a custodian to terminate the user's account. A request for termination must be in writing, in either physical or electronic form, and accompanied by:

(a) If the user is deceased, a certified copy of the death certificate of the user;

(b) A certified copy of the letter of appointment of the representative or a small estate affidavit or court order, court order, power of attorney, or trust giving the fiduciary authority over the account; and

(c) If requested by the custodian:

(i) A number, user name, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(ii) Evidence linking the account to the user; or

(iii) A finding by the court that the user had a specific account with the custodian, identifiable by the information specified in (c)(i) of this subsection.

NEW SECTION. Sec. 16. CUSTODIAN COMPLIANCE AND IMMUNITY. (1) Not later than sixty days after receipt of the information required under sections 7 through 15 of this act, a custodian shall comply with a request under this chapter from a fiduciary or designated recipient to disclose digital assets or terminate an account. If the custodian fails to comply, the fiduciary or designated recipient may apply to the court for an order directing compliance.

(2) An order under subsection (1) of this section directing compliance must contain a finding that compliance is not in violation of 18 U.S.C. Sec. 2702, as it existed on the effective date of this section.

(3) A custodian may notify the user that a request for disclosure or to terminate an account was made under this chapter.

(4) A custodian may deny a request under this chapter from a fiduciary or designated recipient for disclosure of digital assets or to terminate an account if the custodian is aware of any lawful access to the account following the receipt of the fiduciary's request.

(5) This section does not limit a custodian's ability to obtain or require a fiduciary or designated recipient requesting disclosure or termination under this chapter to obtain a court order which:

(a) Specifies that an account belongs to the incapacitated person, trustor, decedent, or principal;

(b) Specifies that there is sufficient consent from the incapacitated person, trustor, decedent, or principal to support the requested disclosure; and

(c) Contains a finding required by law other than this chapter.

(6) A custodian and its officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with this chapter.

NEW SECTION. Sec. 17. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this chapter, consideration must be given to the need

to promote uniformity of the law with respect to its subject matter among states that enact it.

NEW SECTION. Sec. 18. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This chapter modifies, limits, or supersedes the electronic signatures in global and national commerce act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede 15 U.S.C. Sec. 7001(c) or authorize electronic delivery of any of the notices described in 15 U.S.C. Sec. 7003(b).

NEW SECTION. Sec. 19. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 20. Sections 1 through 19 of this act constitute a new chapter in Title 11 RCW."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5029.

Senators Padden and Pedersen spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Padden that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5029.

The motion by Senator Padden carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5029 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5029, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5029, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dassel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Hargrove

Excused: Senator Baumgartner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5029, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1553,
 SUBSTITUTE HOUSE BILL NO. 2017,
 HOUSE BILL NO. 2320,
 SECOND SUBSTITUTE HOUSE BILL NO. 2335,
 HOUSE BILL NO. 2350,
 SUBSTITUTE HOUSE BILL NO. 2519,
 SUBSTITUTE HOUSE BILL NO. 2541,
 SUBSTITUTE HOUSE BILL NO. 2584,
 SUBSTITUTE HOUSE BILL NO. 2730,
 HOUSE BILL NO. 2741,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2746,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2785,
 HOUSE BILL NO. 2838.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed SENATE BILL NO. 5605 with the following amendment(s): 5605 AMH ENGR H4568.E

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 10.31.100 and 2014 c 202 s 307, 2014 c 100 s 2, and 2014 c 5 s 1 are each reenacted and amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of an officer, except as provided in subsections (1) through ~~((11))~~ (12) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.92, 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a

specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is ~~((sixteen))~~ eighteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: ~~((i))~~ (A) The intent to protect victims of domestic violence under RCW 10.99.010; ~~((ii))~~ (B) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and ~~((iii))~~ (C) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) A police officer shall, at the request of a parent or guardian, arrest the sixteen or seventeen year old child of that parent or guardian if the officer has probable cause to believe that the child has assaulted a family or household member as defined in RCW 10.99.020 in the preceding four hours. Nothing in this subsection removes a police officer's existing authority provided in this section to make an arrest.

(4) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.503 or 46.25.110, relating to persons having alcohol or THC in their system;

(f) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(g) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

~~((4))~~ (5) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

~~((5))~~ (6)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

((6)) (7) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

((7)) (8) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

((8)) (9) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

((9)) (10) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

((10)) (11) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

((11)) (12) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

((12)) (13) A law enforcement officer having probable cause to believe that a person has committed a violation under RCW 77.15.160(4) may issue a citation for an infraction to the person in connection with the violation.

((13)) (14) A law enforcement officer having probable cause to believe that a person has committed a criminal violation under RCW 77.15.809 or 77.15.811 may arrest the person in connection with the violation.

((14)) (15) Except as specifically provided in subsections (2), ((3)) (4), ((4)) (5), and ((7)) (8) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

((15)) (16) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or ((9)) (10) of this section if the police officer acts in good faith and without malice.

((16)) (17) A police officer shall arrest and keep in custody, until release by a judicial officer on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that the person has violated RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and the police officer has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years.

(18) A juvenile detention facility shall book into detention any person under age eighteen brought to that detention facility pursuant to an arrest for assaulting a family or household member as defined in RCW 10.99.020."

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator O'Ban moved that the Senate concur in the House amendment(s) to Senate Bill No. 5605.

Senators O'Ban and Darneille spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator O'Ban that the Senate concur in the House amendment(s) to Senate Bill No. 5605.

The motion by Senator O'Ban carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5605 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5605, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5605, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Sheldon, Takko and Warnick

Voting nay: Senators Dansel, Honeyford, Padden, Pearson and Schoesler

Excused: Senator Baumgartner

SENATE BILL NO. 5605, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Honeyford: "Thank you, Mr. President. We get to work in this building, a beautiful structure, and it was eighty-nine years ago today that this was the first session was held in this chamber. Thank you, Mr. President."

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5635 with the following amendment(s): 5635-S.E AMH JUDI H4581.10.

Strike everything after the enacting clause and insert the following:

"PART I

NEW SECTION. Sec. 101. This act may be known and cited as the uniform power of attorney act.

NEW SECTION. Sec. 102. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Agent" means a person granted authority to act for a principal under a power of attorney, whether denominated an agent, attorney-in-fact, or otherwise. The term includes an original agent, coagent, successor agent, and a person to which an agent's authority is delegated.

(2) "Durable," with respect to a power of attorney, means not terminated by the principal's incapacity.

(3) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(4) "Good faith" means honesty in fact.

(5) "Incapacity" means inability of an individual to manage property, business, personal, or health care affairs because the individual:

(a) Has an impairment in the ability to receive and evaluate information or make or communicate decisions even with the use of technological assistance; or

(b) Is:

(i) An absentee, as defined in chapter 11.80 RCW; or

(ii) Outside the United States and unable to return.

(6) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(7) "Power of attorney" means a writing that uses the term "power of attorney" and grants authority to an agent to act in the place of the principal.

(8) "Presently exercisable general power of appointment," with respect to property or a property interest subject to a power of appointment, means power exercisable at the time in question to vest absolute ownership in the principal individually, the principal's estate, the principal's creditors, or the creditors of the principal's estate. The term includes a power of appointment not exercisable until the occurrence of a specified event, the satisfaction of an ascertainable standard, or the passage of a specified period only after the occurrence of the specified event, the satisfaction of the ascertainable standard, or the passage of the specified period. The term does not include a power exercisable in a fiduciary capacity or only by will.

(9) "Principal" means an individual who grants authority to an agent in a power of attorney.

(10) "Property" means anything that may be the subject of ownership, whether real or personal, legal or equitable, tangible or intangible, or any interest or right therein.

(11) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(12) "Stocks, bonds, and financial instruments" means stocks, bonds, mutual funds, and all other types of securities and financial instruments, whether held directly, indirectly, or in any other manner. The term shall also include but not be limited to commodity futures contracts, call or put options on stocks or stock indexes, derivatives, and margin accounts.

NEW SECTION. Sec. 103. (1) This chapter applies to all powers of attorney except:

(a) A power to the extent it is coupled with an interest in the subject of the power, including a power given to or for the benefit of a creditor in connection with a credit transaction;

(b) A proxy or other delegation to exercise voting rights or management rights with respect to an entity; and

(c) A power created on a form prescribed by a government or governmental subdivision, agency, or instrumentality for a governmental purpose.

(2) Notwithstanding subsection (1) of this section, section 117 of this act shall not apply to a power to make health care decisions under sections 217 and 218 of this act, nor shall it apply to the power to nominate a guardian for a minor child under section 218 of this act.

NEW SECTION. Sec. 104. The authority conferred under a power of attorney created prior to the effective date of this section, and also for a power of attorney created on or after the effective date of this section, terminates upon the incapacity of the principal unless the writing contains the words "This power of attorney shall not be affected by disability of the principal," or "This power of attorney shall become effective upon the disability of the principal," or similar words showing the intent of the principal that the authority conferred shall be exercisable notwithstanding the principal's incapacity.

NEW SECTION. Sec. 105. (1) A power of attorney must be signed and dated by the principal, and the signature must be either acknowledged before a notary public or other individual authorized by law to take acknowledgments, or attested by two or more competent witnesses who are neither home care providers for the principal nor care providers at an adult family home or long-term care facility in which the principal resides, and who are unrelated to the principal or agent by blood, marriage, or state registered domestic partnership, by subscribing their names to the power of attorney, while in the presence of the principal and at the principal's direction or request.

(2) A power of attorney shall be considered signed in accordance with this section if, in the case of a principal who is physically unable to sign his or her name, the principal makes a mark in accordance with RCW 11.12.030, or in the case of a principal who is physically unable to make a mark, the power of attorney is executed in accordance with RCW 64.08.100.

(3) A signature on a power of attorney is presumed to be genuine if the principal acknowledges the signature before a notary public or other individual authorized by law to take acknowledgments.

NEW SECTION. Sec. 106. (1) A power of attorney executed in this state on or after the effective date of this section is valid if its execution complies with section 105 of this act.

(2) A power of attorney executed in this state before the effective date of this section is valid if its execution complied with the law of this state as it existed at the time of execution.

(3) A power of attorney executed other than in this state is valid in this state if, when the power of attorney was executed, the execution complied with:

(a) The law of the jurisdiction that determines the meaning and effect of the power of attorney pursuant to section 107 of this act; or

(b) The requirements for a military power of attorney pursuant to 10 U.S.C. Sec. 1044b, as amended.

(4) Except as otherwise provided by statute other than this act, a photocopy or electronically transmitted copy of an original power of attorney has the same effect as the original.

NEW SECTION. Sec. 107. The meaning and effect of a power of attorney is determined by the law of the jurisdiction indicated in the power of attorney and, in the absence of an indication of jurisdiction, by the law of the jurisdiction in which the power of attorney was executed.

NEW SECTION. Sec. 108. (1) In a power of attorney, a principal may nominate a guardian of the principal's estate or guardian of the principal's person for consideration by the court if protective proceedings for the principal's estate or person are begun after the principal executes the power of attorney. Except for good cause shown or disqualification, the court shall make its appointment in accordance with the principal's most recent nomination.

(2) If, after a principal executes a power of attorney, a court appoints a guardian of the principal's estate or other fiduciary charged with the management of all of the principal's property, the power of attorney is terminated and the agent's authority does not continue unless continued by the court.

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(3) If, after a principal executes a power of attorney, a court appoints a guardian of the principal's estate or other fiduciary charged with the management of some but not all of the principal's property, the power of attorney shall not terminate or be modified, except to the extent ordered by the court.

NEW SECTION. Sec. 109. (1) A power of attorney is effective when executed unless the principal provides in the power of attorney that it becomes effective at a future date or upon the occurrence of a future event or contingency.

(2) If a power of attorney becomes effective upon the occurrence of a future event or contingency, the principal, in the power of attorney, may authorize one or more persons to determine in a writing that the event or contingency has occurred.

(3) If a power of attorney becomes effective upon the principal's incapacity and the principal has not authorized a person to determine whether the principal is incapacitated, or the person authorized is unable or unwilling to make the determination, the power of attorney becomes effective upon a determination in a writing by:

(a) A physician or licensed psychologist, unrelated to the principal or agent by blood or marriage, who has personally examined the principal, that the principal is incapacitated within the meaning of section 102(5)(a) of this act; or

(b) A judge or an appropriate governmental official that the principal is incapacitated within the meaning of section 102(5)(b) of this act.

(4) A person authorized by the principal in the power of attorney to determine that the principal is incapacitated may act as the principal's personal representative pursuant to the health insurance portability and accountability act, sections 1171 through 1179 of the social security act, 42 U.S.C. Sec. 1320d, as amended, and applicable regulations, to obtain access to the principal's health care information and communicate with the principal's health care provider.

NEW SECTION. Sec. 110. (1) A power of attorney terminates when:

(a) The principal dies;

(b) The principal becomes incapacitated, if the power of attorney is not durable;

(c) The principal revokes the power of attorney;

(d) The power of attorney provides that it terminates;

(e) The purpose of the power of attorney is accomplished; or

(f) The principal revokes the agent's authority or the agent dies, becomes incapacitated, or resigns, and the power of attorney does not provide for another agent to act under the power of attorney.

(2) An agent's authority terminates when:

(a) The principal revokes the authority;

(b) The agent dies, becomes incapacitated, or resigns;

(c) An action is filed for the dissolution or annulment of the agent's marriage to the principal or for their legal separation, or an action is filed for dissolution or annulment of the agent's state registered domestic partnership with the principal or for their legal separation, unless the power of attorney otherwise provides; or

(d) The power of attorney terminates.

(3) An agent's authority which has been terminated under subsection (2)(c) of this section shall be reinstated effective immediately in the event that such action is dismissed with the consent of both parties or the petition for dissolution, annulment, or legal separation is withdrawn.

(4) Unless the power of attorney otherwise provides, an agent's authority is exercisable until the authority terminates under subsection (2) of this section, notwithstanding a lapse of time since the execution of the power of attorney.

(5) Termination of an agent's authority or of a power of attorney is not effective as to the agent or another person that, without actual knowledge of the termination, acts in good faith under the power of attorney. An act so performed, unless otherwise invalid or unenforceable, binds the principal and the principal's successors in interest.

(6) Incapacity of the principal of a power of attorney that is not durable does not revoke or terminate the power of attorney as to an agent or other person that, without actual knowledge of the incapacity, acts in good faith under the power of attorney. An act so performed, unless otherwise invalid or unenforceable, binds the principal and the principal's successors in interest.

(7) The execution of a power of attorney does not revoke a power of attorney previously executed by the principal unless the subsequent power of attorney provides that the previous power of attorney is revoked or that all other powers of attorney are revoked.

NEW SECTION. Sec. 111. (1) A principal may designate in a power of attorney two or more persons to act as coagents. Unless the power of attorney otherwise provides, all coagents must exercise their authority jointly; provided, however, a coagent may delegate that coagent's authority to another coagent.

(2) A principal may designate one or more successor agents to act if an agent resigns, dies, becomes incapacitated, is not qualified to serve, or declines to serve. A principal may grant authority to designate one or more successor agents to an agent or other person designated by name, office, or function. Unless the power of attorney otherwise provides, a successor agent:

(a) Has the same authority as that granted to the original agent; and

(b) May not act until all predecessor agents have resigned, died, become incapacitated, are no longer qualified to serve, or have declined to serve.

(3) Except as otherwise provided in the power of attorney and subsection (4) of this section, an agent that does not participate in or conceal a breach of fiduciary duty committed by another agent, including a predecessor agent, is not liable for the actions of the other agent.

(4) An agent that has actual knowledge of a breach or imminent breach of fiduciary duty by another agent shall notify the principal and, if the principal is incapacitated, take any action reasonably appropriate in the circumstances to safeguard the principal's best interest. An agent that fails to notify the principal or take action as required by this subsection is liable for the reasonably foreseeable damages that could have been avoided if the agent had notified the principal or taken such action.

NEW SECTION. Sec. 112. Unless the power of attorney otherwise provides, an agent is entitled to reimbursement of expenses reasonably incurred on behalf of the principal and to reasonable compensation.

NEW SECTION. Sec. 113. Except as otherwise provided in the power of attorney, a person accepts appointment as an agent under a power of attorney by exercising authority or performing duties as an agent or by any other assertion or conduct indicating acceptance.

NEW SECTION. Sec. 114. (1) Notwithstanding provisions in the power of attorney, an agent that has accepted appointment shall:

(a) Act in accordance with the principal's reasonable expectations to the extent actually known by the agent and, otherwise, in the principal's best interest;

(b) Act in good faith; and

(c) Act only within the scope of authority granted in the power of attorney.

(2) Except as otherwise provided in the power of attorney, an agent that has accepted appointment shall:

- (a) Act loyally for the principal's benefit;
- (b) Act so as not to create a conflict of interest that impairs the agent's ability to act impartially in the principal's best interest;
- (c) Act with the care, competence, and diligence ordinarily exercised by agents in similar circumstances;
- (d) Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;
- (e) Cooperate with a person that has authority to make health care decisions for the principal to carry out the principal's reasonable expectations to the extent actually known by the agent and, otherwise, act in the principal's best interest; and
- (f) Attempt to preserve the principal's estate plan, to the extent actually known by the agent, if preserving the plan is consistent with the principal's best interest based on all relevant factors, including:
 - (i) The value and nature of the principal's property;
 - (ii) The principal's foreseeable obligations and need for maintenance;
 - (iii) Minimization of taxes, including income, estate, inheritance, generation-skipping transfer, and gift taxes; and
 - (iv) Eligibility for a benefit, a program, or assistance under a statute or rule.

(3) An agent that acts in good faith is not liable to any beneficiary of the principal's estate plan for failure to preserve the plan.

(4) An agent that acts with care, competence, and diligence for the best interest of the principal is not liable solely because the agent also benefits from the act or has an individual or conflicting interest in relation to the property or affairs of the principal.

(5) If an agent is selected by the principal because of special skills or expertise possessed by the agent or in reliance on the agent's representation that the agent has special skills or expertise, the special skills or expertise must be considered in determining whether the agent has acted with care, competence, and diligence under the circumstances.

(6) Absent a breach of duty to the principal, an agent is not liable if the value of the principal's property declines.

(7) An agent that engages another person on behalf of the principal is not liable for an act, error of judgment, or default of that person if the agent exercises care, competence, and diligence in selecting and monitoring the person, provided however that the agent shall not be relieved of liability for such person's discretionary acts, that, if done by the agent, would result in liability to the agent.

(8) Unless section 111(1) of this act applies, an agent may only delegate authority to another person if expressly authorized to do so in the power of attorney and may delegate some, but not all, of the authority granted by the principal. An agent that exercises authority to delegate to another person the authority granted by the principal is not liable for an act, error of judgment, or default of that person if the agent exercises care, competence, and diligence in selecting and monitoring the person, provided however that the agent shall not be relieved of liability for such person's discretionary acts, that, if done by the agent, would result in liability to the agent.

(9) Except as otherwise provided in the power of attorney, an agent is not required to disclose receipts, disbursements, or transactions conducted on behalf of the principal unless ordered by a court or requested in writing by the principal, a guardian, a conservator, another fiduciary acting for the principal, a governmental agency having authority to protect the welfare of the principal, or, upon the death of the principal, by the personal representative or successor in interest of the principal's estate. Such request by a guardian, conservator, or another fiduciary

acting for the principal must be limited to information reasonably related to that guardian, conservator, or fiduciary's duties. If so requested, within thirty days the agent shall comply with the request or provide a writing or other record substantiating why additional time is needed and shall comply with the request within an additional thirty days.

NEW SECTION. Sec. 115. A provision in a power of attorney relieving an agent of liability for breach of duty is binding on the principal and the principal's successors in interest except to the extent the provision:

(1) Relieves the agent of liability for breach of duty committed dishonestly, with an improper motive, or with gross negligence to the purposes of the power of attorney or the best interest of the principal; or

(2) Was inserted as a result of an abuse of a confidential or fiduciary relationship with the principal.

NEW SECTION. Sec. 116. (1) Except as otherwise provided in the power of attorney, the following persons may bring a petition described in subsection (2) of this section:

- (a) The principal or the agent;
- (b) The spouse or state registered domestic partner of the principal;

(c) The guardian of the estate or person of the principal;

(d) Any other interested person, as long as the person demonstrates to the court's satisfaction that the person is interested in the welfare of the principal and has a good faith belief that the court's intervention is necessary, and that the principal is incapacitated at the time of filing the petition or otherwise unable to protect his or her own interests; and

(e) A person asked to accept the power of attorney.

(2) A person designated in subsection (1) of this section may file a petition requesting the court to construe a power of attorney or grant any other appropriate relief, including but not limited to:

(a) Determination of whether the power of attorney is in effect or has terminated;

(b) Compelling the agent to submit the agent's accounts or report the agent's acts as agent to the principal, the spouse or state registered domestic partner of the principal, the guardian of the person or the estate of the principal, or to any other person required by the court in its discretion, if the agent has not timely complied with a request under section 114(9) of this act. However, a government agency having authority to protect the welfare of the principal may file a petition upon the agent's refusal or failure to submit an accounting upon written request and shall not be required to wait sixty days;

(c) Ratification of past acts or approval of proposed acts of the agent;

(d) Issuance of an order directing the agent to exercise or refrain from exercising authority in a power of attorney in a particular manner or for a particular purpose;

(e) Modification of the authority of an agent under a power of attorney;

(f) Removal of the agent on a determination by the court of both of the following:

(i) Determination that the agent has violated or is unfit to perform the fiduciary duties under the power of attorney; and

(ii) Determination that the removal of the agent is in the best interest of the principal;

(g) Approval of the resignation of the agent and approval of the final accountings of the resigning agent if submitted, subject to any orders the court determines are necessary to protect the principal's interests;

(h) Confirmation of the authority of a successor agent to act under a power of attorney upon removal or resignation of the previous agent;

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(i) Compelling a third person to honor the authority of an agent, provided that a third person may not be compelled to honor the agent's authority if the principal could not compel the third person to act in the same circumstances;

(j) Order the agent to furnish a bond in an amount the court determines to be appropriate.

(3) Any action commenced under this section shall be subject to the notice requirements of chapter 11.96A RCW.

(4) Upon motion by the principal, the court shall dismiss a petition filed under this section, unless the court finds that the principal lacks capacity to revoke the agent's authority or the power of attorney.

(5) Except as otherwise provided in section 120(3)(b) of this act, any action commenced under this section shall be subject to the provisions of RCW 11.96A.150.

NEW SECTION. Sec. 117. An agent that violates this chapter is liable to the principal or the principal's successors in interest for the amount required to restore the value of the principal's property to what it would have been had the violation not occurred.

NEW SECTION. Sec. 118. Unless the power of attorney has been terminated in accordance with section 108 of this act, or the power of attorney provides a different method for an agent's resignation, an agent may resign by giving notice to the principal and, if the principal is incapacitated:

(1) To the conservator or guardian, if one has been appointed for the principal, and a coagent or successor agent, if designated; or

(2) If there is no person described in subsection (1) of this section:

(a) To any person reasonably believed by the agent to have sufficient interest in the principal's welfare;

(b) To a governmental agency having authority to protect the welfare of the principal; or

(c) By filing notice with the county recorder's office in the county where the principal resides.

NEW SECTION. Sec. 119. (1) For purposes of this section and section 120 of this act, "acknowledged" means purportedly verified before a notary public or other individual authorized to take acknowledgments.

(2) A person that in good faith accepts an acknowledged power of attorney without actual knowledge that the signature is not genuine may rely upon the presumption under section 105 of this act that the signature is genuine.

(3) A person that in good faith accepts an acknowledged power of attorney without actual knowledge that the power of attorney is void, invalid, or terminated, that the purported agent's authority is void, invalid, or terminated, or that the agent is exceeding or improperly exercising the agent's authority may rely upon the power of attorney as if the power of attorney were genuine, valid and still in effect, the agent's authority were genuine, valid and still in effect, and the agent had not exceeded and had properly exercised the authority.

(4) A person that is asked to accept an acknowledged power of attorney may request, and rely upon, without further investigation:

(a) An agent's certification given under penalty of perjury meeting the requirements of subsection (5) of this section; and

(b) An English translation of the power of attorney if the power of attorney contains, in whole or in part, language other than English.

(5) A certification presented pursuant to subsection (4) of this section or pursuant to section 120 of this act shall state that:

(a) The person presenting himself or herself as the agent and signing the affidavit or declaration is the person so named in the power of attorney;

(b) If the agent is named in the power of attorney as a successor agent, the circumstances or conditions stated in the power of attorney that would cause that person to become the acting agent have occurred;

(c) To the best of the agent's knowledge, the principal is still alive;

(d) To the best of the agent's knowledge, at the time the power of attorney was signed, the principal was competent to execute the document and was not under undue influence to sign the document;

(e) All events necessary to making the power of attorney effective have occurred;

(f) The agent does not have actual knowledge of the revocation, termination, limitation, or modification of the power of attorney or of the agent's authority;

(g) The agent does not have actual knowledge of the existence of other circumstances that would limit, modify, revoke, or terminate the power of attorney or the agent's authority to take the proposed action;

(h) If the agent was married to or in a state registered domestic partnership with the principal at the time of execution of the power of attorney, then at the time of signing the affidavit or declaration, the marriage or state registered domestic partnership of the principal and the agent has not been dissolved or declared invalid, and no action is pending for the dissolution of the marriage or domestic partnership or for legal separation; and

(i) The agent is acting in good faith pursuant to the authority given under the power of attorney.

(6) An English translation requested under this section must be provided at the principal's expense unless the request is made more than seven business days after the power of attorney is presented for acceptance.

(7) For purposes of this section and section 120 of this act, a person that conducts activities through employees is without actual knowledge of a fact relating to a power of attorney, a principal, or an agent if the employee conducting the transaction involving the power of attorney is without actual knowledge of the fact.

NEW SECTION. Sec. 120. (1) Except as otherwise provided in subsection (2) of this section:

(a) A person shall either accept an acknowledged power of attorney or request a certification or a translation no later than seven business days after presentation of the power of attorney for acceptance;

(b) If a person requests a certification or a translation, the person shall accept the power of attorney no later than five business days after receipt of the certification or translation; and

(c) A person may not require an additional or different form of power of attorney for authority granted in the power of attorney presented.

(2) A person is not required to accept an acknowledged power of attorney if:

(a) The person is not otherwise required to engage in a transaction with the principal in the same circumstances;

(b) Engaging in a transaction with the agent or the principal in the same circumstances would be inconsistent with federal law;

(c) The person has actual knowledge of the termination of the agent's authority or of the power of attorney before exercise of the power;

(d) A request for a certification or a translation is refused;

(e) The person in good faith believes that the power is not valid or that the agent does not have the authority to perform the

act requested, whether or not a certification or a translation has been requested or provided; or

(f) The person makes, or has actual knowledge that another person has made, a report to the department of social and health services stating a good faith belief that the principal may be subject to physical or financial abuse, neglect, exploitation, or abandonment by the agent or a person acting for or with the agent.

(3) A person that refuses in violation of this section to accept an acknowledged power of attorney is subject to:

(a) A court order mandating acceptance of the power of attorney; and

(b) Liability for reasonable attorneys' fees and costs incurred in any action or proceeding that confirms the validity of the power of attorney or mandates acceptance of the power of attorney.

NEW SECTION. Sec. 121. Unless displaced by a provision of this chapter, the principles of law and equity supplement this chapter.

NEW SECTION. Sec. 122. This chapter does not supersede any other law applicable to financial institutions or other entities, and the other law controls if inconsistent with this chapter.

NEW SECTION. Sec. 123. The remedies under this chapter are not exclusive and do not abrogate any right or remedy under the law of this state other than this chapter.

PART II

NEW SECTION. Sec. 201. (1) An agent under a power of attorney may, subject to the requirements of section 114 of this act, and in particular section 114(2)(f) of this act, do the following on behalf of the principal or with the principal's property only if the power of attorney expressly grants the agent the authority and exercise of the authority is not otherwise prohibited by another agreement or instrument to which the authority or property is subject:

- (a) Create, amend, revoke, or terminate an inter vivos trust;
- (b) Make a gift;
- (c) Create or change rights of survivorship;
- (d) Create or change a beneficiary designation;
- (e) Delegate some but not all of the authority granted under the power of attorney, except as otherwise provided in section 111(1) of this act;
- (f) Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan;
- (g) Exercise fiduciary powers that the principal has authority to delegate;
- (h) Exercise any power of appointment in favor of anyone other than the principal;
- (i) Create, amend, or revoke a community property agreement;
- (j) Cause a trustee to make distributions of property held in trust under the same conditions that the principal could;
- (k) Make any other provisions for nonprobate transfer at death contained in nontestamentary instruments described in RCW 11.02.091;
- (l) Make health care decisions for the principal, or give informed consent to health care decisions on the principal's behalf.

(2) Notwithstanding the provisions of subsection (1)(a) of this section, an agent may, even in the absence of a specific grant of authority, make transfers of property to any trust that benefits the principal alone and does not have dispositive provisions that are different from those that would have governed the property had it not been transferred into such trust.

(3) Notwithstanding the provisions of subsection (1)(b) of this section, an agent may, even in the absence of a specific grant of authority, make any transfer of resources not prohibited under

chapter 74.09 RCW when the transfer is for the purpose of qualifying the principal for medical assistance or the limited casualty program for the medically needy.

(4) Notwithstanding a grant of authority to do an act described in subsection (1) of this section, unless the power of attorney otherwise provides, an agent that is not an ancestor, spouse, state registered domestic partner, or descendant of the principal, may not exercise authority under a power of attorney to create in the agent, or in an individual to whom the agent owes a legal obligation of support, an interest in the principal's property, whether by gift, right of survivorship, beneficiary designation, disclaimer, or otherwise.

(5) Unless the power of attorney otherwise provides, a grant of authority to make a gift is subject to section 216 of this act.

(6) Subject to subsections (1) through (5) of this section, if the subjects over which authority is granted in a power of attorney are similar or overlap, the broadest authority controls.

(7) Authority granted in a power of attorney is exercisable with respect to property that the principal has when the power of attorney is executed or acquires later, whether or not the property is located in this state and whether or not the authority is exercised or the power of attorney is executed in this state.

(8) An act performed by an agent pursuant to a power of attorney has the same effect and inures to the benefit of and binds the principal and the principal's successors in interest as if the principal had performed the act.

NEW SECTION. Sec. 202. (1) Subject to the provisions of section 201 of this act, if a power of attorney grants to an agent authority to do all acts that a principal could do or contains words of similar effect, the agent has the general authority described in sections 203 through 218 of this act.

(2) An agent has authority described in this act if the power of attorney refers to general authority with respect to the descriptive term for the subjects stated in sections 204 through 218 of this act or cites the section in which the authority is described.

(3) A reference in a power of attorney to general authority with respect to the descriptive term for a subject in sections 204 through 218 of this act or a citation to a section of sections 204 through 218 of this act incorporates the entire section as if it were set out in full in the power of attorney.

(4) A principal may modify authority incorporated by reference.

NEW SECTION. Sec. 203. Except as otherwise provided in the power of attorney, by executing a power of attorney that incorporates by reference a subject described in sections 204 through 218 of this act or that grants to an agent authority to do all acts that a principal could do pursuant to section 202(1) of this act, a principal authorizes the agent, with respect to that subject, to:

(1) Demand, receive, and obtain by litigation or otherwise, declaratory or injunctive relief, money, or another thing of value to which the principal is, may become, or claims to be entitled, and conserve, invest, disburse, or use anything so received or obtained for the purposes intended;

(2) Contract in any manner with any person, on terms agreeable to the agent, to accomplish a purpose of a transaction and perform, rescind, cancel, terminate, reform, restate, release, or modify the contract or another contract made by or on behalf of the principal;

(3) Execute, acknowledge, seal, deliver, file, or record any instrument or communication the agent considers desirable to accomplish a purpose of a transaction, including creating at any time a schedule listing some or all of the principal's property and attaching it to the power of attorney;

(4) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to a claim existing in favor of or against the principal or intervene in litigation relating to the claim;

(5) Seek on the principal's behalf the assistance of a court or other governmental agency to carry out an act authorized in the power of attorney;

(6) Engage, compensate, and discharge an attorney, accountant, investment manager, expert witness, or other advisor;

(7) Prepare, execute, and file a record, report, or other document to safeguard or promote the principal's interest under a statute or regulation;

(8) Communicate with any representative or employee of a government or governmental subdivision, agency, or instrumentality, on behalf of the principal;

(9) Access communications intended for, and communicate on behalf of the principal, whether by mail, electronic transmission, telephone, or other means; and

(10) Do any lawful act with respect to the subject and all property related to the subject.

NEW SECTION. Sec. 204. Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to real property authorizes the agent to:

(1) Demand; buy; sublease; license; receive; accept as a gift or as security for an extension of credit; or otherwise acquire or reject an interest in real property or a right incident to real property;

(2) Sell; exchange; convey with or without reservations, covenants, representations, or warranties; quitclaim; release; surrender; retain title for security; encumber; partition; consent to partitioning; subject to an easement or covenant, common interest regime; subdivide; apply for zoning or other governmental permits; plat or consent to platting; develop; grant an option concerning; lease; sublease; license; contribute to an entity in exchange for an interest in that entity; or, subject to section 201 of this act, otherwise grant or dispose of an interest in real property or a right incident to real property;

(3) Pledge or mortgage an interest in real property or right incident to real property as security to borrow money or pay, renew, extend the time of payment of a debt of the principal or a debt guaranteed by the principal, or as security for a nonmonetary obligation;

(4) Release, assign, satisfy, or enforce by litigation or otherwise a mortgage, deed of trust, conditional sale contract, encumbrance, lien, or other claim to real property which exists or is asserted;

(5) Manage or conserve an interest in real property or a right incident to real property owned or claimed to be owned by the principal, including:

(a) Insuring against liability or casualty or other loss;

(b) Obtaining or regaining possession of or protecting the interest or right by litigation or otherwise;

(c) Paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with them; and

(d) Purchasing supplies, hiring assistance or labor, and making repairs or alterations to the real property;

(6) Use, develop, alter, replace, remove, erect, or install structures or other improvements upon real property in or incident to which the principal has, or claims to have, an interest or right;

(7) Participate in a reorganization with respect to real property or an entity that owns an interest in or right incident to real property and receive, and hold, and act with respect to stocks and

bonds or other property received in a plan of reorganization, including:

(a) Selling or otherwise disposing of them;

(b) Exercising or selling an option, right of conversion, or similar right with respect to them; and

(c) Exercising any voting rights in person or by proxy;

(8) Change the form of title of an interest in or right incident to real property; and

(9) Dedicate to public use, with or without consideration, easements or other real property in which the principal has, or claims to have, an interest.

NEW SECTION. Sec. 205. Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to tangible personal property authorizes the agent to:

(1) Demand, buy, receive, accept as a gift or as security for an extension of credit, or otherwise acquire or reject ownership or possession of tangible personal property or an interest in tangible personal property;

(2) Sell; exchange; convey with or without covenants, representations, or warranties; quitclaim; release; surrender; create a security interest in; grant options concerning; lease; sublease; or, otherwise dispose of tangible personal property or an interest in tangible personal property;

(3) Grant a security interest in tangible personal property or an interest in tangible personal property as security to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal;

(4) Release, assign, satisfy, or enforce by litigation or otherwise, a security interest, lien, or other claim on behalf of the principal, with respect to tangible personal property or an interest in tangible personal property;

(5) Manage or conserve tangible personal property or an interest in tangible personal property on behalf of the principal, including:

(a) Insuring against liability or casualty or other loss;

(b) Obtaining or regaining possession of or protecting the property or interest, by litigation or otherwise;

(c) Paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with taxes or assessments;

(d) Moving the property from place to place;

(e) Storing the property for hire or on a gratuitous bailment; and

(f) Using and making repairs, alterations, or improvements to the property; and

(6) Change the form of title of an interest in tangible personal property.

NEW SECTION. Sec. 206. Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to stocks, bonds, and financial instruments authorizes the agent to:

(1) Buy, sell, and exchange stocks, bonds, and financial instruments;

(2) Establish, continue, modify, or terminate an account with respect to stocks, bonds, and financial instruments;

(3) Pledge stocks, bonds, and financial instruments as security to borrow, pay, renew, or extend the time of payment of a debt of the principal;

(4) Receive certificates and other evidences of ownership with respect to stocks, bonds, and financial instruments;

(5) Exercise voting rights with respect to stocks, bonds, and financial instruments in person or by proxy, enter into voting trusts, and consent to limitations on the right to vote;

(6) Buy, sell, exchange, assign, settle, and exercise commodity futures contracts and call or put options on stocks or stock indexes traded on a regulated option exchange; and

(7) Establish, continue, modify, and terminate option accounts.

NEW SECTION. Sec. 207. Except as otherwise expressly provided in this act and in chapter 30A.22 RCW, unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to banks and other financial institutions authorizes the agent to:

(1) Continue, modify, and terminate an account or other banking arrangement made by or on behalf of the principal;

(2) Establish, modify, and terminate an account or other banking arrangement with a bank, trust company, savings and loan association, credit union, thrift company, brokerage firm, or other financial institution selected by the agent;

(3) Contract for services available from a financial institution, including renting a safe deposit box or space in a vault;

(4) Withdraw, by check, order, electronic funds transfer, or otherwise, money or property of the principal deposited with or left in the custody of a financial institution;

(5) Receive statements of account, vouchers, notices, and similar documents from a financial institution and act with respect to them;

(6) Enter a safe deposit box or vault and withdraw or add to the contents;

(7) Borrow money and pledge as security personal property of the principal necessary to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal;

(8) Make, assign, draw, endorse, discount, guarantee, and negotiate promissory notes, checks, drafts, and other negotiable or nonnegotiable paper of the principal or payable to the principal or the principal's order, transfer money, receive the cash or other proceeds of those transactions, and accept a draft drawn by a person upon the principal and pay it when due;

(9) Receive for the principal and act upon a sight draft, warehouse receipt, or other document of title whether tangible or electronic, or other negotiable or nonnegotiable instrument;

(10) Apply for, receive, and use letters of credit, credit and debit cards, electronic transaction authorizations, and traveler's checks from a financial institution and give an indemnity or other agreement in connection with letters of credit; and

(11) Consent to an extension of the time of payment with respect to commercial paper or a financial transaction with a financial institution.

NEW SECTION. Sec. 208. Subject to the terms of a document or an agreement governing an entity or an entity ownership interest, and unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to operation of an entity or business authorizes the agent to:

(1) Operate, buy, sell, enlarge, reduce, or terminate an ownership interest;

(2) Perform a duty or discharge a liability and exercise in person or by proxy a right, power, privilege, or option that the principal has, may have, or claims to have;

(3) Enforce the terms of an ownership agreement;

(4) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to which the principal is a party because of an ownership interest;

(5) Exercise in person or by proxy, or enforce by litigation or otherwise, a right, power, privilege, or option the principal has or claims to have as the holder of stocks, bonds, and financial instruments;

(6) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to which the principal is a party concerning stocks, bonds, and financial instruments;

(7) With respect to an entity or business owned solely by the principal:

(a) Continue, modify, renegotiate, extend, and terminate a contract made by or on behalf of the principal with respect to the entity or business before execution of the power of attorney;

(b) Determine:

(i) The location of its operation;

(ii) The nature and extent of its business;

(iii) The methods of manufacturing, selling, merchandising, financing, accounting, and advertising employed in its operation;

(iv) The amount and types of insurance carried; and

(v) The mode of engaging, compensating, and dealing with its employees and accountants, attorneys, or other advisors;

(c) Change the name or form of organization under which the entity or business is operated and enter into an ownership agreement with other persons to take over all or part of the operation of the entity or business; and

(d) Demand and receive money due or claimed by the principal or on the principal's behalf in the operation of the entity or business and control and disburse the money in the operation of the entity or business;

(8) Put additional capital into an entity or business in which the principal has an interest;

(9) Join in a plan of reorganization, consolidation, conversion, domestication, or merger of the entity or business;

(10) Sell or liquidate all or part of an entity or business;

(11) Establish through agreement or independent appraisal the value of an entity or business to which the principal is a party;

(12) Prepare, sign, file, and deliver reports, compilations of information, returns, or other papers with respect to an entity or business and make related payments; and

(13) Pay, compromise, or contest taxes, assessments, fines, or penalties and perform any other act to protect the principal from illegal or unnecessary taxation, assessments, fines, or penalties, with respect to an entity or business, including attempts to recover, in any manner permitted by law, money paid before or after the execution of the power of attorney.

NEW SECTION. Sec. 209. Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to insurance and annuities authorizes the agent to:

(1) Continue, pay the premium or make a contribution on, modify, exchange, sell, rescind, release, or terminate a contract procured by or on behalf of the principal which insures or provides an annuity to either the principal or another person, whether or not the principal is a beneficiary under the contract;

(2) Procure new, different, and additional contracts of insurance and annuities for the benefit of the principal and the principal's spouse, state registered domestic partner, children, and other dependents, and select the amount, type of insurance or annuity, and mode of payment;

(3) Pay the premium or make a contribution on, modify, exchange, rescind, release, or terminate a contract of insurance or annuity procured by the agent;

(4) Apply for and receive a loan secured by a contract of insurance or annuity;

(5) Surrender and receive the cash surrender value on a contract of insurance or annuity;

(6) Exercise an election;

(7) Exercise investment powers available under a contract of insurance or annuity;

(8) Change the manner of paying premiums on a contract of insurance or annuity;

(9) Change or convert the type of insurance or annuity with respect to which the principal has or claims to have authority described in this section;

(10) Apply for and procure a benefit or assistance under a statute or regulation to guarantee or pay premiums of a contract of insurance on the life of the principal;

(11) Collect, sell, assign, hypothecate, borrow against, or pledge the interest of the principal in a contract of insurance or annuity;

(12) Select the form and timing of the payment of proceeds from a contract of insurance or annuity; and

(13) Pay, from proceeds or otherwise, compromise or contest, and apply for refunds in connection with, a tax or assessment levied by a taxing authority with respect to a contract of insurance or annuity or its proceeds or liability accruing by reason of the tax or assessment.

NEW SECTION. Sec. 210. (1) In this section, "estates, trusts, and other beneficial interests" means a trust, probate estate, guardianship, conservatorship, escrow, or custodianship or a fund from which the principal is, may become, or claims to be, entitled to a share or payment.

(2) Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to estates, trusts, and other beneficial interests authorizes the agent to:

(a) Accept, receive, receipt for, sell, assign, pledge, or exchange a share in or payment from the fund;

(b) Demand or obtain money or another thing of value to which the principal is, may become, or claims to be, entitled by reason of the fund, by litigation or otherwise;

(c) Exercise for the benefit of the principal a presently exercisable general power of appointment held by the principal;

(d) Exercise for the benefit of the principal a presently exercisable limited power of appointment held by the principal;

(e) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to ascertain the meaning, validity, or effect of a deed, will, declaration of trust, or other instrument or transaction affecting the interest of the principal;

(f) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to remove, substitute, or surcharge a fiduciary, and any other matter as defined under RCW 11.96A.030;

(g) Conserve, invest, disburse, or use anything received for an authorized purpose;

(h) Transfer an interest of the principal in real property, stocks, bonds, and financial instruments, accounts with financial institutions or securities intermediaries, insurance, annuities, and other property to the trustee of a revocable trust created by the principal as settlor, subject to the limitations in section 201(1) of this section; and

(i) Reject, renounce, disclaim, release, or consent to a reduction in or modification of a share in or payment from the fund.

NEW SECTION. Sec. 211. Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to claims and litigation authorizes the agent, without the need for appointment of a guardian or guardian ad litem under Title 4 RCW, to:

(1) Assert and maintain before a court or administrative agency a claim, claim for relief, cause of action, counterclaim, offset, recoupment, or defense, including an action to recover

property or other thing of value, recover damages sustained by the principal, eliminate or modify tax liability, or seek an injunction, specific performance, or other relief;

(2) Bring or defend an action to determine adverse claims or intervene or otherwise participate in litigation;

(3) Seek an attachment, garnishment, order of arrest, or other preliminary, provisional, or intermediate relief and use an available procedure to effect or satisfy a judgment, order, or decree;

(4) Make or accept a tender, offer of judgment, or admission of facts, submit a controversy on an agreed statement of facts, consent to examination, and bind the principal in litigation;

(5) Submit to alternative dispute resolution, settle, and propose or accept a compromise, subject to special proceeding rule 98.16W;

(6) Waive the issuance and service of process upon the principal, accept service of process, appear for the principal, designate persons upon which process directed to the principal may be served, execute, and file or deliver stipulations on the principal's behalf, verify pleadings, seek appellate review, procure and give surety and indemnity bonds, contract and pay for the preparation and printing of records and briefs, receive, execute, and file or deliver a consent, waiver, release, confession of judgment, satisfaction of judgment, notice, agreement, or other instrument in connection with the prosecution, settlement, or defense of a claim or litigation;

(7) Act for the principal with respect to bankruptcy or insolvency, whether voluntary or involuntary, concerning the principal or some other person, or with respect to a reorganization, receivership, or application for the appointment of a receiver or trustee which affects an interest of the principal in property or other thing of value;

(8) Pay a judgment, award, or order against the principal or a settlement made in connection with a claim or litigation; and

(9) Receive money or other thing of value paid in settlement of or as proceeds of a claim or litigation.

NEW SECTION. Sec. 212. (1) Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to personal and family maintenance authorizes the agent to:

(a) Perform the acts necessary to maintain the customary standard of living of the principal, the principal's spouse or state registered domestic partner, and the following individuals, whether living when the power of attorney is executed or later born:

(i) The principal's children;

(ii) Other individuals legally entitled to be supported by the principal; and

(iii) The individuals whom the principal has customarily supported or indicated the intent to support;

(b) Make periodic payments of child support and other family maintenance required by a court or governmental agency or an agreement to which the principal is a party;

(c) Provide living quarters for the individuals described in subsection (1) of this section by:

(i) Purchase, lease, or other contract; or

(ii) Paying the operating costs, including interest, amortization payments, repairs, improvements, and taxes, for premises owned by the principal or occupied by those individuals;

(d) Provide reasonable domestic help, usual vacations and travel expenses, and funds for shelter, clothing, food, appropriate education, including postsecondary and vocational education, and other current living costs for the individuals described in subsection (1) of this section;

(e) Pay expenses for necessary health care and custodial care on behalf of the individuals described in subsection (1) of this section;

(f) Act as the principal's personal representative pursuant to the health insurance portability and accountability act, sections 1171 through 1179 of the social security act, 42 U.S.C. Sec. 1320d, as amended, and applicable regulations, for the limited purpose of making decisions regarding the payment of costs and expenses arising from past, present, or future health care provided to the principal which was consented to by the principal or anyone authorized under the law of this state to consent to health care on behalf of the principal;

(g) Continue any provision made by the principal for automobiles or other means of transportation, including registering, licensing, insuring, and replacing them, for the individuals described in subsection (1) of this section;

(h) Maintain credit and debit accounts for the convenience of the individuals described in subsection (1) of this section and open new accounts; and

(i) Continue payments incidental to the membership or affiliation of the principal in a religious institution, club, society, order, or other organization or to continue contributions to those organizations.

(2) Authority with respect to personal and family maintenance is neither dependent upon, nor limited by, authority that an agent may or may not have with respect to gifts under this act.

NEW SECTION. Sec. 213. (1) In this section, "benefits from governmental programs or civil or military service" means any benefit, program or assistance provided under a statute or regulation including social security, medicare, and medicaid.

(2) Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to benefits from governmental programs or civil or military service authorizes the agent to:

(a) Execute vouchers in the name of the principal for allowances and reimbursements payable by the United States or a foreign government or by a state or subdivision of a state to the principal, including allowances and reimbursements for transportation of the individuals described in section 212(1)(a) of this act, and for shipment of their household effects;

(b) Take possession and order the removal and shipment of property of the principal from a post, warehouse, depot, dock, or other place of storage or safekeeping, either governmental or private, and execute and deliver a release, voucher, receipt, bill of lading, shipping ticket, certificate, or other instrument for that purpose;

(c) Enroll in, apply for, select, reject, change, amend, or discontinue, on the principal's behalf, a benefit or program;

(d) Prepare, file, and maintain a claim of the principal for a benefit or assistance, financial or otherwise, to which the principal may be entitled under a statute or regulation;

(e) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation concerning any benefit or assistance the principal may be entitled to receive under a statute or regulation; and

(f) Receive the financial proceeds of a claim described in (d) of this subsection and conserve, invest, disburse, or use for a lawful purpose anything so received.

NEW SECTION. Sec. 214. (1) In this section, "retirement plan" means a plan or account created by an employer, the principal, or another individual to provide retirement benefits or deferred compensation of which the principal is a participant, beneficiary, or owner, including but not limited to a plan or account under the following sections of the internal revenue code:

(a) An individual retirement account under internal revenue code section 408, 26 U.S.C. Sec. 408, as amended;

(b) A roth individual retirement account under internal revenue code section 408A, 26 U.S.C. Sec. 408A, as amended;

(c) A deemed individual retirement account under internal revenue code section 408(q), 26 U.S.C. Sec. 408(q), as amended;

(d) An annuity or mutual fund custodial account under internal revenue code section 403(b), 26 U.S.C. Sec. 403(b), as amended;

(e) A pension, profit-sharing, stock bonus, or other retirement plan qualified under internal revenue code section 401(a), 26 U.S.C. Sec. 401(a), as amended;

(f) A plan under internal revenue code section 457(b), 26 U.S.C. Sec. 457(b), as amended; and

(g) A nonqualified deferred compensation plan under internal revenue code section 409A, 26 U.S.C. Sec. 409A, as amended.

(2) Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to retirement plans authorizes the agent to:

(a) Select the form and timing of payments under a retirement plan and withdraw benefits from a plan;

(b) Make a rollover, including a direct trustee-to-trustee rollover, of benefits from one retirement plan to another;

(c) Establish a retirement plan in the principal's name;

(d) Make contributions to a retirement plan;

(e) Exercise investment powers available under a retirement plan; and

(f) Borrow from, sell assets to, or purchase assets from a retirement plan.

NEW SECTION. Sec. 215. Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to taxes authorizes the agent to:

(1) Prepare, sign, and file federal, state, local, and foreign income, gift, payroll, property, federal insurance contributions act, and other tax returns, claims for refunds, requests for extension of time, petitions regarding tax matters, and any other tax-related documents, including receipts, offers, waivers, consents, including consents and agreements under internal revenue code section 2032A, 26 U.S.C. Sec. 2032A, as amended, closing agreements, and any power of attorney required by the internal revenue service or other taxing authority including, but not limited to, an internal revenue service form 2848 in favor of any third party with respect to a tax year upon which the statute of limitations has not run and the following twenty-five tax years;

(2) Pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies determined by the internal revenue service or other taxing authority;

(3) Exercise any election available to the principal under federal, state, local, or foreign tax law; and

(4) Act for the principal in all tax matters for all periods before the internal revenue service, or other taxing authority.

NEW SECTION. Sec. 216. (1) In this section, a gift "for the benefit of" a person includes but is not limited to a gift to a trust, an account under the uniform transfers to minors act of any jurisdiction, and a tuition savings account or prepaid tuition plan as defined under internal revenue code section 529, 26 U.S.C. Sec. 529, as amended. Notwithstanding the terms of section 201(1)(a) of this act, the power to make a gift pursuant to section 201(1)(b) of this act shall include the power to create a trust, an account under the uniform transfers to minors act, or a tuition savings account or prepaid tuition plan as defined under internal revenue code section 529, 26 U.S.C. Sec. 529, as amended, into which a gift is to be made.

(2) Unless the power of attorney otherwise provides, language in a power of attorney granting general authority with respect to gifts authorizes the agent only to:

(a) Make outright to, or for the benefit of, a person, a gift of any of the principal's property, including by the exercise of a presently exercisable general power of appointment held by the principal, in an amount per donee not to exceed the annual dollar limits of the federal gift tax exclusion under internal revenue code section 2503(b), 26 U.S.C. Sec. 2503(b), as amended, without regard to whether the federal gift tax exclusion applies to the gift, or if the principal's spouse agrees to consent to a split gift pursuant to internal revenue code section 2513, 26 U.S.C. Sec. 2513, as amended, in an amount per donee not to exceed twice the annual federal gift tax exclusion limit; and

(b) Consent, pursuant to internal revenue code section 2513, 26 U.S.C. Sec. 2513, as amended, to the splitting of a gift made by the principal's spouse in an amount per donee not to exceed the aggregate annual gift tax exclusions for both spouses.

(3) An agent may make a gift outright to, or for the benefit of, a person of the principal's property only as the agent determines is consistent with the principal's objectives if actually known by the agent and, if unknown, as the agent determines is consistent with the principal's best interest based on all relevant factors, including but not limited to:

(a) The value and nature of the principal's property;

(b) The principal's foreseeable obligations and need for maintenance;

(c) Minimization of taxes, including income, estate, inheritance, generation-skipping transfer, and gift taxes;

(d) Eligibility for a benefit, a program, or assistance under a statute or rule; and

(e) The principal's personal history of making or joining in making gifts.

NEW SECTION. Sec. 217. Unless the power of attorney otherwise provides, where language in a power of attorney grants general authority with respect to health care matters:

(1) The agent shall be authorized to act as the principal's personal representative pursuant to the health insurance portability and accountability act, sections 1171 through 1179 of the social security act, 42 U.S.C. Sec. 1320d, as amended, and applicable regulations for all purposes thereunder, including but not limited to accessing and acquiring the principal's health care related information.

(2) The agent shall be authorized to provide informed consent for health care decisions on the principal's behalf. If a principal has appointed more than one agent with authority to make mental health treatment decisions in accordance with a directive under chapter 71.32 RCW, to the extent of any conflict, the most recently appointed agent shall be treated as the principal's agent for mental health treatment decisions unless provided otherwise in either appointment.

(3) Unless he or she is the spouse, state registered domestic partner, father or mother, or adult child or brother or sister of the principal, none of the following persons may act as the agent for the principal: Any of the principal's physicians, the physicians' employees, or the owners, administrators, or employees of the health care facility or long-term care facility as defined in RCW 43.190.020 where the principal resides or receives care. Except when the principal has consented in a mental health advance directive executed under chapter 71.32 RCW to inpatient admission or electroconvulsive therapy, this authorization is subject to the same limitations as those that apply to a guardian under RCW 11.92.043(5) (a) through (c) and 11.92.190.

NEW SECTION. Sec. 218. Unless the power of attorney otherwise provides, the following general provisions shall apply to any power of attorney making reference to the care of the principal's minor children:

(1) A parent or guardian, through a power of attorney, may authorize an agent to make health care decisions on behalf of one or more of his or her children, or children for whom he or she is the legal guardian, who are under the age of majority as defined in RCW 26.28.015, to be effective if the child has no other parent or legal representative readily available and authorized to give such consent.

(2) A principal may further nominate a guardian or guardians of the person, or of the estate or both, of a minor child, whether born at the time of making the durable power of attorney or afterwards, to continue during the disability of the principal, during the minority of the child or for any less time by including such a provision in his or her power of attorney.

(3) The authority of any guardian of the person of any minor child shall supersede the authority of a designated agent to make health care decisions for the minor only after such designated guardian has been appointed by the court.

(4) In the event a conflict between the provisions of a will nominating a testamentary guardian under the authority of RCW 11.88.080 and the nomination of a guardian under the authority of this statute, the most recent designation shall control.

NEW SECTION. Sec. 219. Notwithstanding any provision in this act, or any provision in a power of attorney, no rights under Washington's death with dignity act, chapter 70.245 RCW, may be exercised through a power of attorney.

PART III

NEW SECTION. Sec. 301. The following optional form may be used by an agent to certify facts concerning a power of attorney.

AGENT'S CERTIFICATION AS TO THE VALIDITY OF POWER OF ATTORNEY AND AGENT'S AUTHORITY

State of _____
County] _____
I,

(Name of Agent), under penalty of perjury that (Name of Principal) granted me authority as an agent or successor agent in a power of attorney dated _____

I further that to my knowledge:

(1) I am acting in good faith pursuant to the authority given under the power of attorney;

(2) The principal is alive and has not terminated, revoked, limited, or modified the power of attorney or my authority to act under the power of attorney; nor has the power of attorney or my authority to act under the power of attorney been terminated, revoked, limited, or modified by any other circumstances;

(3) When the power of attorney was signed, the principal was competent to execute it and was not under undue influence to sign;

(4) All events necessary to making the power of attorney effective have occurred;

(5) If I was married or a registered domestic partner of the principal when the power of attorney was executed, there has been no subsequent dissolution, annulment, or legal separation, and no action is pending for the dissolution of the marriage or domestic partnership or for legal separation;

(6) If the power of attorney was drafted to become effective upon the happening of an event or contingency, the event or contingency has occurred;

(7) If I was named as a successor agent, the prior agent is no longer able or willing to serve, or the conditions stated in the power of attorney that cause me to become the acting agent have occurred; and

(8)

(Insert other relevant statements)
SIGNATURE AND ACKNOWLEDGMENT

Agent's Signature _____ Date _____
Agent's Name Printed _____
Agent's Address _____
Agent's Telephone Number _____
This document was acknowledged before me on _____,
by _____ (Date)
(Name of Agent) _____ (Seal, if any)
Signature of Notary _____
My commission expires: _____

PART IV

Sec. 401. RCW 11.88.080 and 2005 c 97 s 11 are each amended to read as follows:

When either parent is deceased, the surviving parent of any minor child or a sole parent of a minor child, may by last will or durable power of attorney nominate a guardian or guardians of the person, or of the estate or both, of a minor child, whether born at the time of executing the instrument or afterwards, to continue during the minority of such child or for any less time. This nomination shall be effective in the event of the death or incapacity of such parent. Every guardian of the estate of a child shall give bond in like manner and with like conditions as required by RCW 11.88.100 and 11.88.110, and he or she shall have the same powers and perform the same duties with regard to the person and estate of the minor as a guardian appointed under this chapter. The court shall confirm the parent's nomination unless the court finds, based upon evidence presented at a hearing on the matter, that the individual nominated in the surviving parent's will or durable power of attorney is not qualified to serve. In the event of a conflict between the provisions of a will nominating a testamentary guardian under the authority of this section and the nomination of a guardian under section 218 of this act, the most recent designation shall control. This section applies to actions commenced under section 116 of this act.

Sec. 402. RCW 11.86.021 and 1989 c 34 s 2 are each amended to read as follows:

(1) A beneficiary may disclaim an interest in whole or in part, or with reference to specific parts, shares or assets, in the manner provided in RCW 11.86.031.

(2) Likewise, a beneficiary may so disclaim through an agent or attorney so authorized by written instrument.

(3) A personal representative, guardian, attorney-in-fact if authorized under a durable power of attorney under chapter ((11.94)) 11.-- RCW (the new chapter created in section 505 of this act), or other legal representative of the estate of a minor, incompetent, or deceased beneficiary, may so disclaim on behalf of the beneficiary, with or without court order, if:

(a) The legal representative deems the disclaimer to be in the best interests of those interested in the estate of the beneficiary and of those who take the disclaimed interest because of the disclaimer, and not detrimental to the best interests of the beneficiary; and

(b) In the case of a guardian, no order has been issued under RCW 11.92.140 determining that the disclaimer is not in the best interests of the beneficiary.

Sec. 403. RCW 11.88.010 and 2008 c 6 s 802 are each amended to read as follows:

(1) The superior court of each county shall have power to appoint guardians for the persons and/or estates of incapacitated persons, and guardians for the estates of nonresidents of the state who have property in the county needing care and attention.

(a) For purposes of this chapter, a person may be deemed incapacitated as to person when the superior court determines the individual has a significant risk of personal harm based upon a demonstrated inability to adequately provide for nutrition, health, housing, or physical safety.

(b) For purposes of this chapter, a person may be deemed incapacitated as to the person's estate when the superior court determines the individual is at significant risk of financial harm based upon a demonstrated inability to adequately manage property or financial affairs.

(c) A determination of incapacity is a legal not a medical decision, based upon a demonstration of management insufficiencies over time in the area of person or estate. Age, eccentricity, poverty, or medical diagnosis alone shall not be sufficient to justify a finding of incapacity.

(d) A person may also be determined incapacitated if he or she is under the age of majority as defined in RCW 26.28.010.

(e) For purposes of giving informed consent for health care pursuant to RCW 7.70.050 and 7.70.065, an "incompetent" person is any person who is (i) incompetent by reason of mental illness, developmental disability, senility, habitual drunkenness, excessive use of drugs, or other mental incapacity, of either managing his or her property or caring for himself or herself, or both, or (ii) incapacitated as defined in (a), (b), or (d) of this subsection.

(f) For purposes of the terms "incompetent," "disabled," or "not legally competent," as those terms are used in the Revised Code of Washington to apply to persons incapacitated under this chapter, those terms shall be interpreted to mean "incapacitated" persons for purposes of this chapter.

(2) The superior court for each county shall have power to appoint limited guardians for the persons and estates, or either thereof, of incapacitated persons, who by reason of their incapacity have need for protection and assistance, but who are capable of managing some of their personal and financial affairs. After considering all evidence presented as a result of such investigation, the court shall impose, by order, only such specific limitations and restrictions on an incapacitated person to be placed under a limited guardianship as the court finds necessary for such person's protection and assistance. A person shall not be presumed to be incapacitated nor shall a person lose any legal rights or suffer any legal disabilities as the result of being placed under a limited guardianship, except as to those rights and disabilities specifically set forth in the court order establishing such a limited guardianship. In addition, the court order shall state the period of time for which it shall be applicable.

(3) Venue for petitions for guardianship or limited guardianship shall lie in the county wherein the alleged incapacitated person is domiciled, or if such person resides in a facility supported in whole or in part by local, state, or federal funding sources, in either the county where the facility is located, the county of domicile prior to residence in the supported facility, or the county where a parent or spouse or domestic partner of the alleged incapacitated person is domiciled.

If the alleged incapacitated person's residency has changed within one year of the filing of the petition, any interested person may move for a change of venue for any proceedings seeking the

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

appointment of a guardian or a limited guardian under this chapter to the county of the alleged incapacitated person's last place of residence of one year or more. The motion shall be granted when it appears to the court that such venue would be in the best interests of the alleged incapacitated person and would promote more complete consideration of all relevant matters.

(4) Under ((RCW 11.94.010)) section 108 of this act, a principal may nominate, by a durable power of attorney, the guardian or limited guardian of his or her estate or person for consideration by the court if guardianship proceedings for the principal's person or estate are thereafter commenced. The court shall make its appointment in accordance with the principal's most recent nomination in a durable power of attorney except for good cause or disqualification.

(5) Imposition of a guardianship for an incapacitated person shall not result in the loss of the right to vote unless the court determines that the person is incompetent for purposes of rationally exercising the franchise in that the individual lacks the capacity to understand the nature and effect of voting such that she or he cannot make an individual choice. The court order establishing guardianship shall specify whether or not the individual retains voting rights. When a court determines that the person is incompetent for the purpose of rationally exercising the right to vote, the court shall notify the appropriate county auditor.

Sec. 404. RCW 11.103.030 and 2013 c 272 s 24 are each amended to read as follows:

(1) Unless the terms of a trust expressly provide that the trust is revocable, the trustor may not revoke or amend the trust.

(2) If a revocable trust is created or funded by more than one trustor and unless the trust agreement provides otherwise:

(a) To the extent the trust consists of community property, the trust may be revoked by either spouse or either domestic partner acting alone but may be amended only by joint action of both spouses or both domestic partners;

(b) To the extent the trust consists of property other than community property, each trustor may revoke or amend the trust with regard to the portion of the trust property attributable to that trustor's contribution;

(c) The character of community property or separate property is unaffected by its transfer to and from a revocable trust; and

(d) Upon the revocation or amendment of the trust by fewer than all of the trustors, the trustee must promptly notify the other trustors of the revocation or amendment.

(3) The trustor may revoke or amend a revocable trust:

(a) By substantial compliance with a method provided in the terms of the trust; or

(b)(i) If the terms of the trust do not provide a method or the method provided in the terms is not expressly made exclusive, by:

(A) A later will or codicil that expressly refers to the trust or specifically devises property that would otherwise have passed according to the terms of the trust; or

(B) A written instrument signed by the trustor evidencing intent to revoke or amend.

(ii) The requirements of chapter 11.11 RCW do not apply to revocation or amendment of a revocable trust under (b)(i) of this subsection.

(4) Upon revocation of a revocable trust, the trustee must deliver the trust property as the trustor directs.

(5) A trustor's powers with respect to the revocation or amendment of a trust or distribution of the property of a trust(,) may be exercised by the trustor's agent under a power of attorney only to the extent specified in the power of attorney document, as provided in ((RCW 11.94.050(1))) section 201 of this act and to the extent consistent with or expressly authorized by the trust agreement.

(6) A guardian of the trustor may exercise a trustor's powers with respect to revocation, amendment, or distribution of trust property only with the approval of the court supervising the guardianship pursuant to RCW 11.92.140.

(7) A trustee who does not know that a trust has been revoked or amended is not liable to the trustor or trustor's successors in interest for distributions made and other actions taken on the assumption that the trust had not been amended or revoked.

(8) This section does not limit or affect operation of RCW 11.96A.220 through 11.96A.240.

Sec. 405. RCW 30A.22.170 and 1981 c 192 s 17 are each amended to read as follows:

Any funds on deposit in an account may be paid by a financial institution to or upon the order of any agent of any depositor. The contract of deposit or other document creating such agency may provide, in accordance with chapter ((11.94)) 11.-- RCW (the new chapter created in section 505 of this act), that any such agent's powers to receive payments and make withdrawals from an account continues in spite of, or arises by virtue of, the incompetency of a depositor, in which event the agent's powers to make payments and withdrawals from an account on behalf of a depositor is not affected by the incompetency of a depositor. Except as provided in this section, the authority of an agent to receive payments or make withdrawals from an account terminates with the death or incompetency of the agent's principal: PROVIDED, That a financial institution is not liable for any payment or withdrawal made to or by an agent for a deceased or incompetent depositor unless the financial institution making the payment or permitting the withdrawal had actual knowledge of the incompetency or death at the time payment was made.

Sec. 406. RCW 70.122.130 and 2013 c 251 s 12 are each amended to read as follows:

(1) The department of health shall establish and maintain a statewide health care declarations registry containing the health care declarations identified in subsection (2) of this section as submitted by residents of Washington. The department shall digitally reproduce and store health care declarations in the registry. The department may establish standards for individuals to submit digitally reproduced health care declarations directly to the registry, but is not required to review the health care declarations that it receives to ensure they comply with the particular statutory requirements applicable to the document. The department may contract with an organization that meets the standards identified in this section.

(2)(a) An individual may submit any of the following health care declarations to the department of health to be digitally reproduced and stored in the registry:

(i) A directive, as defined by this chapter;

(ii) A durable power of attorney for health care, as authorized in chapter ((11.94)) 11.-- RCW (the new chapter created in section 505 of this act);

(iii) A mental health advance directive, as defined by chapter 71.32 RCW; or

(iv) A form adopted pursuant to the department of health's authority in RCW 43.70.480.

(b) Failure to submit a health care declaration to the department of health does not affect the validity of the declaration.

(c) Failure to notify the department of health of a valid revocation of a health care declaration does not affect the validity of the revocation.

(d) The entry of a health care directive in the registry under this section does not:

(i) Affect the validity of the document;

(ii) Take the place of any requirements in law necessary to make the submitted document legal; or

(iii) Create a presumption regarding the validity of the document.

(3) The department of health shall prescribe a procedure for an individual to revoke a health care declaration contained in the registry.

(4) The registry must:

(a) Be maintained in a secure database that is accessible through a web site maintained by the department of health;

(b) Send annual electronic messages to individuals that have submitted health care declarations to request that they review the registry materials to ensure that it is current;

(c) Provide individuals who have submitted one or more health care declarations with access to their documents and the ability to revoke their documents at all times; and

(d) Provide the personal representatives of individuals who have submitted one or more health care declarations to the registry, attending physicians, advanced registered nurse practitioners, health care providers licensed by a disciplining authority identified in RCW 18.130.040 who is acting under the direction of a physician or an advanced registered nurse practitioner, and health care facilities, as defined in this chapter or in chapter 71.32 RCW, access to the registry at all times.

(5) In designing the registry and web site, the department of health shall ensure compliance with state and federal requirements related to patient confidentiality.

(6) The department shall provide information to health care providers and health care facilities on the registry web site regarding the different federal and Washington state requirements to ascertain and document whether a patient has an advance directive.

(7) The department of health may accept donations, grants, gifts, or other forms of voluntary contributions to support activities related to the creation and maintenance of the health care declarations registry and statewide public education campaigns related to the existence of the registry. All receipts from donations made under this section, and other contributions and appropriations specifically made for the purposes of creating and maintaining the registry established under this section and statewide public education campaigns related to the existence of the registry, shall be deposited into the general fund. These moneys in the general fund may be spent only after appropriation.

(8) The department of health may adopt rules as necessary to implement chapter 108, Laws of 2006.

(9) By December 1, 2008, the department shall report to the house and senate committees on health care the following information:

(a) Number of participants in the registry;

(b) Number of health care declarations submitted by type of declaration as defined in this section;

(c) Number of health care declarations revoked and the method of revocation;

(d) Number of providers and facilities, by type, that have been provided access to the registry;

(e) Actual costs of operation of the registry.

Sec. 407. RCW 71.32.020 and 2011 c 89 s 15 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adult" means any individual who has attained the age of majority or is an emancipated minor.

(2) "Agent" has the same meaning as an attorney-in-fact or agent as provided in chapter ((11.94)) 11.-- RCW (the new chapter created in section 505 of this act).

(3) "Capacity" means that an adult has not been found to be incapacitated pursuant to this chapter or RCW 11.88.010(1)(e).

(4) "Court" means a superior court under chapter 2.08 RCW.

(5) "Health care facility" means a hospital, as defined in RCW 70.41.020; an institution, as defined in RCW 71.12.455; a state hospital, as defined in RCW 72.23.010; a nursing home, as defined in RCW 18.51.010; or a clinic that is part of a community mental health service delivery system, as defined in RCW 71.24.025.

(6) "Health care provider" means an osteopathic physician or osteopathic physician's assistant licensed under chapter 18.57 or 18.57A RCW, a physician or physician's assistant licensed under chapter 18.71 or 18.71A RCW, or an advanced registered nurse practitioner licensed under RCW 18.79.050.

(7) "Incapacitated" means an adult who: (a) Is unable to understand the nature, character, and anticipated results of proposed treatment or alternatives; understand the recognized serious possible risks, complications, and anticipated benefits in treatments and alternatives, including nontreatment; or communicate his or her understanding or treatment decisions; or (b) has been found to be incompetent pursuant to RCW 11.88.010(1)(e).

(8) "Informed consent" means consent that is given after the person: (a) Is provided with a description of the nature, character, and anticipated results of proposed treatments and alternatives, and the recognized serious possible risks, complications, and anticipated benefits in the treatments and alternatives, including nontreatment, in language that the person can reasonably be expected to understand; or (b) elects not to be given the information included in (a) of this subsection.

(9) "Long-term care facility" has the same meaning as defined in RCW 43.190.020.

(10) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on an individual's cognitive or volitional functions.

(11) "Mental health advance directive" or "directive" means a written document in which the principal makes a declaration of instructions or preferences or appoints an agent to make decisions on behalf of the principal regarding the principal's mental health treatment, or both, and that is consistent with the provisions of this chapter.

(12) "Mental health professional" means a psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of chapter 71.05 RCW.

(13) "Principal" means an adult who has executed a mental health advance directive.

(14) "Professional person" means a mental health professional and shall also mean a physician, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of chapter 71.05 RCW.

(15) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

Sec. 408. RCW 71.32.050 and 2003 c 283 s 5 are each amended to read as follows:

(1) An adult with capacity may execute a mental health advance directive.

(2) A directive executed in accordance with this chapter is presumed to be valid. The inability to honor one or more provisions of a directive does not affect the validity of the remaining provisions.

(3) A directive may include any provision relating to mental health treatment or the care of the principal or the principal's personal affairs. Without limitation, a directive may include:

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(a) The principal's preferences and instructions for mental health treatment;

(b) Consent to specific types of mental health treatment;

(c) Refusal to consent to specific types of mental health treatment;

(d) Consent to admission to and retention in a facility for mental health treatment for up to fourteen days;

(e) Descriptions of situations that may cause the principal to experience a mental health crisis;

(f) Suggested alternative responses that may supplement or be in lieu of direct mental health treatment, such as treatment approaches from other providers;

(g) Appointment of an agent pursuant to chapter ((11.94)) 11.-- RCW (the new chapter created in section 505 of this act) to make mental health treatment decisions on the principal's behalf, including authorizing the agent to provide consent on the principal's behalf to voluntary admission to inpatient mental health treatment; and

(h) The principal's nomination of a guardian or limited guardian as provided in ((RCW 11.94.010)) section 108 of this act for consideration by the court if guardianship proceedings are commenced.

(4) A directive may be combined with or be independent of a nomination of a guardian or other durable power of attorney under chapter ((11.94)) 11.-- RCW (the new chapter created in section 505 of this act), so long as the processes for each are executed in accordance with its own statutes.

Sec. 409. RCW 71.32.060 and 2003 c 283 s 6 are each amended to read as follows:

(1) A directive shall:

(a) Be in writing;

(b) Contain language that clearly indicates that the principal intends to create a directive;

(c) Be dated and signed by the principal or at the principal's direction in the principal's presence if the principal is unable to sign;

(d) Designate whether the principal wishes to be able to revoke the directive during any period of incapacity or wishes to be unable to revoke the directive during any period of incapacity; and

(e) Be witnessed in writing by at least two adults, each of whom shall declare that he or she personally knows the principal, was present when the principal dated and signed the directive, and that the principal did not appear to be incapacitated or acting under fraud, undue influence, or duress.

(2) A directive that includes the appointment of an agent pursuant to a power of attorney under chapter ((11.94)) 11.-- RCW (the new chapter created in section 505 of this act) shall contain the words "This power of attorney shall not be affected by the incapacity of the principal," or "This power of attorney shall become effective upon the incapacity of the principal," or similar words showing the principal's intent that the authority conferred shall be exercisable notwithstanding the principal's incapacity.

(3) A directive is valid upon execution, but all or part of the directive may take effect at a later time as designated by the principal in the directive.

(4) A directive may:

(a) Be revoked, in whole or in part, pursuant to the provisions of RCW 71.32.080; or

(b) Expire under its own terms.

Sec. 410. RCW 71.32.100 and 2003 c 283 s 10 are each amended to read as follows:

(1) If a directive authorizes the appointment of an agent, the provisions of chapter ((11.94)) 11.-- RCW (the new chapter

created in section 505 of this act) and RCW 7.70.065 shall apply unless otherwise stated in this chapter.

(2) The principal who appoints an agent must notify the agent in writing of the appointment.

(3) An agent must act in good faith.

(4) An agent may make decisions on behalf of the principal. Unless the principal has revoked the directive, the decisions must be consistent with the instructions and preferences the principal has expressed in the directive, or if not expressed, as otherwise known to the agent. If the principal's instructions or preferences are not known, the agent shall make a decision he or she determines is in the best interest of the principal.

(5) Except to the extent the right is limited by the appointment or any federal or state law, the agent has the same right as the principal to receive, review, and authorize the use and disclosure of the principal's health care information when the agent is acting on behalf of the principal and to the extent required for the agent to carry out his or her duties. This subsection shall be construed to be consistent with chapters 70.02, 70.24, 70.96A, 71.05, and 71.34 RCW, and with federal law regarding health care information.

(6) Unless otherwise provided in the appointment and agreed to in writing by the agent, the agent is not, as a result of acting in the capacity of agent, personally liable for the cost of treatment provided to the principal.

(7) An agent may resign or withdraw at any time by giving written notice to the principal. The agent must also give written notice to any health care provider, professional person, or health care facility providing treatment to the principal. The resignation or withdrawal is effective upon receipt unless otherwise specified in the resignation or withdrawal.

(8) If the directive gives the agent authority to act while the principal has capacity, the decisions of the principal supersede those of the agent at any time the principal has capacity.

(9) Unless otherwise provided in the durable power of attorney, the principal may revoke the agent's appointment as provided under other state law.

Sec. 411. RCW 71.32.180 and 2003 c 283 s 18 are each amended to read as follows:

(1) Where an incapacitated principal has executed more than one valid directive and has not revoked any of the directives:

(a) The directive most recently created shall be treated as the principal's mental health treatment preferences and instructions as to any inconsistent or conflicting provisions, unless provided otherwise in either document.

(b) Where a directive executed under this chapter is inconsistent with a directive executed under any other chapter, the most recently created directive controls as to the inconsistent provisions.

(2) Where an incapacitated principal has appointed more than one agent under chapter ((11.94)) 11.-- RCW (the new chapter created in section 505 of this act) with authority to make mental health treatment decisions, ((RCW 11.94.010)) section 217 of this act controls.

(3) The treatment provider shall inquire of a principal whether the principal is subject to any court orders that would affect the implementation of his or her directive.

Sec. 412. RCW 71.32.200 and 2003 c 283 s 20 are each amended to read as follows:

Any person with reasonable cause to believe that a directive has been created or revoked under circumstances amounting to fraud, duress, or undue influence may petition the court for appointment of a guardian for the person or to review the actions of the agent or person alleged to be involved in improper conduct

under ((RCW 11.94.090)) section 116 of this act or RCW 74.34.110.

Sec. 413. RCW 71.32.260 and 2009 c 217 s 14 are each amended to read as follows:

The directive shall be in substantially the following form:

Mental Health Advance Directive
NOTICE TO PERSONS
CREATING A MENTAL HEALTH ADVANCE
DIRECTIVE

This is an important legal document. It creates an advance directive for mental health treatment. Before signing this document you should know these important facts:

(1) This document is called an advance directive and allows you to make decisions in advance about your mental health treatment, including medications, short-term admission to inpatient treatment and electroconvulsive therapy.

YOU DO NOT HAVE TO FILL OUT OR SIGN THIS FORM.

IF YOU DO NOT SIGN THIS FORM, IT WILL NOT TAKE EFFECT.

If you choose to complete and sign this document, you may still decide to leave some items blank.

(2) You have the right to appoint a person as your agent to make treatment decisions for you. You must notify your agent that you have appointed him or her as an agent. The person you appoint has a duty to act consistently with your wishes made known by you. If your agent does not know what your wishes are, he or she has a duty to act in your best interest. Your agent has the right to withdraw from the appointment at any time.

(3) The instructions you include with this advance directive and the authority you give your agent to act will only become effective under the conditions you select in this document. You may choose to limit this directive and your agent's authority to times when you are incapacitated or to times when you are exhibiting symptoms or behavior that you specify. You may also make this directive effective immediately. No matter when you choose to make this directive effective, your treatment providers must still seek your informed consent at all times that you have capacity to give informed consent.

(4) You have the right to revoke this document in writing at any time you have capacity.

YOU MAY NOT REVOKE THIS DIRECTIVE WHEN YOU HAVE BEEN FOUND TO BE INCAPACITATED UNLESS YOU HAVE SPECIFICALLY STATED IN THIS DIRECTIVE THAT YOU WANT IT TO BE REVOCABLE WHEN YOU ARE INCAPACITATED.

(5) This directive will stay in effect until you revoke it unless you specify an expiration date. If you specify an expiration date and you are incapacitated at the time it expires, it will remain in effect until you have capacity to make treatment decisions again unless you chose to be able to revoke it while you are incapacitated and you revoke the directive.

(6) You cannot use your advance directive to consent to civil commitment. The procedures that apply to your advance directive are different than those provided for in the Involuntary Treatment Act. Involuntary treatment is a different process.

(7) If there is anything in this directive that you do not understand, you should ask a lawyer to explain it to you.

(8) You should be aware that there are some circumstances where your provider may not have to follow your directive.

(9) You should discuss any treatment decisions in your directive with your provider.

(10) You may ask the court to rule on the validity of your directive.

PART I.
STATEMENT OF INTENT TO CREATE A
MENTAL HEALTH ADVANCE DIRECTIVE

I, being a person with capacity, willfully and voluntarily execute this mental health advance directive so that my choices regarding my mental health care will be carried out in circumstances when I am unable to express my instructions and preferences regarding my mental health care. If a guardian is appointed by a court to make mental health decisions for me, I intend this document to take precedence over all other means of ascertaining my intent.

The fact that I may have left blanks in this directive does not affect its validity in any way. I intend that all completed sections be followed. If I have not expressed a choice, my agent should make the decision that he or she determines is in my best interest. I intend this directive to take precedence over any other directives I have previously executed, to the extent that they are inconsistent with this document, or unless I expressly state otherwise in either document.

I understand that I may revoke this directive in whole or in part if I am a person with capacity. I understand that I cannot revoke this directive if a court, two health care providers, or one mental health professional and one health care provider find that I am an incapacitated person, unless, when I executed this directive, I chose to be able to revoke this directive while incapacitated.

I understand that, except as otherwise provided in law, revocation must be in writing. I understand that nothing in this directive, or in my refusal of treatment to which I consent in this directive, authorizes any health care provider, professional person, health care facility, or agent appointed in this directive to use or threaten to use abuse, neglect, financial exploitation, or abandonment to carry out my directive.

I understand that there are some circumstances where my provider may not have to follow my directive.

PART II.
WHEN THIS DIRECTIVE IS EFFECTIVE
YOU MUST COMPLETE THIS PART FOR YOUR
DIRECTIVE TO BE VALID.

I intend that this directive become effective (YOU MUST CHOOSE ONLY ONE):

. Immediately upon my signing of this directive.

. If I become incapacitated.

. When the following circumstances, symptoms, or behaviors occur:

PART III.
DURATION OF THIS DIRECTIVE
YOU MUST COMPLETE THIS PART FOR YOUR
DIRECTIVE TO BE VALID.

I want this directive to (YOU MUST CHOOSE ONLY ONE):

. Remain valid and in effect for an indefinite period of time.

. Automatically expire years from the date it was created.

PART IV.
WHEN I MAY REVOKE THIS DIRECTIVE
YOU MUST COMPLETE THIS PART FOR THIS
DIRECTIVE TO BE VALID.

I intend that I be able to revoke this directive (YOU MUST CHOOSE ONLY ONE):

. Only when I have capacity.

I understand that choosing this option means I may only revoke this directive if I have capacity. I further understand that if I choose this option and become incapacitated while this directive is in effect, I may receive treatment that I specify in this directive, even if I object at the time.

..... Even if I am incapacitated.

I understand that choosing this option means that I may revoke this directive even if I am incapacitated. I further understand that if I choose this option and revoke this directive while I am incapacitated I may not receive treatment that I specify in this directive, even if I want the treatment.

PART V.

PREFERENCES AND INSTRUCTIONS ABOUT TREATMENT, FACILITIES, AND PHYSICIANS OR PSYCHIATRIC ADVANCED REGISTERED NURSE PRACTITIONERS

A. Preferences and Instructions About Physician(s) or Psychiatric Advanced Registered Nurse Practitioner(s) to be Involved in My Treatment

I would like the physician(s) or psychiatric advanced registered nurse practitioner(s) named below to be involved in my treatment decisions:

Dr. or PARNP Contact information:

Dr. or PARNP Contact information:

I do not wish to be treated by Dr. or PARNP

B. Preferences and Instructions About Other Providers

I am receiving other treatment or care from providers who I feel have an impact on my mental health care. I would like the following treatment provider(s) to be contacted when this directive is effective:

Name Profession Contact information

Name Profession Contact information

C. Preferences and Instructions About Medications for Psychiatric Treatment (initial and complete all that apply)

..... I consent, and authorize my agent (if appointed) to consent, to the following medications:

..... I do not consent, and I do not authorize my agent (if appointed) to consent, to the administration of the following medications:

..... I am willing to take the medications excluded above if my only reason for excluding them is the side effects which include

and these side effects can be eliminated by dosage adjustment or other means

..... I am willing to try any other medication the hospital doctor or psychiatric advanced registered nurse practitioner recommends

..... I am willing to try any other medications my outpatient doctor or psychiatric advanced registered nurse practitioner recommends

..... I do not want to try any other medications.

Medication Allergies

I have allergies to, or severe side effects from, the following:

Other Medication Preferences or Instructions

..... I have the following other preferences or instructions about medications

D. Preferences and Instructions About Hospitalization and Alternatives

(initial all that apply and, if desired, rank "1" for first choice, "2" for second choice, and so on)

..... In the event my psychiatric condition is serious enough to require 24-hour care and I have no physical conditions that require immediate access to emergency medical care, I prefer to receive this care in programs/facilities designed as alternatives to psychiatric hospitalizations.

..... I would also like the interventions below to be tried before hospitalization is considered:

..... Calling someone or having someone call me when needed.

Name: Telephone:

..... Staying overnight with someone

Name: Telephone:

..... Having a mental health service provider come to see me

..... Going to a crisis triage center or emergency room

..... Staying overnight at a crisis respite (temporary) bed

..... Seeing a service provider for help with psychiatric medications

..... Other, specify:

Authority to Consent to Inpatient Treatment

I consent, and authorize my agent (if appointed) to consent, to voluntary admission to inpatient mental health treatment for days (not to exceed 14 days)

(Sign one):

..... If deemed appropriate by my agent (if appointed) and treating physician or psychiatric advanced registered nurse practitioner

(Signature)

Or

..... Under the following circumstances (specify symptoms, behaviors, or circumstances that indicate the need for hospitalization)

(Signature)

..... I do not consent, or authorize my agent (if appointed) to consent, to inpatient treatment

(Signature)

Hospital Preferences and Instructions

If hospitalization is required, I prefer the following hospitals:

I do not consent to be admitted to the following hospitals:

E. Preferences and Instructions About Preemergency of seclusion or restraint is considered

(initial all that apply):

..... "Talk me down" one-on-one

..... More medication

..... Time out/privacy

..... Show of authority/force

..... Shift my attention to something else

..... Set firm limits on my behavior

..... Help me to discuss/vent feelings

..... Decrease stimulation

..... Offer to have neutral person settle dispute

..... Other, specify

F. Preferences and Instructions About Seclusion, Restraint, and Emergency Medications

If it is determined that I am engaging in behavior that requires seclusion, physical restraint, and/or emergency use of medication, I prefer these interventions in the order I have chosen (choose "1" for first choice, "2" for second choice, and so on):

- Seclusion
- Seclusion and physical restraint (combined)
- Medication by injection
- Medication in pill or liquid form

In the event that my attending physician or psychiatric advanced registered nurse practitioner decides to use medication in response to an emergency situation after due consideration of my preferences and instructions for emergency treatments stated above, I expect the choice of medication to reflect any preferences and instructions I have expressed in Part III C of this form. The preferences and instructions I express in this section regarding medication in emergency situations do not constitute consent to use of the medication for nonemergency treatment.

G. Preferences and Instructions About Electroconvulsive Therapy (ECT or Shock Therapy)

My wishes regarding electroconvulsive therapy are (sign one):

..... I do not consent, nor authorize my agent (if appointed) to consent, to the administration of electroconvulsive therapy

(Signature)

..... I consent, and authorize my agent (if appointed) to consent, to the administration of electroconvulsive therapy

(Signature)

..... I consent, and authorize my agent (if appointed) to consent, to the administration of electroconvulsive therapy, but only under the following conditions:

(Signature)

H. Preferences and Instructions About Who is Permitted to Visit

If I have been admitted to a mental health treatment facility, the following people are not permitted to visit me there:

- Name:
- Name:
- Name:

I understand that persons not listed above may be permitted to visit me.

I. Additional Instructions About My Mental Health Care

Other instructions about my mental health care:

In case of emergency, please contact:

- Name: Address:
- Work telephone: Home telephone:
- Physician or Psychiatric Address:
- Advanced Registered
- Nurse Practitioner:
- Telephone:

The following may help me to avoid a hospitalization:

I generally react to being hospitalized as follows:

Staff of the hospital or crisis unit can help me by doing the following:

J. Refusal of Treatment
I do not consent to any mental health treatment.

(Signature)

PART VI.
DURABLE POWER OF ATTORNEY (APPOINTMENT OF MY AGENT)

(Fill out this part only if you wish to appoint an agent or nominate a guardian.)

I authorize an agent to make mental health treatment decisions on my behalf. The authority granted to my agent includes the right to consent, refuse consent, or withdraw consent to any mental health care, treatment, service, or procedure, consistent with any instructions and/or limitations I have set forth in this directive. I intend that those decisions should be made in accordance with my expressed wishes as set forth in this document. If I have not expressed a choice in this document and my agent does not otherwise know my wishes, I authorize my agent to make the decision that my agent determines is in my best interest. This agency shall not be affected by my incapacity. Unless I state otherwise in this durable power of attorney, I may revoke it unless prohibited by other state law.

A. Designation of an Agent

I appoint the following person as my agent to make mental health treatment decisions for me as authorized in this document and request that this person be notified immediately when this directive becomes effective:

- Name: Address:
- Work telephone: Home telephone:
- Relationship:

B. Designation of Alternate Agent

If the person named above is unavailable, unable, or refuses to serve as my agent, or I revoke that person's authority to serve as my agent, I hereby appoint the following person as my alternate agent and request that this person be notified immediately when this directive becomes effective or when my original agent is no longer my agent:

- Name: Address:
- Work telephone: Home telephone:
- Relationship:

C. When My Spouse is My Agent (initial if desired)

..... If my spouse is my agent, that person shall remain my agent even if we become legally separated or our marriage is dissolved, unless there is a court order to the contrary or I have remarried.

D. Limitations on My Agent's Authority

I do not grant my agent the authority to consent on my behalf to the following:

E. Limitations on My Ability to Revoke this Durable Power of Attorney

I choose to limit my ability to revoke this durable power of attorney as follows:

F. Preference as to Court-Appointed Guardian

In the event a court appoints a guardian who will make decisions regarding my mental health treatment, I nominate the following person as my guardian:

- Name: Address:
- Work telephone: Home telephone:
- Relationship:

The appointment of a guardian of my estate or my person or any other decision maker shall not give the guardian or decision maker the power to revoke, suspend, or terminate this

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

directive or the powers of my agent, except as authorized by law.

(Signature required)

PART VII.

OTHER DOCUMENTS

(Initial all that apply)

I have executed the following documents that include the power to make decisions regarding health care services for myself:

- Health care power of attorney (chapter ((11.94)) 11.— RCW (the new chapter created in section 505 of this act))
- "Living will" (Health care directive; chapter 70.122 RCW)

. I have appointed more than one agent. I understand that the most recently appointed agent controls except as stated below:

PART VIII.

NOTIFICATION OF OTHERS AND CARE OF PERSONAL AFFAIRS

(Fill out this part only if you wish to provide nontreatment instructions.)

I understand the preferences and instructions in this part are NOT the responsibility of my treatment provider and that no treatment provider is required to act on them.

A. Who Should Be Notified

I desire my agent to notify the following individuals as soon as possible when this directive becomes effective:

Name:	Address:	
Day telephone:	Evening	telephone:

Name:	Address:	
Day telephone:	Evening	telephone:

B. Preferences or Instructions About Personal Affairs

I have the following preferences or instructions about my personal affairs (e.g., care of dependents, pets, household) if I am admitted to a mental health treatment facility:

C. Additional Preferences and Instructions:

PART IX. SIGNATURE

By signing here, I indicate that I understand the purpose and effect of this document and that I am giving my informed consent to the treatments and/or admission to which I have consented or authorized my agent to consent in this directive. I intend that my consent in this directive be construed as being consistent with the elements of informed consent under chapter 7.70 RCW.

Signature: _____ Date: _____
Printed Name: _____

This directive was signed and declared by the "Principal," to be his or her directive, in our presence who, at his or her request, have signed our names below as witnesses. We declare that, at the time of the creation of this instrument, the Principal is personally known to us, and, according to our best knowledge and belief, has capacity at this time and does not appear to be acting under duress, undue influence, or fraud. We further declare that none of us is:

(A) A person designated to make medical decisions on the principal's behalf;

(B) A health care provider or professional person directly involved with the provision of care to the principal at the time the directive is executed;

(C) An owner, operator, employee, or relative of an owner or operator of a health care facility or long-term care facility in which the principal is a patient or resident;

(D) A person who is related by blood, marriage, or adoption to the person, or with whom the principal has a dating relationship as defined in RCW 26.50.010;

(E) An incapacitated person;

(F) A person who would benefit financially if the principal undergoes mental health treatment; or

(G) A minor.

Witness 1: Signature: _____ Date: _____

Printed Name: _____
Telephone: _____ Address: _____
Witness 2: Signature: _____ Date: _____

Printed Name: _____
Telephone: _____ Address: _____

PART X.

RECORD OF DIRECTIVE

I have given a copy of this directive to the following persons:

DO NOT FILL OUT PART XI UNLESS YOU INTEND TO REVOKE

THIS DIRECTIVE IN PART OR IN WHOLE

PART XI.

REVOCAION OF THIS DIRECTIVE

(Initial any that apply):

. I am revoking the following part(s) of this directive (specify):

. I am revoking all of this directive.

By signing here, I indicate that I understand the purpose and effect of my revocation and that no person is bound by any revoked provision(s). I intend this revocation to be interpreted as if I had never completed the revoked provision(s).

Signature: _____ Date: _____
Printed Name: _____

DO NOT SIGN THIS PART UNLESS YOU INTEND TO REVOKE THIS DIRECTIVE IN PART OR IN WHOLE

PART V

NEW SECTION. **Sec. 501.** In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among the states that enact it.

NEW SECTION. **Sec. 502.** This act modifies, limits, and supersedes the federal electronic signatures in global and national commerce act, 15 U.S.C. Sec. 7001 et seq., but does not modify, limit, or supersede section 101(c) of that act, 15 U.S.C. Sec. 7001(c), or authorize electronic delivery of any of the notices described in section 103(b) of that act, 15 U.S.C. Sec. 7003(b).

NEW SECTION. **Sec. 503.** Except as otherwise provided in this act, on the effective date of this section:

(1) This act applies to a power of attorney created before, on, or after the effective date of this section;

(2) This act applies to a judicial proceeding concerning a power of attorney commenced on or after the effective date of this section;

(3) This act applies to a judicial proceeding concerning a power of attorney commenced before the effective date of this section unless the court finds that application of a provision of this act would substantially interfere with the effective conduct of the judicial proceeding or prejudice the rights of a party, in which case that provision does not apply and the superseded law applies; and

(4) An act done before the effective date of this section is not affected by this act.

NEW SECTION. Sec. 504. The following acts or parts of acts are each repealed:

(1)RCW 11.94.010 (Designation—Authority—Effect of acts done—Appointment of guardian, effect—Accounting—Reliance on instrument) and 2007 c 156 s 31, 2005 c 97 s 12, 2003 c 283 s 27, 1995 c 297 s 9, 1989 c 211 s 1, & 1985 c 30 s 25;

(2)RCW 11.94.020 (Effect of death, disability, or incompetence of principal—Acts without knowledge) and 1985 c 30 s 26;

(3)RCW 11.94.030 (Banking transactions) and 1985 c 30 s 27;

(4)RCW 11.94.040 (Liability for reliance on power of attorney document) and 2001 c 203 s 2 & 1985 c 30 s 28;

(5)RCW 11.94.043 (Durable power of attorney—Revocation or termination) and 1989 c 211 s 2;

(6)RCW 11.94.046 (Durable power of attorney—Validity) and 1989 c 211 s 3;

(7)RCW 11.94.050 (Attorney or agent granted principal's powers—Powers to be specifically provided for—Transfer of resources by principal's attorney or agent) and 2014 c 58 s 23, 2011 c 327 s 4, 2001 c 203 s 12, 1989 c 87 s 1, & 1985 c 30 s 29;

(8)RCW 11.94.060 (Conveyance or encumbrance of homestead) and 1985 c 30 s 30;

(9)RCW 11.94.070 (Limitations on powers to benefit attorneys-in-fact) and 1994 c 221 s 67;

(10)RCW 11.94.080 (Termination of marriage or state registered domestic partnership) and 2007 c 156 s 14 & 2001 c 203 s 1;

(11)RCW 11.94.090 (Court petition) and 2008 c 6 s 808 & 2001 c 203 s 3;

(12)RCW 11.94.100 (Persons allowed to file court petition) and 2008 c 6 s 809 & 2001 c 203 s 4;

(13)RCW 11.94.110 (Ruling on court petition) and 2001 c 203 s 5;

(14)RCW 11.94.120 (Award of costs on court petition) and 2001 c 203 s 6;

(15)RCW 11.94.130 (Applicability of dispute resolution provisions to court petition) and 2001 c 203 s 7;

(16)RCW 11.94.140 (Notice of hearing on court petition) and 2008 c 6 s 810 & 2001 c 203 s 8;

(17)RCW 11.94.150 (Mental health treatment decisions—Compensation of agent prohibited—Reimbursement of expenses allowed) and 2003 c 283 s 28;

(18)RCW 11.94.900 (Application of 1984 c 149 §§ 26-31 as of January 1, 1985) and 1985 c 30 s 140; and

(19)RCW 11.94.901 (Construction—Chapter applicable to state registered domestic partnerships—2009 c 521) and 2009 c 521 s 37.

NEW SECTION. Sec. 505. Sections 101 through 301 and 501 through 503 of this act constitute a new chapter in Title 11 RCW.

NEW SECTION. Sec. 506. This act takes effect January 1, 2017."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5635.

Senators Padden and Pedersen spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Padden that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5635.

The motion by Senator Padden carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5635 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5635, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5635, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Baumgartner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5635, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 2, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5728 with the following amendment(s): 5728-S AMH HCW H4542.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that the scientific community's understanding of the human immunodeficiency virus has changed significantly since the virus was first identified. With that change has come increased awareness of the value of incorporating HIV testing into routine health screenings. The legislature finds that the United States preventive services task force recommends that clinicians screen for HIV infection in adolescents and adults age fifteen to sixty-five years and for all pregnant women. The legislature also finds that since 2006, the United States centers for disease control has recommended one-time screening of adolescent and adult patients to identify persons who are already HIV-positive, making HIV screening a regular part of the medical care provided by a primary care provider and on the same voluntary basis as other diagnostic and screening tests. In that same recommendation, the centers for disease control formally adopted its current recommendations for an opt-out model of HIV screening for all individuals ages thirteen to sixty-four and for all pregnant women. The legislature

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

finds further that it is appropriate to update the state's HIV screening policy by adopting these recommendations.

NEW SECTION. Sec. 2. A new section is added to chapter 70.24 RCW to read as follows:

(1) Clinicians shall screen for HIV infection consistent with the United States preventive services task force recommendations for all patients age fifteen through sixty-five years and for all pregnant women. Screening is voluntary and may be undertaken only after the patient or the patient's authorized representative has been told that HIV screening is planned and that HIV screening will be performed unless the patient declines.

(2) If a health care provider notifies a patient that an HIV screening will be performed unless the patient declines, and the patient or patient's authorized representative declines the HIV screening, the health care provider may not use the fact that the person declined an HIV screening as a basis for denying services or treatment, other than an HIV screening, to the person."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Becker moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5728.

Senators Becker and Darneille spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5728.

The motion by Senator Becker carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5728 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5728, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5728, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Angel and Dansel

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 5728, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6120 with the following amendment(s): 6120-S AMH TR H4522.2

On page 3, line 22, after "hour" insert "and is not used on waters subject to the jurisdiction of the United States or on the high seas beyond the territorial seas for vessels owned in the United States"

On page 5, line 22, after "hour" insert "and is not used on waters subject to the jurisdiction of the United States or on the high seas beyond the territorial seas for vessels owned in the United States"

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator King moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6120.

Senators King and Mullet spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator King that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6120.

The motion by Senator King carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6120 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6120, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6120, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Hargrove and Ranker

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 6120, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Ranker: "Thank you, Mr. President. I want to explain my no vote on that last bill. So this for me is an example, a perfectly good example, of how the other chamber can take a perfectly good bill and dramatically over think it. The change that the House did, said that these things could not go outside of Washington State's territorial waters. So under federal and state law, our territorial waters go to fifty miles off shore. So basically what they're saying is these small, sixteen-foot vessels of which they've said can only go ten miles, cannot go fifty miles off shore. I don't know about you, but I don't know anybody that wants to take a sixteen-foot boat fifty miles off shore. I think the change from the House was unnecessary and unwise."

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6179 with the following amendment(s): 6179-S AMH ENGR H4580.E

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 90.42.130 and 2014 c 76 s 9 are each amended to read as follows:

((1)) The department shall seek input from agricultural organizations, federal agencies, tribal governments, local governments, watershed groups, conservation groups, and developers on water banking, including water banking procedures and identification of areas in Washington ((state)) where water banking could assist in providing water supplies for instream and out-of-stream uses.

((2) The department shall maintain information on its web site regarding water banking, including information on water banks and related programs in various areas of the state.))

NEW SECTION. **Sec. 2.** A new section is added to chapter 90.42 RCW to read as follows:

(1)(a) The department must maintain information on its web site regarding water banking, including information on water banks and related programs in various areas of the state.

(b) The information maintained on the department's web site under this subsection must include a schedule or table for each water bank that shows:

(i) The amount charged for mitigation, including any fees;

(ii) If applicable, the priority date of the water rights made available for mitigation;

(iii) The amount of water made available for mitigation;

(iv) If applicable, any geographic areas in the state where the department may issue permits or other approvals to use the water rights associated with the water bank as mitigation;

(v) The processes utilized by the water bank to obtain approval from the department, or any other applicable governmental agency, to use the water rights as mitigation for new water uses; and

(vi) The nature of the ownership interest of the water right available to be conveyed to the landowner and whether the ownership interest will be recorded on the title.

(2) The department must update the schedule or table required under this section on a quarterly basis, using information provided to the department by the operator of each water bank. Any person operating a water bank in Washington must provide the information required under this section to the department upon request."

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Honeyford moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6179.

Senator Honeyford spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Honeyford that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6179.

The motion by Senator Honeyford carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6179 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6179, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6179, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Padden

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 6179, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6445 with the following amendment(s): 6445-S AMH HCW H4593.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 71.05.020 and 2015 c 269 s 14 and 2015 c 250 s 2 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) "Admission" or "admit" means a decision by a physician, physician assistant, or psychiatric advanced registered nurse practitioner that a person should be examined or treated as a patient in a hospital;

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes, but is not limited to atypical antipsychotic medications;

(3) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(4) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting;

(5) "Conditional release" means a revocable modification of a commitment, which may be revoked upon violation of any of its terms;

(6) "Crisis stabilization unit" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, such as an evaluation and treatment facility or a hospital, which has been designed to assess, diagnose, and treat individuals experiencing an acute crisis without the use of long-term hospitalization;

(7) "Custody" means involuntary detention under the provisions of this chapter or chapter 10.77 RCW, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment;

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(8) "Department" means the department of social and health services;

(9) "Designated chemical dependency specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in chapters 70.96A and 70.96B RCW;

(10) "Designated crisis responder" means a mental health professional appointed by the county or the behavioral health organization to perform the duties specified in this chapter;

(11) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter;

(12) "Detention" or "detain" means the lawful confinement of a person, under the provisions of this chapter;

(13) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric advanced registered nurse practitioner, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(14) "Developmental disability" means that condition defined in RCW 71A.10.020(5);

(15) "Discharge" means the termination of hospital medical authority. The commitment may remain in place, be terminated, or be amended by court order;

(16) "Evaluation and treatment facility" means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and which is certified as such by the department. The department may certify single beds as temporary evaluation and treatment beds under RCW 71.05.745. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility which is part of, or operated by, the department or any federal agency will not require certification. No correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(17) "Gravely disabled" means a condition in which a person, as a result of a mental disorder: (a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(18) "Habilitative services" means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the person being assisted as manifested by prior charged criminal conduct;

(19) "History of one or more violent acts" refers to the period of time ten years prior to the filing of a petition under this chapter, excluding any time spent, but not any violent acts committed, in a mental health facility or in confinement as a result of a criminal conviction;

(20) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote;

(21) "In need of assisted outpatient mental health treatment" means that a person, as a result of a mental disorder: (a) Has been committed by a court to detention for involuntary mental health treatment at least twice during the preceding thirty-six months, or, if the person is currently committed for involuntary mental health treatment, the person has been committed to detention for involuntary mental health treatment at least once during the thirty-six months preceding the date of initial detention of the current commitment cycle; (b) is unlikely to voluntarily participate in outpatient treatment without an order for less restrictive alternative treatment, in view of the person's treatment history or current behavior; (c) is unlikely to survive safely in the community without supervision; (d) is likely to benefit from less restrictive alternative treatment; and (e) requires less restrictive alternative treatment to prevent a relapse, decompensation, or deterioration that is likely to result in the person presenting a likelihood of serious harm or the person becoming gravely disabled within a reasonably short period of time. For purposes of (a) of this subsection, time spent in a mental health facility or in confinement as a result of a criminal conviction is excluded from the thirty-six month calculation;

(22) "Individualized service plan" means a plan prepared by a developmental disabilities professional with other professionals as a team, for a person with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge or release, and a projected possible date for discharge or release; and

(g) The type of residence immediately anticipated for the person and possible future types of residences;

(23) "Information related to mental health services" means all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services by a mental health service provider. This may include documents of legal proceedings under this chapter or chapter 71.34 or 10.77 RCW, or somatic health care information;

(24) "Judicial commitment" means a commitment by a court pursuant to the provisions of this chapter;

(25) "Legal counsel" means attorneys and staff employed by county prosecutor offices or the state attorney general acting in their capacity as legal representatives of public mental health service providers under RCW 71.05.130;

(26) "Less restrictive alternative treatment" means a program of individualized treatment in a less restrictive setting than inpatient treatment that includes the services described in RCW 71.05.585;

(27) "Likelihood of serious harm" means:

(a) A substantial risk that: (i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (ii) physical harm will be inflicted by a person upon another, as

evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (iii) physical harm will be inflicted by a person upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts;

(28) "Medical clearance" means a physician or other health care provider has determined that a person is medically stable and ready for referral to the designated mental health professional;

(29) "Mental disorder" means any organic, mental, or emotional impairment which has substantial adverse effects on a person's cognitive or volitional functions;

(30) "Mental health professional" means a psychiatrist, psychologist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(31) "Mental health service provider" means a public or private agency that provides mental health services to persons with mental disorders as defined under this section and receives funding from public sources. This includes, but is not limited to, hospitals licensed under chapter 70.41 RCW, evaluation and treatment facilities as defined in this section, community mental health service delivery systems or community mental health programs as defined in RCW 71.24.025, facilities conducting competency evaluations and restoration under chapter 10.77 RCW, and correctional facilities operated by state and local governments;

(32) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(33) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, or hospital, which is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill;

(34) "Professional person" means a mental health professional and shall also mean a physician, physician assistant, psychiatric advanced registered nurse practitioner, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter;

(35) "Psychiatric advanced registered nurse practitioner" means a person who is licensed as an advanced registered nurse practitioner pursuant to chapter 18.79 RCW; and who is board certified in advanced practice psychiatric and mental health nursing;

(36) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(37) "Psychologist" means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(38) "Public agency" means any evaluation and treatment facility or institution, or hospital which is conducted for, or includes a department or ward conducted for, the care and treatment of persons with mental illness, if the agency is operated directly by, federal, state, county, or municipal government, or a combination of such governments;

(39) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness;

(40) "Release" means legal termination of the commitment under the provisions of this chapter;

(41) "Resource management services" has the meaning given in chapter 71.24 RCW;

(42) "Secretary" means the secretary of the department of social and health services, or his or her designee;

(43) "Serious violent offense" has the same meaning as provided in RCW 9.94A.030;

(44) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010;

(45) "Therapeutic court personnel" means the staff of a mental health court or other therapeutic court which has jurisdiction over defendants who are dually diagnosed with mental disorders, including court personnel, probation officers, a court monitor, prosecuting attorney, or defense counsel acting within the scope of therapeutic court duties;

(46) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records include mental health information contained in a medical bill including but not limited to mental health drugs, a mental health diagnosis, provider name, and dates of service stemming from a medical service. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others;

(47) "Triage facility" means a short-term facility or a portion of a facility licensed by the department of health and certified by the department of social and health services under RCW 71.24.035, which is designed as a facility to assess and stabilize an individual or determine the need for involuntary commitment of an individual, and must meet department of health residential treatment facility standards. A triage facility may be structured as a voluntary or involuntary placement facility;

(48) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property;

(49) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW.

Sec. 2. RCW 71.05.210 and 2015 c 269 s 7 and 2015 c 250 s 20 are each reenacted and amended to read as follows:

(1) Each person involuntarily detained and accepted or admitted at an evaluation and treatment facility (((1))):

(a) Shall, within twenty-four hours of his or her admission or acceptance at the facility, not counting time periods prior to medical clearance, be examined and evaluated by (((a) a licensed physician who may be assisted by a physician assistant according to chapter 18.71A RCW and a mental health professional, (b) an advanced registered nurse practitioner according to chapter 18.79 RCW and a mental health professional, or (c) a licensed physician and a psychiatric advanced registered nurse practitioner):

(i) One physician and a mental health professional;

(ii) One physician assistant and a mental health professional;

or

(iii) One advanced registered nurse practitioner and a mental health professional; and

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

((2)) (b) Shall receive such treatment and care as his or her condition requires including treatment on an outpatient basis for the period that he or she is detained, except that, beginning twenty-four hours prior to a trial or hearing pursuant to RCW 71.05.215, 71.05.240, 71.05.310, 71.05.320, 71.05.590, or 71.05.217, the individual may refuse psychiatric medications, but may not refuse: ((a)) (i) Any other medication previously prescribed by a person licensed under Title 18 RCW; or ((b)) (ii) emergency lifesaving treatment, and the individual shall be informed at an appropriate time of his or her right of such refusal. The person shall be detained up to seventy-two hours, if, in the opinion of the professional person in charge of the facility, or his or her professional designee, the person presents a likelihood of serious harm, or is gravely disabled. A person who has been detained for seventy-two hours shall no later than the end of such period be released, unless referred for further care on a voluntary basis, or detained pursuant to court order for further treatment as provided in this chapter.

(2) If, after examination and evaluation, the mental health professional and licensed physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the person would be better served by placement in a chemical dependency treatment facility, then the person shall be referred to an approved treatment program defined under RCW 70.96A.020.

(3) An evaluation and treatment center admitting or accepting any person pursuant to this chapter whose physical condition reveals the need for hospitalization shall assure that such person is transferred to an appropriate hospital for evaluation or admission for treatment. Notice of such fact shall be given to the court, the designated attorney, and the designated mental health professional and the court shall order such continuance in proceedings under this chapter as may be necessary, but in no event may this continuance be more than fourteen days.

Sec. 3. RCW 71.05.215 and 2008 c 156 s 2 are each amended to read as follows:

(1) A person found to be gravely disabled or presents a likelihood of serious harm as a result of a mental disorder has a right to refuse antipsychotic medication unless it is determined that the failure to medicate may result in a likelihood of serious harm or substantial deterioration or substantially prolong the length of involuntary commitment and there is no less intrusive course of treatment than medication in the best interest of that person.

(2) The department shall adopt rules to carry out the purposes of this chapter. These rules shall include:

(a) An attempt to obtain the informed consent of the person prior to administration of antipsychotic medication.

(b) For short-term treatment up to thirty days, the right to refuse antipsychotic medications unless there is an additional concurring medical opinion approving medication by a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, or physician or physician assistant in consultation with a mental health professional with prescriptive authority.

(c) For continued treatment beyond thirty days through the hearing on any petition filed under RCW 71.05.217, the right to periodic review of the decision to medicate by the medical director or designee.

(d) Administration of antipsychotic medication in an emergency and review of this decision within twenty-four hours. An emergency exists if the person presents an imminent likelihood of serious harm, and medically acceptable alternatives to administration of antipsychotic medications are not available or are unlikely to be successful; and in the opinion of the

physician, physician assistant, or psychiatric advanced registered nurse practitioner, the person's condition constitutes an emergency requiring the treatment be instituted prior to obtaining a second medical opinion.

(e) Documentation in the medical record of the attempt by the physician, physician assistant, or psychiatric advanced registered nurse practitioner to obtain informed consent and the reasons why antipsychotic medication is being administered over the person's objection or lack of consent.

Sec. 4. RCW 71.05.217 and 2008 c 156 s 3 are each amended to read as follows:

Insofar as danger to the individual or others is not created, each person involuntarily detained, treated in a less restrictive alternative course of treatment, or committed for treatment and evaluation pursuant to this chapter shall have, in addition to other rights not specifically withheld by law, the following rights, a list of which shall be prominently posted in all facilities, institutions, and hospitals providing such services:

(1) To wear his or her own clothes and to keep and use his or her own personal possessions, except when deprivation of same is essential to protect the safety of the resident or other persons;

(2) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;

(3) To have access to individual storage space for his or her private use;

(4) To have visitors at reasonable times;

(5) To have reasonable access to a telephone, both to make and receive confidential calls;

(6) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

(7) Not to consent to the administration of antipsychotic medications beyond the hearing conducted pursuant to RCW 71.05.320((3)) (4) or the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by a court of competent jurisdiction pursuant to the following standards and procedures:

(a) The administration of antipsychotic medication or electroconvulsant therapy shall not be ordered unless the petitioning party proves by clear, cogent, and convincing evidence that there exists a compelling state interest that justifies overriding the patient's lack of consent to the administration of antipsychotic medications or electroconvulsant therapy, that the proposed treatment is necessary and effective, and that medically acceptable alternative forms of treatment are not available, have not been successful, or are not likely to be effective.

(b) The court shall make specific findings of fact concerning: (i) The existence of one or more compelling state interests; (ii) the necessity and effectiveness of the treatment; and (iii) the person's desires regarding the proposed treatment. If the patient is unable to make a rational and informed decision about consenting to or refusing the proposed treatment, the court shall make a substituted judgment for the patient as if he or she were competent to make such a determination.

(c) The person shall be present at any hearing on a request to administer antipsychotic medication or electroconvulsant therapy filed pursuant to this subsection. The person has the right: (i) To be represented by an attorney; (ii) to present evidence; (iii) to cross-examine witnesses; (iv) to have the rules of evidence enforced; (v) to remain silent; (vi) to view and copy all petitions and reports in the court file; and (vii) to be given reasonable notice and an opportunity to prepare for the hearing. The court may appoint a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician

assistant, or physician to examine and testify on behalf of such person. The court shall appoint a psychiatrist, physician assistant working with a supervising psychiatrist, psychiatric advanced registered nurse practitioner, psychologist within their scope of practice, physician assistant, or physician designated by such person or the person's counsel to testify on behalf of the person in cases where an order for electroconvulsant therapy is sought.

(d) An order for the administration of antipsychotic medications entered following a hearing conducted pursuant to this section shall be effective for the period of the current involuntary treatment order, and any interim period during which the person is awaiting trial or hearing on a new petition for involuntary treatment or involuntary medication.

(e) Any person detained pursuant to RCW 71.05.320((3)) (4), who subsequently refuses antipsychotic medication, shall be entitled to the procedures set forth in this subsection.

(f) Antipsychotic medication may be administered to a nonconsenting person detained or committed pursuant to this chapter without a court order pursuant to RCW 71.05.215(2) or under the following circumstances:

(i) A person presents an imminent likelihood of serious harm;

(ii) Medically acceptable alternatives to administration of antipsychotic medications are not available, have not been successful, or are not likely to be effective; and

(iii) In the opinion of the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for treatment of the person, or his or her designee, the person's condition constitutes an emergency requiring the treatment be instituted before a judicial hearing as authorized pursuant to this section can be held.

If antipsychotic medications are administered over a person's lack of consent pursuant to this subsection, a petition for an order authorizing the administration of antipsychotic medications shall be filed on the next judicial day. The hearing shall be held within two judicial days. If deemed necessary by the physician, physician assistant, or psychiatric advanced registered nurse practitioner with responsibility for the treatment of the person, administration of antipsychotic medications may continue until the hearing is held;

(8) To dispose of property and sign contracts unless such person has been adjudicated an incompetent in a court proceeding directed to that particular issue;

(9) Not to have psychosurgery performed on him or her under any circumstances.

Sec. 5. RCW 71.05.230 and 2015 c 250 s 6 are each amended to read as follows:

A person detained or committed for seventy-two hour evaluation and treatment or for an outpatient evaluation for the purpose of filing a petition for a less restrictive alternative treatment order may be committed for not more than fourteen additional days of involuntary intensive treatment or ninety additional days of a less restrictive alternative to involuntary intensive treatment. A petition may only be filed if the following conditions are met:

(1) The professional staff of the agency or facility providing evaluation services has analyzed the person's condition and finds that the condition is caused by mental disorder and results in a likelihood of serious harm, results in the person being gravely disabled, or results in the person being in need of assisted outpatient mental health treatment, and are prepared to testify those conditions are met; and

(2) The person has been advised of the need for voluntary treatment and the professional staff of the facility has evidence that he or she has not in good faith volunteered; and

(3) The agency or facility providing intensive treatment or which proposes to supervise the less restrictive alternative is certified to provide such treatment by the department; and

(4) The professional staff of the agency or facility or the designated mental health professional has filed a petition with the court for a fourteen day involuntary detention or a ninety day less restrictive alternative. The petition must be signed either by:

(a) Two physicians;

(b) One physician and a mental health professional;

(c) ((Two psychiatric advanced registered nurse practitioners;)) One physician assistant and a mental health professional; or

(d) One psychiatric advanced registered nurse practitioner and a mental health professional(;; or

(e) A physician and a psychiatric advanced registered nurse practitioner)). The persons signing the petition must have examined the person. If involuntary detention is sought the petition shall state facts that support the finding that such person, as a result of mental disorder, presents a likelihood of serious harm, or is gravely disabled and that there are no less restrictive alternatives to detention in the best interest of such person or others. The petition shall state specifically that less restrictive alternative treatment was considered and specify why treatment less restrictive than detention is not appropriate. If an involuntary less restrictive alternative is sought, the petition shall state facts that support the finding that such person, as a result of mental disorder, presents a likelihood of serious harm, is gravely disabled, or is in need of assisted outpatient mental health treatment, and shall set forth a plan for the less restrictive alternative treatment proposed by the facility in accordance with RCW 71.05.585; and

(5) A copy of the petition has been served on the detained or committed person, his or her attorney and his or her guardian or conservator, if any, prior to the probable cause hearing; and

(6) The court at the time the petition was filed and before the probable cause hearing has appointed counsel to represent such person if no other counsel has appeared; and

(7) The petition reflects that the person was informed of the loss of firearm rights if involuntarily committed; and

(8) At the conclusion of the initial commitment period, the professional staff of the agency or facility or the designated mental health professional may petition for an additional period of either ninety days of less restrictive alternative treatment or ninety days of involuntary intensive treatment as provided in RCW 71.05.290; and

(9) If the hospital or facility designated to provide less restrictive alternative treatment is other than the facility providing involuntary treatment, the outpatient facility so designated to provide less restrictive alternative treatment has agreed to assume such responsibility.

Sec. 6. RCW 71.05.290 and 2015 c 250 s 10 are each amended to read as follows:

(1) At any time during a person's fourteen day intensive treatment period, the professional person in charge of a treatment facility or his or her professional designee or the designated mental health professional may petition the superior court for an order requiring such person to undergo an additional period of treatment. Such petition must be based on one or more of the grounds set forth in RCW 71.05.280.

(2) The petition shall summarize the facts which support the need for further commitment and shall be supported by affidavits based on an examination of the patient and signed by:

(a) Two ((examining)) physicians;

(b) One ((examining)) physician and ((examining)) a mental health professional;

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(c) ((Two psychiatric advanced registered nurse practitioners;)) One physician assistant and a mental health professional; or

(d) One psychiatric advanced registered nurse practitioner and a mental health professional(;; or

(e) An examining physician and an examining psychiatric advanced registered nurse practitioner)). The affidavits shall describe in detail the behavior of the detained person which supports the petition and shall explain what, if any, less restrictive treatments which are alternatives to detention are available to such person, and shall state the willingness of the affiant to testify to such facts in subsequent judicial proceedings under this chapter. If less restrictive alternative treatment is sought, the petition shall set forth a proposed plan for less restrictive alternative treatment in accordance with RCW 71.05.585.

(3) If a person has been determined to be incompetent pursuant to RCW 10.77.086(4), then the professional person in charge of the treatment facility or his or her professional designee or the designated mental health professional may directly file a petition for one hundred eighty day treatment under RCW 71.05.280(3). No petition for initial detention or fourteen day detention is required before such a petition may be filed.

Sec. 7. RCW 71.05.300 and 2014 c 225 s 84 are each amended to read as follows:

(1) The petition for ninety day treatment shall be filed with the clerk of the superior court at least three days before expiration of the fourteen-day period of intensive treatment. At the time of filing such petition, the clerk shall set a time for the person to come before the court on the next judicial day after the day of filing unless such appearance is waived by the person's attorney, and the clerk shall notify the designated mental health professional. The designated mental health professional shall immediately notify the person detained, his or her attorney, if any, and his or her guardian or conservator, if any, the prosecuting attorney, and the behavioral health organization administrator, and provide a copy of the petition to such persons as soon as possible. The behavioral health organization administrator or designee may review the petition and may appear and testify at the full hearing on the petition.

(2) At the time set for appearance the detained person shall be brought before the court, unless such appearance has been waived and the court shall advise him or her of his or her right to be represented by an attorney, his or her right to a jury trial, and his or her loss of firearm rights if involuntarily committed. If the detained person is not represented by an attorney, or is indigent or is unwilling to retain an attorney, the court shall immediately appoint an attorney to represent him or her. The court shall, if requested, appoint a reasonably available licensed physician, physician assistant, psychiatric advanced registered nurse practitioner, psychologist, or psychiatrist, designated by the detained person to examine and testify on behalf of the detained person.

(3) The court may, if requested, also appoint a professional person as defined in RCW 71.05.020 to seek less restrictive alternative courses of treatment and to testify on behalf of the detained person. In the case of a person with a developmental disability who has been determined to be incompetent pursuant to RCW 10.77.086(4), then the appointed professional person under this section shall be a developmental disabilities professional.

(4) The court shall also set a date for a full hearing on the petition as provided in RCW 71.05.310.

Sec. 8. RCW 71.05.360 and 2009 c 217 s 5 are each amended to read as follows:

(1)(a) Every person involuntarily detained or committed under the provisions of this chapter shall be entitled to all the

rights set forth in this chapter, which shall be prominently posted in the facility, and shall retain all rights not denied him or her under this chapter except as chapter 9.41 RCW may limit the right of a person to purchase or possess a firearm or to qualify for a concealed pistol license.

(b) No person shall be presumed incompetent as a consequence of receiving an evaluation or voluntary or involuntary treatment for a mental disorder, under this chapter or any prior laws of this state dealing with mental illness. Competency shall not be determined or withdrawn except under the provisions of chapter 10.77 or 11.88 RCW.

(c) Any person who leaves a public or private agency following evaluation or treatment for mental disorder shall be given a written statement setting forth the substance of this section.

(2) Each person involuntarily detained or committed pursuant to this chapter shall have the right to adequate care and individualized treatment.

(3) The provisions of this chapter shall not be construed to deny to any person treatment by spiritual means through prayer in accordance with the tenets and practices of a church or religious denomination.

(4) Persons receiving evaluation or treatment under this chapter shall be given a reasonable choice of an available physician, physician assistant, psychiatric advanced registered nurse practitioner, or other professional person qualified to provide such services.

(5) Whenever any person is detained for evaluation and treatment pursuant to this chapter, both the person and, if possible, a responsible member of his or her immediate family, personal representative, guardian, or conservator, if any, shall be advised as soon as possible in writing or orally, by the officer or person taking him or her into custody or by personnel of the evaluation and treatment facility where the person is detained that unless the person is released or voluntarily admits himself or herself for treatment within seventy-two hours of the initial detention:

(a) A judicial hearing in a superior court, either by a judge or court commissioner thereof, shall be held not more than seventy-two hours after the initial detention to determine whether there is probable cause to detain the person after the seventy-two hours have expired for up to an additional fourteen days without further automatic hearing for the reason that the person is a person whose mental disorder presents a likelihood of serious harm or that the person is gravely disabled;

(b) The person has a right to communicate immediately with an attorney; has a right to have an attorney appointed to represent him or her before and at the probable cause hearing if he or she is indigent; and has the right to be told the name and address of the attorney that the mental health professional has designated pursuant to this chapter;

(c) The person has the right to remain silent and that any statement he or she makes may be used against him or her;

(d) The person has the right to present evidence and to cross-examine witnesses who testify against him or her at the probable cause hearing; and

(e) The person has the right to refuse psychiatric medications, including antipsychotic medication beginning twenty-four hours prior to the probable cause hearing.

(6) When proceedings are initiated under RCW 71.05.153, no later than twelve hours after such person is admitted to the evaluation and treatment facility the personnel of the evaluation and treatment facility or the designated mental health professional shall serve on such person a copy of the petition for initial detention and the name, business address, and phone number of

the designated attorney and shall forthwith commence service of a copy of the petition for initial detention on the designated attorney.

(7) The judicial hearing described in subsection (5) of this section is hereby authorized, and shall be held according to the provisions of subsection (5) of this section and rules promulgated by the supreme court.

(8) At the probable cause hearing the detained person shall have the following rights in addition to the rights previously specified:

- (a) To present evidence on his or her behalf;
- (b) To cross-examine witnesses who testify against him or her;
- (c) To be proceeded against by the rules of evidence;
- (d) To remain silent;
- (e) To view and copy all petitions and reports in the court file.

(9) Privileges between patients and physicians, physician assistants, psychologists, or psychiatric advanced registered nurse practitioners are deemed waived in proceedings under this chapter relating to the administration of antipsychotic medications. As to other proceedings under this chapter, the privileges shall be waived when a court of competent jurisdiction in its discretion determines that such waiver is necessary to protect either the detained person or the public.

The waiver of a privilege under this section is limited to records or testimony relevant to evaluation of the detained person for purposes of a proceeding under this chapter. Upon motion by the detained person or on its own motion, the court shall examine a record or testimony sought by a petitioner to determine whether it is within the scope of the waiver.

The record maker shall not be required to testify in order to introduce medical or psychological records of the detained person so long as the requirements of RCW 5.45.020 are met except that portions of the record which contain opinions as to the detained person's mental state must be deleted from such records unless the person making such conclusions is available for cross-examination.

(10) Insofar as danger to the person or others is not created, each person involuntarily detained, treated in a less restrictive alternative course of treatment, or committed for treatment and evaluation pursuant to this chapter shall have, in addition to other rights not specifically withheld by law, the following rights:

- (a) To wear his or her own clothes and to keep and use his or her own personal possessions, except when deprivation of same is essential to protect the safety of the resident or other persons;
- (b) To keep and be allowed to spend a reasonable sum of his or her own money for canteen expenses and small purchases;
- (c) To have access to individual storage space for his or her private use;
- (d) To have visitors at reasonable times;
- (e) To have reasonable access to a telephone, both to make and receive confidential calls, consistent with an effective treatment program;
- (f) To have ready access to letter writing materials, including stamps, and to send and receive uncensored correspondence through the mails;
- (g) To discuss treatment plans and decisions with professional persons;

(h) Not to consent to the administration of antipsychotic medications and not to thereafter be administered antipsychotic medications unless ordered by a court under RCW 71.05.217 or pursuant to an administrative hearing under RCW 71.05.215;

(i) Not to consent to the performance of electroconvulsant therapy or surgery, except emergency lifesaving surgery, unless ordered by a court under RCW 71.05.217;

(j) Not to have psychosurgery performed on him or her under any circumstances;

(k) To dispose of property and sign contracts unless such person has been adjudicated an incompetent in a court proceeding directed to that particular issue.

(11) Every person involuntarily detained shall immediately be informed of his or her right to a hearing to review the legality of his or her detention and of his or her right to counsel, by the professional person in charge of the facility providing evaluation and treatment, or his or her designee, and, when appropriate, by the court. If the person so elects, the court shall immediately appoint an attorney to assist him or her.

(12) A person challenging his or her detention or his or her attorney shall have the right to designate and have the court appoint a reasonably available independent physician, physician assistant, psychiatric advanced registered nurse practitioner, or licensed mental health professional to examine the person detained, the results of which examination may be used in the proceeding. The person shall, if he or she is financially able, bear the cost of such expert examination, otherwise such expert examination shall be at public expense.

(13) Nothing contained in this chapter shall prohibit the patient from petitioning by writ of habeas corpus for release.

(14) Nothing in this chapter shall prohibit a person committed on or prior to January 1, 1974, from exercising a right available to him or her at or prior to January 1, 1974, for obtaining release from confinement.

(15) Nothing in this section permits any person to knowingly violate a no-contact order or a condition of an active judgment and sentence or an active condition of supervision by the department of corrections.

Sec. 9. RCW 71.05.660 and 2013 c 200 s 21 are each amended to read as follows:

Nothing in this chapter or chapter 70.02, 70.96A, 71.34, or 70.96B RCW shall be construed to interfere with communications between physicians, physician assistants, psychiatric advanced registered nurse practitioners, or psychologists and patients and attorneys and clients.

Sec. 10. RCW 71.06.040 and 2009 c 217 s 10 are each amended to read as follows:

At a preliminary hearing upon the charge of sexual psychopathy, the court may require the testimony of two duly licensed physicians, physician assistants, or psychiatric advanced registered nurse practitioners who have examined the defendant. If the court finds that there are reasonable grounds to believe the defendant is a sexual psychopath, the court shall order said defendant confined at the nearest state hospital for observation as to the existence of sexual psychopathy. Such observation shall be for a period of not to exceed ninety days. The defendant shall be detained in the county jail or other county facilities pending execution of such observation order by the department.

Sec. 11. RCW 71.12.540 and 2009 c 217 s 11 are each amended to read as follows:

The authorities of each establishment as defined in this chapter shall place on file in the office of the establishment the recommendations made by the department of health as a result of such visits, for the purpose of consultation by such authorities, and for reference by the department representatives upon their visits. Every such establishment shall keep records of every person admitted thereto as follows and shall furnish to the department, when required, the following data: Name, age, sex, marital status, date of admission, voluntary or other commitment, name of physician, physician assistant, or psychiatric advanced registered nurse practitioner, diagnosis, and date of discharge.

Sec. 12. RCW 71.24.025 and 2014 c 225 s 10 are each reenacted and amended to read as follows:

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Acutely mentally ill" means a condition which is limited to a short-term severe crisis episode of:

(a) A mental disorder as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020;

(b) Being gravely disabled as defined in RCW 71.05.020 or, in the case of a child, a gravely disabled minor as defined in RCW 71.34.020; or

(c) Presenting a likelihood of serious harm as defined in RCW 71.05.020 or, in the case of a child, as defined in RCW 71.34.020.

(2) "Available resources" means funds appropriated for the purpose of providing community mental health programs, federal funds, except those provided according to Title XIX of the Social Security Act, and state funds appropriated under this chapter or chapter 71.05 RCW by the legislature during any biennium for the purpose of providing residential services, resource management services, community support services, and other mental health services. This does not include funds appropriated for the purpose of operating and administering the state psychiatric hospitals.

(3) "Behavioral health organization" means any county authority or group of county authorities or other entity recognized by the secretary in contract in a defined region.

(4) "Behavioral health services" means mental health services as described in this chapter and chapter 71.36 RCW and chemical dependency treatment services as described in chapter 70.96A RCW.

(5) "Child" means a person under the age of eighteen years.

(6) "Chronically mentally ill adult" or "adult who is chronically mentally ill" means an adult who has a mental disorder and meets at least one of the following criteria:

(a) Has undergone two or more episodes of hospital care for a mental disorder within the preceding two years; or

(b) Has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding year; or

(c) Has been unable to engage in any substantial gainful activity by reason of any mental disorder which has lasted for a continuous period of not less than twelve months. "Substantial gainful activity" shall be defined by the department by rule consistent with Public Law 92-603, as amended.

(7) "Clubhouse" means a community-based program that provides rehabilitation services and is certified by the department of social and health services.

(8) "Community mental health program" means all mental health services, activities, or programs using available resources.

(9) "Community mental health service delivery system" means public, private, or tribal agencies that provide services specifically to persons with mental disorders as defined under RCW 71.05.020 and receive funding from public sources.

(10) "Community support services" means services authorized, planned, and coordinated through resource management services including, at a minimum, assessment, diagnosis, emergency crisis intervention available twenty-four hours, seven days a week, prescreening determinations for persons who are mentally ill being considered for placement in nursing homes as required by federal law, screening for patients being considered for admission to residential services, diagnosis and treatment for children who are acutely mentally ill or severely emotionally disturbed discovered under screening through the federal Title XIX early and periodic screening, diagnosis, and treatment program, investigation, legal, and other nonresidential services under chapter 71.05 RCW, case management services, psychiatric treatment including medication supervision,

counseling, psychotherapy, assuring transfer of relevant patient information between service providers, recovery services, and other services determined by behavioral health organizations.

(11) "Consensus-based" means a program or practice that has general support among treatment providers and experts, based on experience or professional literature, and may have anecdotal or case study support, or that is agreed but not possible to perform studies with random assignment and controlled groups.

(12) "County authority" means the board of county commissioners, county council, or county executive having authority to establish a community mental health program, or two or more of the county authorities specified in this subsection which have entered into an agreement to provide a community mental health program.

(13) "Department" means the department of social and health services.

(14) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter.

(15) "Emerging best practice" or "promising practice" means a program or practice that, based on statistical analyses or a well established theory of change, shows potential for meeting the evidence-based or research-based criteria, which may include the use of a program that is evidence-based for outcomes other than those listed in subsection (16) of this section.

(16) "Evidence-based" means a program or practice that has been tested in heterogeneous or intended populations with multiple randomized, or statistically controlled evaluations, or both; or one large multiple site randomized, or statistically controlled evaluation, or both, where the weight of the evidence from a systemic review demonstrates sustained improvements in at least one outcome. "Evidence-based" also means a program or practice that can be implemented with a set of procedures to allow successful replication in Washington and, when possible, is determined to be cost-beneficial.

(17) "Licensed service provider" means an entity licensed according to this chapter or chapter 71.05 or 70.96A RCW or an entity deemed to meet state minimum standards as a result of accreditation by a recognized behavioral health accrediting body recognized and having a current agreement with the department, or tribal attestation that meets state minimum standards, or persons licensed under chapter 18.57, 18.57A, 18.71, 18.71A, 18.83, or 18.79 RCW, as it applies to registered nurses and advanced registered nurse practitioners.

(18) "Long-term inpatient care" means inpatient services for persons committed for, or voluntarily receiving intensive treatment for, periods of ninety days or greater under chapter 71.05 RCW. "Long-term inpatient care" as used in this chapter does not include: (a) Services for individuals committed under chapter 71.05 RCW who are receiving services pursuant to a conditional release or a court-ordered less restrictive alternative to detention; or (b) services for individuals voluntarily receiving less restrictive alternative treatment on the grounds of the state hospital.

(19) "Mental health services" means all services provided by behavioral health organizations and other services provided by the state for persons who are mentally ill.

(20) "Mentally ill persons," "persons who are mentally ill," and "the mentally ill" mean persons and conditions defined in subsections (1), (6), (28), and (29) of this section.

(21) "Recovery" means the process in which people are able to live, work, learn, and participate fully in their communities.

(22) "Registration records" include all the records of the department, behavioral health organizations, treatment facilities, and other persons providing services to the department, county

departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness.

(23) "Research-based" means a program or practice that has been tested with a single randomized, or statistically controlled evaluation, or both, demonstrating sustained desirable outcomes; or where the weight of the evidence from a systemic review supports sustained outcomes as described in subsection (16) of this section but does not meet the full criteria for evidence-based.

(24) "Residential services" means a complete range of residences and supports authorized by resource management services and which may involve a facility, a distinct part thereof, or services which support community living, for persons who are acutely mentally ill, adults who are chronically mentally ill, children who are severely emotionally disturbed, or adults who are seriously disturbed and determined by the behavioral health organization to be at risk of becoming acutely or chronically mentally ill. The services shall include at least evaluation and treatment services as defined in chapter 71.05 RCW, acute crisis respite care, long-term adaptive and rehabilitative care, and supervised and supported living services, and shall also include any residential services developed to service persons who are mentally ill in nursing homes, assisted living facilities, and adult family homes, and may include outpatient services provided as an element in a package of services in a supported housing model. Residential services for children in out-of-home placements related to their mental disorder shall not include the costs of food and shelter, except for children's long-term residential facilities existing prior to January 1, 1991.

(25) "Resilience" means the personal and community qualities that enable individuals to rebound from adversity, trauma, tragedy, threats, or other stresses, and to live productive lives.

(26) "Resource management services" mean the planning, coordination, and authorization of residential services and community support services administered pursuant to an individual service plan for: (a) Adults and children who are acutely mentally ill; (b) adults who are chronically mentally ill; (c) children who are severely emotionally disturbed; or (d) adults who are seriously disturbed and determined solely by a behavioral health organization to be at risk of becoming acutely or chronically mentally ill. Such planning, coordination, and authorization shall include mental health screening for children eligible under the federal Title XIX early and periodic screening, diagnosis, and treatment program. Resource management services include seven day a week, twenty-four hour a day availability of information regarding enrollment of adults and children who are mentally ill in services and their individual service plan to designated mental health professionals, evaluation and treatment facilities, and others as determined by the behavioral health organization.

(27) "Secretary" means the secretary of social and health services.

(28) "Seriously disturbed person" means a person who:

(a) Is gravely disabled or presents a likelihood of serious harm to himself or herself or others, or to the property of others, as a result of a mental disorder as defined in chapter 71.05 RCW;

(b) Has been on conditional release status, or under a less restrictive alternative order, at some time during the preceding two years from an evaluation and treatment facility or a state mental health hospital;

(c) Has a mental disorder which causes major impairment in several areas of daily living;

(d) Exhibits suicidal preoccupation or attempts; or

(e) Is a child diagnosed by a mental health professional, as defined in chapter 71.34 RCW, as experiencing a mental disorder

which is clearly interfering with the child's functioning in family or school or with peers or is clearly interfering with the child's personality development and learning.

(29) "Severely emotionally disturbed child" or "child who is severely emotionally disturbed" means a child who has been determined by the behavioral health organization to be experiencing a mental disorder as defined in chapter 71.34 RCW, including those mental disorders that result in a behavioral or conduct disorder, that is clearly interfering with the child's functioning in family or school or with peers and who meets at least one of the following criteria:

(a) Has undergone inpatient treatment or placement outside of the home related to a mental disorder within the last two years;

(b) Has undergone involuntary treatment under chapter 71.34 RCW within the last two years;

(c) Is currently served by at least one of the following child-serving systems: Juvenile justice, child-protection/welfare, special education, or developmental disabilities;

(d) Is at risk of escalating maladjustment due to:

(i) Chronic family dysfunction involving a caretaker who is mentally ill or inadequate;

(ii) Changes in custodial adult;

(iii) Going to, residing in, or returning from any placement outside of the home, for example, psychiatric hospital, short-term inpatient, residential treatment, group or foster home, or a correctional facility;

(iv) Subject to repeated physical abuse or neglect;

(v) Drug or alcohol abuse; or

(vi) Homelessness.

(30) "State minimum standards" means minimum requirements established by rules adopted by the secretary and necessary to implement this chapter for: (a) Delivery of mental health services; (b) licensed service providers for the provision of mental health services; (c) residential services; and (d) community support services and resource management services.

(31) "Treatment records" include registration and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by behavioral health organizations and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, behavioral health organizations, or a treatment facility if the notes or records are not available to others.

(32) "Tribal authority," for the purposes of this section and RCW 71.24.300 only, means: The federally recognized Indian tribes and the major Indian organizations recognized by the secretary insofar as these organizations do not have a financial relationship with any behavioral health organization that would present a conflict of interest.

Sec. 13. RCW 71.32.110 and 2003 c 283 s 11 are each amended to read as follows:

(1) For the purposes of this chapter, a principal, agent, professional person, or health care provider may seek a determination whether the principal is incapacitated or has regained capacity.

(2)(a) For the purposes of this chapter, no adult may be declared an incapacitated person except by:

(i) A court, if the request is made by the principal or the principal's agent;

(ii) One mental health professional and one health care provider; or

(iii) Two health care providers.

(b) One of the persons making the determination under (a)(ii) or (iii) of this subsection must be a psychiatrist, physician

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

assistant working with a supervising psychiatrist, psychologist, or a psychiatric advanced registered nurse practitioner.

(3) When a professional person or health care provider requests a capacity determination, he or she shall promptly inform the principal that:

- (a) A request for capacity determination has been made; and
- (b) The principal may request that the determination be made by a court.

(4) At least one mental health professional or health care provider must personally examine the principal prior to making a capacity determination.

(5)(a) When a court makes a determination whether a principal has capacity, the court shall, at a minimum, be informed by the testimony of one mental health professional familiar with the principal and shall, except for good cause, give the principal an opportunity to appear in court prior to the court making its determination.

(b) To the extent that local court rules permit, any party or witness may testify telephonically.

(6) When a court has made a determination regarding a principal's capacity and there is a subsequent change in the principal's condition, subsequent determinations whether the principal is incapacitated may be made in accordance with any of the provisions of subsection (2) of this section.

Sec. 14. RCW 71.32.140 and 2009 c 217 s 12 are each amended to read as follows:

(1) A principal who:

(a) Chose not to be able to revoke his or her directive during any period of incapacity;

(b) Consented to voluntary admission to inpatient mental health treatment, or authorized an agent to consent on the principal's behalf; and

(c) At the time of admission to inpatient treatment, refuses to be admitted,

may only be admitted into inpatient mental health treatment under subsection (2) of this section.

(2) A principal may only be admitted to inpatient mental health treatment under his or her directive if, prior to admission, a member of the treating facility's professional staff who is a physician, physician assistant, or psychiatric advanced registered nurse practitioner:

(a) Evaluates the principal's mental condition, including a review of reasonably available psychiatric and psychological history, diagnosis, and treatment needs, and determines, in conjunction with another health care provider or mental health professional, that the principal is incapacitated;

(b) Obtains the informed consent of the agent, if any, designated in the directive;

(c) Makes a written determination that the principal needs an inpatient evaluation or is in need of inpatient treatment and that the evaluation or treatment cannot be accomplished in a less restrictive setting; and

(d) Documents in the principal's medical record a summary of the physician's, physician assistant's, or psychiatric advanced registered nurse practitioner's findings and recommendations for treatment or evaluation.

(3) In the event the admitting physician is not a psychiatrist, the admitting physician assistant is not supervised by a psychiatrist, or the advanced registered nurse practitioner is not a psychiatric advanced registered nurse practitioner, the principal shall receive a complete psychological assessment by a mental health professional within twenty-four hours of admission to determine the continued need for inpatient evaluation or treatment.

(4)(a) If it is determined that the principal has capacity, then the principal may only be admitted to, or remain in, inpatient treatment if he or she consents at the time or is detained under the involuntary treatment provisions of chapter 70.96A, 71.05, or 71.34 RCW.

(b) If a principal who is determined by two health care providers or one mental health professional and one health care provider to be incapacitated continues to refuse inpatient treatment, the principal may immediately seek injunctive relief for release from the facility.

(5) If, at the end of the period of time that the principal or the principal's agent, if any, has consented to voluntary inpatient treatment, but no more than fourteen days after admission, the principal has not regained capacity or has regained capacity but refuses to consent to remain for additional treatment, the principal must be released during reasonable daylight hours, unless detained under chapter 70.96A, 71.05, or 71.34 RCW.

(6)(a) Except as provided in (b) of this subsection, any principal who is voluntarily admitted to inpatient mental health treatment under this chapter shall have all the rights provided to individuals who are voluntarily admitted to inpatient treatment under chapter 71.05, 71.34, or 72.23 RCW.

(b) Notwithstanding RCW 71.05.050 regarding consent to inpatient treatment for a specified length of time, the choices an incapacitated principal expressed in his or her directive shall control, provided, however, that a principal who takes action demonstrating a desire to be discharged, in addition to making statements requesting to be discharged, shall be discharged, and no principal shall be restrained in any way in order to prevent his or her discharge. Nothing in this subsection shall be construed to prevent detention and evaluation for civil commitment under chapter 71.05 RCW.

(7) Consent to inpatient admission in a directive is effective only while the professional person, health care provider, and health care facility are in substantial compliance with the material provisions of the directive related to inpatient treatment.

Sec. 15. RCW 71.32.250 and 2009 c 217 s 13 are each amended to read as follows:

(1) If a principal who is a resident of a long-term care facility is admitted to inpatient mental health treatment pursuant to his or her directive, the principal shall be allowed to be readmitted to the same long-term care facility as if his or her inpatient admission had been for a physical condition on the same basis that the principal would be readmitted under state or federal statute or rule when:

(a) The treating facility's professional staff determine that inpatient mental health treatment is no longer medically necessary for the resident. The determination shall be made in writing by a psychiatrist, physician assistant working with a supervising psychiatrist, or a psychiatric advanced registered nurse practitioner, or ((a mental health professional and either (i) a physician or (ii) psychiatric advanced registered nurse practitioner)) (i) one physician and a mental health professional; (ii) one physician assistant and a mental health professional; or (iii) one psychiatric advanced registered nurse practitioner and a mental health professional; or

(b) The person's consent to admission in his or her directive has expired.

(2)(a) If the long-term care facility does not have a bed available at the time of discharge, the treating facility may discharge the resident, in consultation with the resident and agent if any, and in accordance with a medically appropriate discharge plan, to another long-term care facility.

(b) This section shall apply to inpatient mental health treatment admission of long-term care facility residents,

regardless of whether the admission is directly from a facility, hospital emergency room, or other location.

(c) This section does not restrict the right of the resident to an earlier release from the inpatient treatment facility. This section does not restrict the right of a long-term care facility to initiate transfer or discharge of a resident who is readmitted pursuant to this section, provided that the facility has complied with the laws governing the transfer or discharge of a resident.

(3) The joint legislative audit and review committee shall conduct an evaluation of the operation and impact of this section. The committee shall report its findings to the appropriate committees of the legislature by December 1, 2004.

Sec. 16. RCW 71.32.260 and 2009 c 217 s 14 are each amended to read as follows:

The directive shall be in substantially the following form:

Mental Health Advance Directive
NOTICE TO PERSONS
CREATING A MENTAL HEALTH ADVANCE
DIRECTIVE

This is an important legal document. It creates an advance directive for mental health treatment. Before signing this document you should know these important facts:

(1) This document is called an advance directive and allows you to make decisions in advance about your mental health treatment, including medications, short-term admission to inpatient treatment and electroconvulsive therapy.

YOU DO NOT HAVE TO FILL OUT OR SIGN THIS FORM.

IF YOU DO NOT SIGN THIS FORM, IT WILL NOT TAKE EFFECT.

If you choose to complete and sign this document, you may still decide to leave some items blank.

(2) You have the right to appoint a person as your agent to make treatment decisions for you. You must notify your agent that you have appointed him or her as an agent. The person you appoint has a duty to act consistently with your wishes made known by you. If your agent does not know what your wishes are, he or she has a duty to act in your best interest. Your agent has the right to withdraw from the appointment at any time.

(3) The instructions you include with this advance directive and the authority you give your agent to act will only become effective under the conditions you select in this document. You may choose to limit this directive and your agent's authority to times when you are incapacitated or to times when you are exhibiting symptoms or behavior that you specify. You may also make this directive effective immediately. No matter when you choose to make this directive effective, your treatment providers must still seek your informed consent at all times that you have capacity to give informed consent.

(4) You have the right to revoke this document in writing at any time you have capacity.

YOU MAY NOT REVOKE THIS DIRECTIVE WHEN YOU HAVE BEEN FOUND TO BE INCAPACITATED UNLESS YOU HAVE SPECIFICALLY STATED IN THIS DIRECTIVE THAT YOU WANT IT TO BE REVOCABLE WHEN YOU ARE INCAPACITATED.

(5) This directive will stay in effect until you revoke it unless you specify an expiration date. If you specify an expiration date and you are incapacitated at the time it expires, it will remain in effect until you have capacity to make treatment decisions again unless you chose to be able to revoke it while you are incapacitated and you revoke the directive.

(6) You cannot use your advance directive to consent to civil commitment. The procedures that apply to your advance

directive are different than those provided for in the Involuntary Treatment Act. Involuntary treatment is a different process.

(7) If there is anything in this directive that you do not understand, you should ask a lawyer to explain it to you.

(8) You should be aware that there are some circumstances where your provider may not have to follow your directive.

(9) You should discuss any treatment decisions in your directive with your provider.

(10) You may ask the court to rule on the validity of your directive.

PART I.
STATEMENT OF INTENT TO CREATE A
MENTAL HEALTH ADVANCE DIRECTIVE

I, being a person with capacity, willfully and voluntarily execute this mental health advance directive so that my choices regarding my mental health care will be carried out in circumstances when I am unable to express my instructions and preferences regarding my mental health care. If a guardian is appointed by a court to make mental health decisions for me, I intend this document to take precedence over all other means of ascertaining my intent.

The fact that I may have left blanks in this directive does not affect its validity in any way. I intend that all completed sections be followed. If I have not expressed a choice, my agent should make the decision that he or she determines is in my best interest. I intend this directive to take precedence over any other directives I have previously executed, to the extent that they are inconsistent with this document, or unless I expressly state otherwise in either document.

I understand that I may revoke this directive in whole or in part if I am a person with capacity. I understand that I cannot revoke this directive if a court, two health care providers, or one mental health professional and one health care provider find that I am an incapacitated person, unless, when I executed this directive, I chose to be able to revoke this directive while incapacitated.

I understand that, except as otherwise provided in law, revocation must be in writing. I understand that nothing in this directive, or in my refusal of treatment to which I consent in this directive, authorizes any health care provider, professional person, health care facility, or agent appointed in this directive to use or threaten to use abuse, neglect, financial exploitation, or abandonment to carry out my directive.

I understand that there are some circumstances where my provider may not have to follow my directive.

PART II.
WHEN THIS DIRECTIVE IS EFFECTIVE
YOU MUST COMPLETE THIS PART FOR YOUR
DIRECTIVE TO BE VALID.

I intend that this directive become effective (YOU MUST CHOOSE ONLY ONE):

- Immediately upon my signing of this directive.
- If I become incapacitated.
- When the following circumstances, symptoms, or behaviors occur:

PART III.
DURATION OF THIS DIRECTIVE
YOU MUST COMPLETE THIS PART FOR YOUR
DIRECTIVE TO BE VALID.

I want this directive to (YOU MUST CHOOSE ONLY ONE):

- Remain valid and in effect for an indefinite period of time.
- Automatically expire years from the date it was created.

PART IV.

WHEN I MAY REVOKE THIS DIRECTIVE YOU MUST COMPLETE THIS PART FOR THIS DIRECTIVE TO BE VALID.

I intend that I be able to revoke this directive (YOU MUST CHOOSE ONLY ONE):

..... Only when I have capacity.

I understand that choosing this option means I may only revoke this directive if I have capacity. I further understand that if I choose this option and become incapacitated while this directive is in effect, I may receive treatment that I specify in this directive, even if I object at the time.

..... Even if I am incapacitated.

I understand that choosing this option means that I may revoke this directive even if I am incapacitated. I further understand that if I choose this option and revoke this directive while I am incapacitated I may not receive treatment that I specify in this directive, even if I want the treatment.

PART V.

PREFERENCES AND INSTRUCTIONS ABOUT TREATMENT, FACILITIES, AND PHYSICIANS OR PSYCHIATRIC ADVANCED REGISTERED NURSE PRACTITIONERS

A. Preferences and Instructions About Physician(s), Physician Assistant(s), or Psychiatric Advanced Registered Nurse Practitioner(s) to be Involved in My Treatment

I would like the physician(s), physician assistant(s), or psychiatric advanced registered nurse practitioner(s) named below to be involved in my treatment decisions:

Dr., PA-C, or PARNP Contact information:

Dr., PA-C, or PARNP Contact information:

I do not wish to be treated by Dr. or PARNP

B. Preferences and Instructions About Other Providers

I am receiving other treatment or care from providers who I feel have an impact on my mental health care. I would like the following treatment provider(s) to be contacted when this directive is effective:

Name Profession Contact information

Name Profession Contact information

C. Preferences and Instructions About Medications for Psychiatric Treatment (initial and complete all that apply)

..... I consent, and authorize my agent (if appointed) to consent, to the following medications:

..... I do not consent, and I do not authorize my agent (if appointed) to consent, to the administration of the following medications:

..... I am willing to take the medications excluded above if my only reason for excluding them is the side effects which include

and these side effects can be eliminated by dosage adjustment or other means

..... I am willing to try any other medication the hospital doctor, physician assistant, or psychiatric advanced registered nurse practitioner recommends

..... I am willing to try any other medications my outpatient doctor, physician assistant, or psychiatric advanced registered nurse practitioner recommends

..... I do not want to try any other medications.

Medication Allergies

Other Medication Preferences or Instructions

D. Preferences and Instructions About Hospitalization and Alternatives

(initial all that apply and, if desired, rank "1" for first choice, "2" for second choice, and so on)

..... In the event my psychiatric condition is serious enough to require 24-hour care and I have no physical conditions that require immediate access to emergency medical care, I prefer to receive this care in programs/facilities designed as alternatives to psychiatric hospitalizations.

..... I would also like the interventions below to be tried before hospitalization is considered:

..... Calling someone or having someone call me when needed.

Name: Telephone:

..... Staying overnight with someone

Name: Telephone:

..... Having a mental health service provider come to see me

..... Going to a crisis triage center or emergency room

..... Staying overnight at a crisis respite (temporary) bed

..... Seeing a service provider for help with psychiatric medications

..... Other, specify:

Authority to Consent to Inpatient Treatment

I consent, and authorize my agent (if appointed) to consent, to voluntary admission to inpatient mental health treatment for days (not to exceed 14 days)

(Sign one):

..... If deemed appropriate by my agent (if appointed) and treating physician, physician assistant, or psychiatric advanced registered nurse practitioner

(Signature)

Or

..... Under the following circumstances (specify symptoms, behaviors, or circumstances that indicate the need for hospitalization)

(Signature)

..... I do not consent, or authorize my agent (if appointed) to consent, to inpatient treatment

(Signature)

Hospital Preferences and Instructions

If hospitalization is required, I prefer the following hospitals:

I do not consent to be admitted to the following hospitals:

E. Preferences and Instructions About Preemergency

I would like the interventions below to be tried before use of seclusion or restraint is considered

(initial all that apply):

..... "Talk me down" one-on-one

..... More medication

..... Time out/privacy

..... Show of authority/force

..... Shift my attention to something else

..... Set firm limits on my behavior

..... Help me to discuss/vent feelings

..... Decrease stimulation

..... Offer to have neutral person settle dispute

..... Other, specify

F. Preferences and Instructions About Seclusion, Restraint, and Emergency Medications

If it is determined that I am engaging in behavior that requires seclusion, physical restraint, and/or emergency use of medication, I prefer these interventions in the order I have chosen (choose "1" for first choice, "2" for second choice, and so on):

- Seclusion
- Seclusion and physical restraint (combined)
- Medication by injection
- Medication in pill or liquid form

In the event that my attending physician, physician assistant, or psychiatric advanced registered nurse practitioner decides to use medication in response to an emergency situation after due consideration of my preferences and instructions for emergency treatments stated above, I expect the choice of medication to reflect any preferences and instructions I have expressed in Part III C of this form. The preferences and instructions I express in this section regarding medication in emergency situations do not constitute consent to use of the medication for nonemergency treatment.

G. Preferences and Instructions About Electroconvulsive Therapy (ECT or Shock Therapy)

My wishes regarding electroconvulsive therapy are (sign one):

..... I do not consent, nor authorize my agent (if appointed) to consent, to the administration of electroconvulsive therapy

(Signature)

..... I consent, and authorize my agent (if appointed) to consent, to the administration of electroconvulsive therapy

(Signature)

..... I consent, and authorize my agent (if appointed) to consent, to the administration of electroconvulsive therapy, but only under the following conditions:

(Signature)

H. Preferences and Instructions About Who is Permitted to Visit

If I have been admitted to a mental health treatment facility, the following people are not permitted to visit me there:

- Name:
- Name:
- Name:

I understand that persons not listed above may be permitted to visit me.

I. Additional Instructions About My Mental Health Care

Other instructions about my mental health care:

In case of emergency, please contact:

- Name: Address:
- Work telephone: Home telephone:
- Physician, Physician Assistant, or Psychiatric Advanced Registered Nurse Practitioner: Address:

Telephone:

The following may help me to avoid a hospitalization:

I generally react to being hospitalized as follows:

Staff of the hospital or crisis unit can help me by doing the following:

J. Refusal of Treatment

I do not consent to any mental health treatment.

(Signature)

PART VI.

DURABLE POWER OF ATTORNEY (APPOINTMENT OF MY AGENT)

(Fill out this part only if you wish to appoint an agent or nominate a guardian.)

I authorize an agent to make mental health treatment decisions on my behalf. The authority granted to my agent includes the right to consent, refuse consent, or withdraw consent to any mental health care, treatment, service, or procedure, consistent with any instructions and/or limitations I have set forth in this directive. I intend that those decisions should be made in accordance with my expressed wishes as set forth in this document. If I have not expressed a choice in this document and my agent does not otherwise know my wishes, I authorize my agent to make the decision that my agent determines is in my best interest. This agency shall not be affected by my incapacity. Unless I state otherwise in this durable power of attorney, I may revoke it unless prohibited by other state law.

A. Designation of an Agent

I appoint the following person as my agent to make mental health treatment decisions for me as authorized in this document and request that this person be notified immediately when this directive becomes effective:

- Name: Address:
- Work telephone: Home telephone:
- Relationship:

B. Designation of Alternate Agent

If the person named above is unavailable, unable, or refuses to serve as my agent, or I revoke that person's authority to serve as my agent, I hereby appoint the following person as my alternate agent and request that this person be notified immediately when this directive becomes effective or when my original agent is no longer my agent:

- Name: Address:
- Work telephone: Home telephone:
- Relationship:

C. When My Spouse is My Agent (initial if desired)

..... If my spouse is my agent, that person shall remain my agent even if we become legally separated or our marriage is dissolved, unless there is a court order to the contrary or I have remarried.

D. Limitations on My Agent's Authority

I do not grant my agent the authority to consent on my behalf to the following:

E. Limitations on My Ability to Revoke this Durable Power of Attorney

I choose to limit my ability to revoke this durable power of attorney as follows:

F. Preference as to Court-Appointed Guardian

In the event a court appoints a guardian who will make decisions regarding my mental health treatment, I nominate the following person as my guardian:

- Name: Address:
- Work telephone: Home telephone:
- Relationship:

The appointment of a guardian of my estate or my person or any other decision maker shall not give the guardian or

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

decision maker the power to revoke, suspend, or terminate this directive or the powers of my agent, except as authorized by law.

(Signature required if nomination is made)

PART VII.

OTHER DOCUMENTS

(Initial all that apply)

I have executed the following documents that include the power to make decisions regarding health care services for myself:

- Health care power of attorney (chapter 11.94 RCW)
- "Living will" (Health care directive; chapter 70.122 RCW)

..... I have appointed more than one agent. I understand that the most recently appointed agent controls except as stated below:

PART VIII.

NOTIFICATION OF OTHERS AND CARE OF PERSONAL AFFAIRS

(Fill out this part only if you wish to provide nontreatment instructions.)

I understand the preferences and instructions in this part are NOT the responsibility of my treatment provider and that no treatment provider is required to act on them.

A. Who Should Be Notified

I desire my agent to notify the following individuals as soon as possible when this directive becomes effective:

Name: Address:
 Day telephone: Evening telephone:

Name: Address:
 Day telephone: Evening telephone:

B. Preferences or Instructions About Personal Affairs

I have the following preferences or instructions about my personal affairs (e.g., care of dependents, pets, household) if I am admitted to a mental health treatment facility:

C. Additional Preferences and Instructions:

PART IX. SIGNATURE

By signing here, I indicate that I understand the purpose and effect of this document and that I am giving my informed consent to the treatments and/or admission to which I have consented or authorized my agent to consent in this directive. I intend that my consent in this directive be construed as being consistent with the elements of informed consent under chapter 7.70 RCW.

Signature: Date:
 Printed Name:

This directive was signed and declared by the "Principal," to be his or her directive, in our presence who, at his or her request, have signed our names below as witnesses. We declare that, at the time of the creation of this instrument, the Principal is personally known to us, and, according to our best knowledge and belief, has capacity at this time and does not appear to be acting under duress, undue influence, or fraud. We further declare that none of us is:

(A) A person designated to make medical decisions on the principal's behalf;

(B) A health care provider or professional person directly involved with the provision of care to the principal at the time the directive is executed;

(C) An owner, operator, employee, or relative of an owner or operator of a health care facility or long-term care facility in which the principal is a patient or resident;

(D) A person who is related by blood, marriage, or adoption to the person, or with whom the principal has a dating relationship as defined in RCW 26.50.010;

(E) An incapacitated person;

(F) A person who would benefit financially if the principal undergoes mental health treatment; or

(G) A minor.

Witness 1: Signature: Date:

Printed Name:
 Telephone: Address:
 Witness 2: Signature: Date:

Printed Name:
 Telephone: Address:

PART X. RECORD OF DIRECTIVE

I have given a copy of this directive to the following persons:

DO NOT FILL OUT PART XI UNLESS YOU INTEND TO REVOKE THIS DIRECTIVE IN PART OR IN WHOLE PART XI. REVOCATION OF THIS DIRECTIVE

(Initial any that apply):

..... I am revoking the following part(s) of this directive (specify):

..... I am revoking all of this directive.

By signing here, I indicate that I understand the purpose and effect of my revocation and that no person is bound by any revoked provision(s). I intend this revocation to be interpreted as if I had never completed the revoked provision(s).

Signature: Date:
 Printed Name:

DO NOT SIGN THIS PART UNLESS YOU INTEND TO REVOKE THIS DIRECTIVE IN PART OR IN WHOLE

Sec. 17. RCW 71.34.020 and 2011 c 89 s 16 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Child psychiatrist" means a person having a license as a physician and surgeon in this state, who has had graduate training in child psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and who is board eligible or board certified in child psychiatry.

(2) "Children's mental health specialist" means:

(a) A mental health professional who has completed a minimum of one hundred actual hours, not quarter or semester hours, of specialized training devoted to the study of child development and the treatment of children; and

(b) A mental health professional who has the equivalent of one year of full-time experience in the treatment of children under the supervision of a children's mental health specialist.

(3) "Commitment" means a determination by a judge or court commissioner, made after a commitment hearing, that the minor is in need of inpatient diagnosis, evaluation, or treatment or that the minor is in need of less restrictive alternative treatment.

(4) "Department" means the department of social and health services.

(5) "Designated mental health professional" means a mental health professional designated by one or more counties to perform the functions of a designated mental health professional described in this chapter.

(6) "Evaluation and treatment facility" means a public or private facility or unit that is certified by the department to provide emergency, inpatient, residential, or outpatient mental health evaluation and treatment services for minors. A physically separate and separately-operated portion of a state hospital may be designated as an evaluation and treatment facility for minors. A facility which is part of or operated by the department or federal agency does not require certification. No correctional institution or facility, juvenile court detention facility, or jail may be an evaluation and treatment facility within the meaning of this chapter.

(7) "Evaluation and treatment program" means the total system of services and facilities coordinated and approved by a county or combination of counties for the evaluation and treatment of minors under this chapter.

(8) "Gravely disabled minor" means a minor who, as a result of a mental disorder, is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, or manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(9) "Inpatient treatment" means twenty-four-hour-per-day mental health care provided within a general hospital, psychiatric hospital, or residential treatment facility certified by the department as an evaluation and treatment facility for minors.

(10) "Less restrictive alternative" or "less restrictive setting" means outpatient treatment provided to a minor who is not residing in a facility providing inpatient treatment as defined in this chapter.

(11) "Likelihood of serious harm" means either: (a) A substantial risk that physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself; (b) a substantial risk that physical harm will be inflicted by an individual upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm; or (c) a substantial risk that physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others.

(12) "Medical necessity" for inpatient care means a requested service which is reasonably calculated to: (a) Diagnose, correct, cure, or alleviate a mental disorder; or (b) prevent the worsening of mental conditions that endanger life or cause suffering and pain, or result in illness or infirmity or threaten to cause or aggravate a handicap, or cause physical deformity or malfunction, and there is no adequate less restrictive alternative available.

(13) "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on an individual's cognitive or volitional functions. The presence of alcohol abuse, drug abuse, juvenile criminal history, antisocial behavior, or intellectual disabilities alone is insufficient to justify a finding of "mental disorder" within the meaning of this section.

(14) "Mental health professional" means a psychiatrist, physician assistant working with a supervising psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary under this chapter.

(15) "Minor" means any person under the age of eighteen years.

(16) "Outpatient treatment" means any of the nonresidential services mandated under chapter 71.24 RCW and provided by licensed services providers as identified by RCW 71.24.025.

(17) "Parent" means:

(a) A biological or adoptive parent who has legal custody of the child, including either parent if custody is shared under a joint custody agreement; or

(b) A person or agency judicially appointed as legal guardian or custodian of the child.

(18) "Professional person in charge" or "professional person" means a physician or other mental health professional empowered by an evaluation and treatment facility with authority to make admission and discharge decisions on behalf of that facility.

(19) "Psychiatric nurse" means a registered nurse who has a bachelor's degree from an accredited college or university, and who has had, in addition, at least two years' experience in the direct treatment of persons who have a mental illness or who are emotionally disturbed, such experience gained under the supervision of a mental health professional. "Psychiatric nurse" shall also mean any other registered nurse who has three years of such experience.

(20) "Psychiatrist" means a person having a license as a physician in this state who has completed residency training in psychiatry in a program approved by the American Medical Association or the American Osteopathic Association, and is board eligible or board certified in psychiatry.

(21) "Psychologist" means a person licensed as a psychologist under chapter 18.83 RCW.

(22) "Responsible other" means the minor, the minor's parent or estate, or any other person legally responsible for support of the minor.

(23) "Secretary" means the secretary of the department or secretary's designee.

(24) "Social worker" means a person with a master's or further advanced degree from a social work educational program accredited and approved as provided in RCW 18.320.010.

(25) "Start of initial detention" means the time of arrival of the minor at the first evaluation and treatment facility offering inpatient treatment if the minor is being involuntarily detained at the time. With regard to voluntary patients, "start of initial detention" means the time at which the minor gives notice of intent to leave under the provisions of this chapter.

(26) "Physician assistant" means a person licensed as a physician assistant under chapter 18.57A or 18.71A RCW.

Sec. 18. RCW 71.34.355 and 2009 c 217 s 15 are each amended to read as follows:

Absent a risk to self or others, minors treated under this chapter have the following rights, which shall be prominently posted in the evaluation and treatment facility:

(1) To wear their own clothes and to keep and use personal possessions;

(2) To keep and be allowed to spend a reasonable sum of their own money for canteen expenses and small purchases;

(3) To have individual storage space for private use;

(4) To have visitors at reasonable times;

(5) To have reasonable access to a telephone, both to make and receive confidential calls;

(6) To have ready access to letter-writing materials, including stamps, and to send and receive uncensored correspondence through the mails;

(7) To discuss treatment plans and decisions with mental health professionals;

(8) To have the right to adequate care and individualized treatment;

(9) Not to consent to the performance of electro-convulsive treatment or surgery, except emergency lifesaving surgery, upon

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

him or her, and not to have electro-convulsive treatment or nonemergency surgery in such circumstance unless ordered by a court pursuant to a judicial hearing in which the minor is present and represented by counsel, and the court shall appoint a psychiatrist, physician assistant, psychologist, psychiatric advanced registered nurse practitioner, or physician designated by the minor or the minor's counsel to testify on behalf of the minor. The minor's parent may exercise this right on the minor's behalf, and must be informed of any impending treatment;

(10) Not to have psychosurgery performed on him or her under any circumstances.

Sec. 19. RCW 71.34.720 and 2009 c 217 s 16 are each amended to read as follows:

(1) Each minor approved by the facility for inpatient admission shall be examined and evaluated by a children's mental health specialist as to the child's mental condition and by a physician, physician assistant, or psychiatric advanced registered nurse practitioner as to the child's physical condition within twenty-four hours of admission. Reasonable measures shall be taken to ensure medical treatment is provided for any condition requiring immediate medical attention.

(2) If, after examination and evaluation, the children's mental health specialist and the physician, physician assistant, or psychiatric advanced registered nurse practitioner determine that the initial needs of the minor would be better served by placement in a chemical dependency treatment facility, then the minor shall be referred to an approved treatment program defined under RCW 70.96A.020.

(3) The admitting facility shall take reasonable steps to notify immediately the minor's parent of the admission.

(4) During the initial seventy-two hour treatment period, the minor has a right to associate or receive communications from parents or others unless the professional person in charge determines that such communication would be seriously detrimental to the minor's condition or treatment and so indicates in the minor's clinical record, and notifies the minor's parents of this determination. In no event may the minor be denied the opportunity to consult an attorney.

(5) If the evaluation and treatment facility admits the minor, it may detain the minor for evaluation and treatment for a period not to exceed seventy-two hours from the time of provisional acceptance. The computation of such seventy-two hour period shall exclude Saturdays, Sundays, and holidays. This initial treatment period shall not exceed seventy-two hours except when an application for voluntary inpatient treatment is received or a petition for fourteen-day commitment is filed.

(6) Within twelve hours of the admission, the facility shall advise the minor of his or her rights as set forth in this chapter.

Sec. 20. RCW 71.34.730 and 2009 c 293 s 6 and 2009 c 217 s 17 are each amended to read as follows:

(1) The professional person in charge of an evaluation and treatment facility where a minor has been admitted involuntarily for the initial seventy-two hour treatment period under this chapter may petition to have a minor committed to an evaluation and treatment facility for fourteen-day diagnosis, evaluation, and treatment.

If the professional person in charge of the treatment and evaluation facility does not petition to have the minor committed, the parent who has custody of the minor may seek review of that decision in court. The parent shall file notice with the court and provide a copy of the treatment and evaluation facility's report.

(2) A petition for commitment of a minor under this section shall be filed with the superior court in the county where the minor is residing or being detained.

(a) A petition for a fourteen-day commitment shall be signed by: (i) Two physicians((,)); (ii) ((two psychiatric advanced registered nurse practitioners, (iii) a mental health professional and either a physician or a psychiatric advanced registered nurse practitioner, or (iv) a physician and a psychiatric advanced registered nurse practitioner)) one physician and a mental health professional; (iii) one physician assistant and a mental health professional; or (iv) one psychiatric advanced registered nurse practitioner and a mental health professional. The person signing the petition must have examined the minor, and the petition must contain the following:

(A) The name and address of the petitioner;

(B) The name of the minor alleged to meet the criteria for fourteen-day commitment;

(C) The name, telephone number, and address if known of every person believed by the petitioner to be legally responsible for the minor;

(D) A statement that the petitioner has examined the minor and finds that the minor's condition meets required criteria for fourteen-day commitment and the supporting facts therefor;

(E) A statement that the minor has been advised of the need for voluntary treatment but has been unwilling or unable to consent to necessary treatment;

(F) A statement that the minor has been advised of the loss of firearm rights if involuntarily committed;

(G) A statement recommending the appropriate facility or facilities to provide the necessary treatment; and

(H) A statement concerning whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(b) A copy of the petition shall be personally delivered to the minor by the petitioner or petitioner's designee. A copy of the petition shall be sent to the minor's attorney and the minor's parent.

Sec. 21. RCW 71.34.750 and 2009 c 217 s 18 are each amended to read as follows:

(1) At any time during the minor's period of fourteen-day commitment, the professional person in charge may petition the court for an order requiring the minor to undergo an additional one hundred eighty-day period of treatment. The evidence in support of the petition shall be presented by the county prosecutor unless the petition is filed by the professional person in charge of a state-operated facility in which case the evidence shall be presented by the attorney general.

(2) The petition for one hundred eighty-day commitment shall contain the following:

(a) The name and address of the petitioner or petitioners;

(b) The name of the minor alleged to meet the criteria for one hundred eighty-day commitment;

(c) A statement that the petitioner is the professional person in charge of the evaluation and treatment facility responsible for the treatment of the minor;

(d) The date of the fourteen-day commitment order; and

(e) A summary of the facts supporting the petition.

(3) The petition shall be supported by accompanying affidavits signed by: (a) Two examining physicians, one of whom shall be a child psychiatrist, or two psychiatric advanced registered nurse practitioners, one of whom shall be a child and adolescent or family psychiatric advanced registered nurse practitioner, or two physician assistants, one of whom must be supervised by a child psychiatrist; (b) one children's mental health specialist and either an examining physician, physician assistant, or a psychiatric advanced registered nurse practitioner((,)); or (c) two among an examining physician, physician assistant, and a psychiatric advanced registered nurse practitioner, one of which

needs to be a child psychiatrist a physician assistant supervised by a child psychiatrist, or a child and adolescent psychiatric nurse practitioner. The affidavits shall describe in detail the behavior of the detained minor which supports the petition and shall state whether a less restrictive alternative to inpatient treatment is in the best interests of the minor.

(4) The petition for one hundred eighty-day commitment shall be filed with the clerk of the court at least three days before the expiration of the fourteen-day commitment period. The petitioner or the petitioner's designee shall within twenty-four hours of filing serve a copy of the petition on the minor and notify the minor's attorney and the minor's parent. A copy of the petition shall be provided to such persons at least twenty-four hours prior to the hearing.

(5) At the time of filing, the court shall set a date within seven days for the hearing on the petition. The court may continue the hearing upon the written request of the minor or the minor's attorney for not more than ten days. The minor or the parents shall be afforded the same rights as in a fourteen-day commitment hearing. Treatment of the minor shall continue pending the proceeding.

(6) For one hundred eighty-day commitment, the court must find by clear, cogent, and convincing evidence that the minor:

(a) Is suffering from a mental disorder;

(b) Presents a likelihood of serious harm or is gravely disabled; and

(c) Is in need of further treatment that only can be provided in a one hundred eighty-day commitment.

(7) If the court finds that the criteria for commitment are met and that less restrictive treatment in a community setting is not appropriate or available, the court shall order the minor committed for further inpatient treatment to the custody of the secretary or to a private treatment and evaluation facility if the minor's parents have assumed responsibility for payment for the treatment. If the court finds that a less restrictive alternative is in the best interest of the minor, the court shall order less restrictive alternative treatment upon such conditions as necessary.

If the court determines that the minor does not meet the criteria for one hundred eighty-day commitment, the minor shall be released.

(8) Successive one hundred eighty-day commitments are permissible on the same grounds and under the same procedures as the original one hundred eighty-day commitment. Such petitions shall be filed at least five days prior to the expiration of the previous one hundred eighty-day commitment order.

Sec. 22. RCW 71.34.770 and 2009 c 217 s 19 are each amended to read as follows:

(1) The professional person in charge of the inpatient treatment facility may authorize release for the minor under such conditions as appropriate. Conditional release may be revoked pursuant to RCW 71.34.780 if leave conditions are not met or the minor's functioning substantially deteriorates.

(2) Minors may be discharged prior to expiration of the commitment period if the treating physician, physician assistant, psychiatric advanced registered nurse practitioner, or professional person in charge concludes that the minor no longer meets commitment criteria.

Sec. 23. RCW 18.71A.030 and 2013 c 203 s 6 are each amended to read as follows:

(1) A physician assistant may practice medicine in this state only with the approval of the delegation agreement by the commission and only to the extent permitted by the commission. A physician assistant who has received a license but who has not received commission approval of the delegation agreement under RCW 18.71A.040 may not practice. A physician assistant shall be subject to discipline under chapter 18.130 RCW.

(2) Physician assistants may provide services that they are competent to perform based on their education, training, and experience and that are consistent with their commission-approved delegation agreement. The supervising physician and the physician assistant shall determine which procedures may be performed and the degree of supervision under which the procedure is performed. Physician assistants may practice in any area of medicine or surgery as long as the practice is not beyond the supervising physician's own scope of expertise and practice.

Sec. 24. RCW 18.57A.030 and 2013 c 203 s 3 are each amended to read as follows:

(1) An osteopathic physician assistant as defined in this chapter may practice osteopathic medicine in this state only with the approval of the delegation agreement by the board and only to the extent permitted by the board. An osteopathic physician assistant who has received a license but who has not received board approval of the delegation agreement under RCW 18.57A.040 may not practice. An osteopathic physician assistant shall be subject to discipline by the board under the provisions of chapter 18.130 RCW.

(2) Osteopathic physician assistants may provide services that they are competent to perform based on their education, training, and experience and that are consistent with their board-approved delegation agreement. The supervising physician and the physician assistant shall determine which procedures may be performed and the degree of supervision under which the procedure is performed. Physician assistants may practice in any area of medicine or surgery so long as the practice is not beyond the supervising physician's own scope of expertise and practice."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Becker moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6445.

Senator Becker spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6445.

The motion by Senator Becker carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6445 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6445, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6445, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Baumgartner

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

SUBSTITUTE SENATE BILL NO. 6445, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MOTION

On motion of Senator Schoesler, and without objection, Senator Dansel was excused.

MESSAGE FROM THE HOUSE

March 2, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6427 with the following amendment(s): 6427-S.E AMH FIN H4555.20.

On page 2, beginning on line 3, after "country." strike all material through "location." on line 6 and insert "The seller must document the delivery by completing a declaration, which must be signed by the seller and the buyer. The declaration must be limited to attestation regarding the location of delivery and the enrollment status of the tribal member. The department may develop a form for the declaration."

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Fain moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6427.

Senator Fain spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Fain that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6427.

The motion by Senator Fain carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6427 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6427, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6427, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Baumgartner and Dansel

ENGROSSED SUBSTITUTE SENATE BILL NO. 6427, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6338 with the following amendment(s): 6338-S AMH JUDI H4584.1

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 23.86.135 and 1989 c 307 s 30 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, a member of an association shall have the right to dissent from any of the following association actions:

((1)) (a) Any plan of merger or consolidation to which the association is a party;

((2)) (b) Any plan of conversion of the association to an ordinary business corporation; or

((3)) (c) Any sale or exchange of all or substantially all of the property and assets of the association not made in the usual and regular course of its business, including a sale in dissolution, but not including a sale pursuant to an order of a court having jurisdiction in the premises or a sale for cash on terms requiring that all or substantially all of the net proceeds of the sale be distributed to the members in accordance with their respective interests within one year from the date of sale.

(2) A member of a rural electric association is not entitled to dissent from a merger to which the association is a party if all members of the association have the right to continue their membership status in the surviving association on substantially similar terms."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6338.

Senator Padden spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Padden that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6338.

The motion by Senator Padden carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6338 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6338, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6338, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen,

Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 6338, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6314 with the following amendment(s): 6314-S AMH LG JONC 091

On page 1, beginning on line 13, after "vacation." strike all material through "benefit" on line 18 and insert "In determining the appropriate compensation for the road or right-of-way, the board may adjust the appraised value to reflect the value of the transfer of liability or risk, the increased value to the public in property taxes, the avoided costs for management or maintenance, and any limits on development or future public benefit"

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Fain moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6314.

Senator Fain spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Fain that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6314.

The motion by Senator Fain carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6314 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6314, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6314, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Padden

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 6314, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5143,
SENATE BILL NO. 5270,
SUBSTITUTE SENATE BILL NO. 5597,
SUBSTITUTE SENATE BILL NO. 5670,
SUBSTITUTE SENATE BILL NO. 6117,
SENATE BILL NO. 6156,
ENGROSSED SENATE BILL NO. 6166,
SENATE BILL NO. 6171,
SENATE BILL NO. 6245,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6248,
SUBSTITUTE SENATE BILL NO. 6283,
SENATE BILL NO. 6325,
SUBSTITUTE SENATE BILL NO. 6358,
SENATE BILL NO. 6400,
SENATE BILL NO. 6405,
SUBSTITUTE SENATE BILL NO. 6449,
SENATE BILL NO. 6475,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6513,
ENGROSSED SENATE BILL NO. 6589,
SENATE BILL NO. 6607,
SENATE JOINT MEMORIAL NO. 8019,
SENATE JOINT RESOLUTION NO. 8210.

MESSAGE FROM THE HOUSE

March 1, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6165 with the following amendment(s): 6165-S AMH JUDI H4589.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.41.190 and 2014 c 201 s 1 are each amended to read as follows:

(1) Except as otherwise provided in this section, it is unlawful for any person to:

(a) Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any machine gun, short-barreled shotgun, or short-barreled rifle; ((or))

(b) Manufacture, own, buy, sell, loan, furnish, transport, or have in possession or under control, any part designed and intended solely and exclusively for use in a machine gun, short-barreled shotgun, or short-barreled rifle, or in converting a weapon into a machine gun, short-barreled shotgun, or short-barreled rifle; or ((to))

(c) Assemble or repair any machine gun, short-barreled shotgun, or short-barreled rifle.

(2) It is not unlawful for a person to ((possess, transport, acquire, or transfer a short-barreled rifle that is legally registered and possessed, transported, acquired, or transferred in accordance)) manufacture, own, buy, sell, loan, furnish, transport, assemble, or repair, or have in possession or under control, a short-barreled rifle, or any part designed or intended solely and exclusively for use in a short-barreled rifle or in converting a weapon into a short-barreled rifle, if the person is in compliance with applicable federal law.

(3) Subsection (1) of this section shall not apply to:

(a) Any peace officer in the discharge of official duty or traveling to or from official duty, or to any officer or member of the armed forces of the United States or the state of Washington in the discharge of official duty or traveling to or from official duty; or

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(b) A person, including an employee of such person if the employee has undergone fingerprinting and a background check, who or which is exempt from or licensed under federal law, and engaged in the production, manufacture, repair, or testing of machine guns, short-barreled shotguns, or short-barreled rifles:

(i) To be used or purchased by the armed forces of the United States;

(ii) To be used or purchased by federal, state, county, or municipal law enforcement agencies; or

(iii) For exportation in compliance with all applicable federal laws and regulations.

(4) It shall be an affirmative defense to a prosecution brought under this section that the machine gun or short-barreled shotgun was acquired prior to July 1, 1994, and is possessed in compliance with federal law.

(5) Any person violating this section is guilty of a class C felony."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6165.

Senators Padden and Takko spoke in favor of the motion.

POINT OF INQUIRY

Senator Hargrove: "Will Senator Padden yield to a question?"

REPLY BY THE PRESIDENT

President Owen: "He does not yield."

The President declared the question before the Senate to be the motion by Senator Padden that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6165.

The motion by Senator Padden carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6165 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6165, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6165, as amended by the House, and the bill passed the Senate by the following vote:

Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Frockt, Habib, Jayapal and Liias

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 6165, as amended by the House, having received the constitutional majority, was declared

passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 1, 2016

MR. PRESIDENT:

The House passed SENATE BILL NO. 5879 with the following amendment(s): 5879 AMH ELHS H4514.10.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.195.010 and 1998 c 245 s 125 are each amended to read as follows:

For the purposes of implementing this chapter, the governor shall appoint a state ((birth-to-six)) birth-to-three interagency coordinating council and ensure that state agencies involved in the provision of, or payment for, early intervention services to infants and toddlers with disabilities and their families shall coordinate and collaborate in the planning and delivery of such services.

No state or local agency currently providing early intervention services to infants and toddlers with disabilities may use funds appropriated for early intervention services for infants and toddlers with disabilities to supplant funds from other sources.

All state and local agencies shall ensure that the implementation of this chapter will not cause any interruption in existing early intervention services for infants and toddlers with disabilities.

Nothing in this chapter shall be construed to permit the restriction or reduction of eligibility under Title V of the Social Security Act, P.L. 90-248, relating to maternal and child health or Title XIX of the Social Security Act, P.L. 89-97, relating to medicaid for infants and toddlers with disabilities.

Sec. 2. RCW 70.195.020 and 1992 c 198 s 17 are each amended to read as follows:

The state ((birth-to-six)) birth-to-three interagency coordinating council shall identify and work with county early childhood interagency coordinating councils to coordinate and enhance existing early intervention services and assist each community to meet the needs of infants and toddlers with disabilities and their families.

Sec. 3. RCW 28A.155.065 and 2007 c 115 s 7 are each amended to read as follows:

(1) ((By September 1, 2009,)) Each school district shall provide or contract for early intervention services to all eligible children with disabilities from birth to three years of age. Eligibility shall be determined according to Part C of the federal individuals with disabilities education ((improvement)) act or other applicable federal and state laws, and as specified in the Washington Administrative Code adopted by the state lead agency, which is the department of early learning. School districts shall provide or contract, or both, for early intervention services in partnership with local birth-to-three lead agencies and birth-to-three providers. Services provided under this section shall not supplant services or funding currently provided in the state for early intervention services to eligible children with disabilities from birth to three years of age. The state-designated birth-to-three lead agency shall be payor of last resort for birth-to-three early intervention services provided under this section.

(2)(a) By October 1, 2016, the office of the superintendent of public instruction shall provide the department of early learning, in its role as state lead agency, with a full accounting of the school district expenditures from the 2013-14 and 2014-15 school years,

disaggregated by district, for birth-to-three early intervention services provided under this section.

(b) The reported expenditures must include, but are not limited to per student allocations, per student expenditures, the number of children served, detailed information on services provided by school districts and contracted for by school districts, coordination and transition services, and administrative costs.

(3) The services in this section are not part of the state's program of basic education pursuant to Article IX of the state Constitution.

NEW SECTION. Sec. 4. (1) The department of early learning shall provide a full accounting of the early support for infants and toddlers expenditures from the 2013-14 and 2014-15 school years in the plan required under section 6 of this act. The accounting shall include the reported expenditures from the office of the superintendent of public instruction required under section 3 of this act.

(2) This section expires August 1, 2017.

Sec. 5. RCW 43.215.020 and 2013 c 323 s 5 are each amended to read as follows:

(1) The department of early learning is created as an executive branch agency. The department is vested with all powers and duties transferred to it under this chapter and such other powers and duties as may be authorized by law.

(2) The primary duties of the department are to implement state early learning policy and to coordinate, consolidate, and integrate child care and early learning programs in order to administer programs and funding as efficiently as possible. The department's duties include, but are not limited to, the following:

(a) To support both public and private sectors toward a comprehensive and collaborative system of early learning that serves parents, children, and providers and to encourage best practices in child care and early learning programs;

(b) To make early learning resources available to parents and caregivers;

(c) To carry out activities, including providing clear and easily accessible information about quality and improving the quality of early learning opportunities for young children, in cooperation with the nongovernmental private-public partnership;

(d) To administer child care and early learning programs;

(e) To apply data already collected comparing the following factors and make biennial recommendations to the legislature regarding working connections subsidy and state-funded preschool rates and compensation models that would attract and retain high quality early learning professionals:

(i) State-funded early learning subsidy rates and market rates of licensed early learning homes and centers;

(ii) Compensation of early learning educators in licensed centers and homes and early learning teachers at state higher education institutions;

(iii) State-funded preschool program compensation rates and Washington state head start program compensation rates; and

(iv) State-funded preschool program compensation to compensation in similar comprehensive programs in other states;

(f) To serve as the state lead agency for Part C of the federal individuals with disabilities education act (IDEA) and to develop and adopt rules that establish minimum requirements for the services offered through Part C programs, including allowable allocations and expenditures for transition into Part B of the federal individuals with disabilities education act (IDEA);

(g) To standardize internal financial audits, oversight visits, performance benchmarks, and licensing criteria, so that programs can function in an integrated fashion;

(h) To support the implementation of the nongovernmental private-public partnership and cooperate with that partnership in

pursuing its goals including providing data and support necessary for the successful work of the partnership;

(i) To work cooperatively and in coordination with the early learning council;

(j) To collaborate with the K-12 school system at the state and local levels to ensure appropriate connections and smooth transitions between early learning and K-12 programs;

(k) To develop and adopt rules for administration of the program of early learning established in RCW ((43.215.141)) 43.215.455;

(l) To develop a comprehensive birth-to-three plan to provide education and support through a continuum of options including, but not limited to, services such as: Home visiting; quality incentives for infant and toddler child care subsidies; quality improvements for family home and center-based child care programs serving infants and toddlers; professional development; early literacy programs; and informal supports for family, friend, and neighbor caregivers; and

(m) Upon the development of an early learning information system, to make available to parents timely inspection and licensing action information and provider comments through the internet and other means.

(3) When additional funds are appropriated for the specific purpose of home visiting and parent and caregiver support, the department must reserve at least eighty percent for home visiting services to be deposited into the home visiting services account and up to twenty percent of the new funds for other parent or caregiver support.

(4) Home visiting services must include programs that serve families involved in the child welfare system.

(5) Subject to the availability of amounts appropriated for this specific purpose, the legislature shall fund the expansion in the Washington state preschool program pursuant to RCW ((43.215.142)) 43.215.456 in fiscal year 2014.

(6) The department's programs shall be designed in a way that respects and preserves the ability of parents and legal guardians to direct the education, development, and upbringing of their children, and that recognizes and honors cultural and linguistic diversity. The department shall include parents and legal guardians in the development of policies and program decisions affecting their children.

NEW SECTION. Sec. 6. By December 15, 2016, the department of early learning shall develop and submit a plan to the appropriate committees of the legislature on comprehensive and coordinated early intervention services for all eligible children with disabilities in accordance with Part C of the federal individuals with disabilities education act. The proposed plan shall include, but is not limited to, the following:

(1) A full accounting of all the expenditures related to early support for infants and toddlers from both the department of early learning and the office of the superintendent of public instruction as required in RCW 28A.155.065 and section 4 of this act;

(2) The identification and proposal for coordination of all available public financial resources within the state from federal, state, and local sources;

(3) A design for an integrated early learning intervention system for all eligible infants and toddlers who have been diagnosed with a disability or developmental delays and their families;

(4) The development of procedures that ensure services are provided to all eligible infants and toddlers and their families in a consistent and timely manner; and

(5) A proposal for the integration of early support for infants and toddlers services with other critical services available for children birth to age three and their families.

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

NEW SECTION. Sec. 7. RCW 70.195.005, 70.195.010, 70.195.020, and 70.195.030 are each recodified as sections in chapter 43.215 RCW."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Billig moved that the Senate concur in the House amendment(s) to Senate Bill No. 5879.

Senator Billig spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Billig that the Senate concur in the House amendment(s) to Senate Bill No. 5879.

The motion by Senator Billig carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5879 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5879, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5879, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Padden

Excused: Senator Baumgartner

SENATE BILL NO. 5879, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6203 with the following amendment(s): 6203-S.E AMH HCW H4539.2

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 18.64.011 and 2015 c 234 s 3 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administer" means the direct application of a drug or device, whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject.

(2) "Business licensing system" means the mechanism established by chapter 19.02 RCW by which business licenses, endorsed for individual state-issued licenses, are issued and

renewed utilizing a business license application and a business license expiration date common to each renewable license endorsement.

(3) "Commission" means the pharmacy quality assurance commission.

(4) "Compounding" means the act of combining two or more ingredients in the preparation of a prescription.

(5) "Controlled substance" means a drug or substance, or an immediate precursor of such drug or substance, so designated under or pursuant to the provisions of chapter 69.50 RCW.

(6) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a drug or device, whether or not there is an agency relationship.

(7) "Department" means the department of health.

(8) "Device" means instruments, apparatus, and contrivances, including their components, parts, and accessories, intended (a) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals, or (b) to affect the structure or any function of the body of human beings or other animals.

(9) "Dispense" means the interpretation of a prescription or order for a drug, biological, or device and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(10) "Distribute" means the delivery of a drug or device other than by administering or dispensing.

(11) "Drug" and "devices" do not include surgical or dental instruments or laboratory materials, gas and oxygen, therapy equipment, X-ray apparatus or therapeutic equipment, their component parts or accessories, or equipment, instruments, apparatus, or contrivances used to render such articles effective in medical, surgical, or dental treatment, or for use or consumption in or for mechanical, industrial, manufacturing, or scientific applications or purposes. "Drug" also does not include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended, nor medicated feed intended for and used exclusively as a feed for animals other than human beings.

(12) "Drugs" means:

(a) Articles recognized in the official United States pharmacopoeia or the official homeopathic pharmacopoeia of the United States;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or other animals;

(c) Substances (other than food) intended to affect the structure or any function of the body of human beings or other animals; or

(d) Substances intended for use as a component of any substances specified in (a), (b), or (c) of this subsection, but not including devices or their component parts or accessories.

(13) "Health care entity" means an organization that provides health care services in a setting that is not otherwise licensed by the state to acquire or possess legend drugs. Health care entity includes a freestanding outpatient surgery center, a residential treatment facility, and a freestanding cardiac care center. "Health care entity" does not include an individual practitioner's office or a multipractitioner clinic, regardless of ownership, unless the owner elects licensure as a health care entity. "Health care entity" also does not include an individual practitioner's office or multipractitioner clinic identified by a hospital on a pharmacy application or renewal pursuant to RCW 18.64.043.

(14) "Labeling" means the process of preparing and affixing a label to any drug or device container. The label must include all

information required by current federal and state law and pharmacy rules.

(15) "Legend drugs" means any drugs which are required by any applicable federal or state law or regulation to be dispensed on prescription only or are restricted to use by practitioners only.

(16) "Manufacture" means the production, preparation, propagation, compounding, or processing of a drug or other substance or device or the packaging or repackaging of such substance or device, or the labeling or relabeling of the commercial container of such substance or device, but does not include the activities of a practitioner who, as an incident to his or her administration or dispensing such substance or device in the course of his or her professional practice, personally prepares, compounds, packages, or labels such substance or device. "Manufacture" includes the distribution of a licensed pharmacy compounded drug product to other state licensed persons or commercial entities for subsequent resale or distribution, unless a specific product item has approval of the commission. The term does not include:

(a) The activities of a licensed pharmacy that compounds a product on or in anticipation of an order of a licensed practitioner for use in the course of their professional practice to administer to patients, either personally or under their direct supervision;

(b) The practice of a licensed pharmacy when repackaging commercially available medication in small, reasonable quantities for a practitioner legally authorized to prescribe the medication for office use only;

(c) The distribution of a drug product that has been compounded by a licensed pharmacy to other appropriately licensed entities under common ownership or control of the facility in which the compounding takes place; or

(d) The delivery of finished and appropriately labeled compounded products dispensed pursuant to a valid prescription to alternate delivery locations, other than the patient's residence, when requested by the patient, or the prescriber to administer to the patient, or to another licensed pharmacy to dispense to the patient.

(17) "Manufacturer" means a person, corporation, or other entity engaged in the manufacture of drugs or devices.

(18) "Nonlegend" or "nonprescription" drugs means any drugs which may be lawfully sold without a prescription.

(19) "Person" means an individual, corporation, government, governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(20) "Pharmacist" means a person duly licensed by the commission to engage in the practice of pharmacy.

(21) "Pharmacy" means every place properly licensed by the commission where the practice of pharmacy is conducted.

(22) "Poison" does not include any article or mixture covered by the Washington pesticide control act (chapter 15.58 RCW), as enacted or hereafter amended.

(23) "Practice of pharmacy" includes the practice of and responsibility for: Interpreting prescription orders; the compounding, dispensing, labeling, administering, and distributing of drugs and devices; the monitoring of drug therapy and use; the initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved for his or her practice by a practitioner authorized to prescribe drugs; the participating in drug utilization reviews and drug product selection; the proper and safe storing and distributing of drugs and devices and maintenance of proper records thereof; the providing of information on legend drugs which may include, but is not limited to, the advising of therapeutic values, hazards, and the uses of drugs and devices.

(24) "Practitioner" means a physician, dentist, veterinarian, nurse, or other person duly authorized by law or rule in the state of Washington to prescribe drugs.

(25) "Prescription" means an order for drugs or devices issued by a practitioner duly authorized by law or rule in the state of Washington to prescribe drugs or devices in the course of his or her professional practice for a legitimate medical purpose.

(26) "Secretary" means the secretary of health or the secretary's designee.

(27) "Wholesaler" means a corporation, individual, or other entity which buys drugs or devices for resale and distribution to corporations, individuals, or entities other than consumers.

(28) "Chart order" means a lawful order for a drug or device entered on the chart or medical record of an inpatient or resident of an institutional facility by a practitioner or his or her designated agent.

(29) "Closed door long-term care pharmacy" means a pharmacy that provides pharmaceutical care to a defined and exclusive group of patients who have access to the services of the pharmacy because they are treated by or have an affiliation with a long-term care facility or hospice program, and that is not a retailer of goods to the general public.

(30) "Hospice program" means a hospice program certified or paid by medicare under Title XVIII of the federal social security act, or a hospice program licensed under chapter 70.127 RCW.

(31) "Institutional facility" means any organization whose primary purpose is to provide a physical environment for patients to obtain health care services including, but not limited to, services in a hospital, long-term care facility, hospice program, mental health facility, drug abuse treatment center, residential habilitation center, or a local, state, or federal correction facility.

(32) "Long-term care facility" means a nursing home licensed under chapter 18.51 RCW, an assisted living facility licensed under chapter 18.20 RCW, or an adult family home licensed under chapter 70.128 RCW.

(33) "Shared pharmacy services" means a system that allows a participating pharmacist or pharmacy pursuant to a request from another participating pharmacist or pharmacy to process or fill a prescription or drug order, which may include but is not necessarily limited to preparing, packaging, labeling, data entry, compounding for specific patients, dispensing, performing drug utilization reviews, conducting claims adjudication, obtaining refill authorizations, reviewing therapeutic interventions, or reviewing chart orders.

NEW SECTION. Sec. 2. A new section is added to chapter 18.64 RCW to read as follows:

(1) A chart order must be considered a prescription if it contains:

(a) The full name of the patient;

(b) The date of issuance;

(c) The name, strength, and dosage form of the drug prescribed;

(d) Directions for use; and

(e) An authorized signature:

(i) For written orders, the order must contain the prescribing practitioner's signature or the signature of the practitioner's authorized agent, including the name of the prescribing practitioner; or

(ii) For electronic or digital orders, the order must contain the prescribing practitioner's electronic or digital signature, or the electronic or digital signature of the practitioner's authorized agent, including the name of the prescribing practitioner.

(2) A licensed nurse, pharmacist, or physician practicing in a long-term care facility or hospice program may act as the practitioner's agent for purposes of this chapter, without need for a written agency agreement, to document a chart order in the

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

patient's medical record on behalf of the prescribing practitioner pending the prescribing practitioner's signature; or to communicate a prescription to a pharmacy whether telephonically, via facsimile, or electronically. The communication of a prescription to a dispenser by the prescriber's agent has the same force and effect as if communicated directly by the authorized practitioner.

(3) Nothing in this chapter prevents an authorized credentialed employee of a long-term care facility from transmitting a chart order pursuant to RCW 74.42.230, or transmitting a prescription on behalf of a resident to the extent otherwise authorized by law.

NEW SECTION. Sec. 3. A new section is added to chapter 18.64 RCW to read as follows:

(1) A pharmacy or pharmacist may provide a limited quantity of drugs to a nursing home or hospice program without a prescription for emergency administration by authorized personnel of the facility or program pursuant to a valid prescription. The drugs so provided must be limited to those required to meet the immediate therapeutic needs of residents or patients and may not be available from another authorized source in sufficient time to prevent risk of harm by delay resulting from obtaining drugs from another source. Emergency kits must be secured in a locked room, container, or device to prevent unauthorized access and to ensure the proper environment for preservation of the drugs.

(2) In addition to or in connection with the emergency kit authorized under subsection (1) of this section, a nursing home that employs a unit dose drug distribution system may maintain a supplemental dose kit for supplemental nonemergency drug therapy. Supplemental dose kits must be secured in a locked room, container, or device to prevent unauthorized access, and to ensure the proper environment for preservation of the drugs. Administration of drugs from a supplemental dose kit must be under a valid prescription or chart order.

(3) The types and quantity of drugs appropriate to serve the resident or patient population of a nursing home or hospice program using an emergency kit or supplemental dose kit and procedures for the proper storage and security of drugs must be determined by a pharmaceutical services committee that includes a pharmacist licensed under this chapter, a physician licensed under chapter 18.71 RCW, an osteopathic physician licensed under chapter 18.57 RCW, or an advanced registered nurse practitioner licensed under chapter 18.79 RCW, and appropriate clinical or administrative personnel of the nursing home or hospice program as set forth in rules adopted by the pharmacy quality assurance commission.

(4) A registered nurse or licensed practical nurse operating under appropriate direction and supervision by a pharmacist may restock an emergency kit or supplemental dose kit to provide for safe and timely patient access.

NEW SECTION. Sec. 4. A new section is added to chapter 18.64 RCW to read as follows:

(1) A pharmacy may resupply a legend drug to a patient at a long-term care facility or hospice program pursuant to a valid chart order that is signed by the prescribing practitioner, is not time limited, and has not been discontinued.

(2) A pharmacy may outsource shared pharmacy services for a long-term care facility or hospice program to another pharmacy if the outsourcing pharmacy:

(a) Obtains approval from the long-term care facility or hospice program to outsource shared pharmacy services for the facility's or program's residents or patients; and

(b) Provides a copy of the prescription or order to the pharmacy providing the shared pharmacy services.

(3) Shared pharmacy services may be used for, but are not limited to, the purpose of ensuring that drugs or devices are attainable to meet the immediate needs of residents of the long-term care facility or hospice program, or when the outsourcing pharmacy cannot provide services on an ongoing basis. Where a pharmacy uses shared pharmacy services to have a second pharmacy provide a first dose or partial fill of a prescription or drug order to meet a patient's or resident's immediate needs, the second supplying pharmacy may dispense the first dose or partially filled prescription on a satellite basis without the outsourcing pharmacy being required to fully transfer the prescription to the supplying pharmacy. The supplying pharmacy must retain a copy of the prescription or order on file, a copy of the dispensing record or fill, and must notify the outsourcing pharmacy of the service and quantity provided.

(4) A pharmacy may repackage and dispense unused drugs returned by a long-term care facility or hospice program to the pharmacy in per-use, blister packaging, whether in unit dose or modified unit dose form, except as prohibited by federal law. The commission must adopt rules providing for the safe and efficient repackaging, reuse, and disposal of unused drugs returned to a pharmacy from a long-term care facility or hospice program. In adopting rules, the commission must take into consideration the acceptance and dispensing requirements of RCW 69.70.050 (1), (2), and (5).

NEW SECTION. Sec. 5. A new section is added to chapter 18.64 RCW to read as follows:

The commission must adopt reasonable, task-based standards regarding the ratio of pharmacists to pharmacy technicians in a closed door long-term care pharmacy. For the purpose of such standards, a pharmacy technician licensed under chapter 18.64A RCW may not be considered to be practicing as a pharmacy technician while performing administrative tasks not associated with immediate dispensing of drugs that may lawfully be performed by a registered pharmacy assistant. Administrative tasks not associated with immediate dispensing of drugs include but are not necessarily limited to medical records maintenance, billing, prepackaging unit dose drugs, inventory control, delivery, and processing returned drugs.

NEW SECTION. Sec. 6. A new section is added to chapter 18.64 RCW to read as follows:

The commission may adopt rules implementing sections 2 through 5 of this act.

NEW SECTION. Sec. 7. A new section is added to chapter 69.41 RCW to read as follows:

(1) A pharmacy may dispense legend drugs to the resident of a long-term care facility or hospice program on the basis of a written or digitally signed prescription or chart order sent via facsimile copy by the prescriber to the long-term care facility or hospice program, and communicated or transmitted to the pharmacy pursuant to section 2 of this act.

(2) For the purpose of this section, the terms "long-term care facility," "hospice program," and "chart order" have the meanings provided in RCW 18.64.011.

Sec. 8. RCW 69.50.308 and 2013 c 276 s 3 are each amended to read as follows:

(a) A controlled substance may be dispensed only as provided in this section. Prescriptions electronically communicated must also meet the requirements under RCW 69.50.312.

(b) Except when dispensed directly by a practitioner authorized to prescribe or administer a controlled substance, other than a pharmacy, to an ultimate user, a substance included in Schedule II may not be dispensed without the written or electronically communicated prescription of a practitioner.

(1) Schedule II narcotic substances may be dispensed by a pharmacy pursuant to a facsimile prescription under the following circumstances:

(i) The facsimile prescription is transmitted by a practitioner to the pharmacy; and

(ii) The facsimile prescription is for a patient in a long-term care facility or a hospice program ((certified or paid by medicare under Title XVIII of the federal social security act. "Long-term care facility" means nursing homes licensed under chapter 18.51 RCW, assisted living facilities licensed under chapter 18.20 RCW, and adult family homes licensed under chapter 70.128 RCW; or

(iii) The facsimile prescription is for a patient of a hospice program licensed by the state); and

((iv)) (iii) The practitioner or the practitioner's agent notes on the facsimile prescription that the patient is a long-term care or hospice patient.

(2) Injectable Schedule II narcotic substances that are to be compounded for patient use may be dispensed by a pharmacy pursuant to a facsimile prescription if the facsimile prescription is transmitted by a practitioner to the pharmacy.

(3) Under (1) and (2) of this subsection the facsimile prescription shall serve as the original prescription and shall be maintained as other Schedule II narcotic substances prescriptions.

(c) In emergency situations, as defined by rule of the commission, a substance included in Schedule II may be dispensed upon oral prescription of a practitioner, reduced promptly to writing and filed by the pharmacy. Prescriptions shall be retained in conformity with the requirements of RCW 69.50.306.

(d) A prescription for a substance included in Schedule II may not be refilled. A prescription for a substance included in Schedule II may not be filled more than six months after the date the prescription was issued.

(e) Except when dispensed directly by a practitioner authorized to prescribe or administer a controlled substance, other than a pharmacy, to an ultimate user, a substance included in Schedule III, IV, or V, which is a prescription drug as determined under RCW 69.04.560, may not be dispensed without a written, oral, or electronically communicated prescription of a practitioner. Any oral prescription must be promptly reduced to writing.

(f) A written, oral, or electronically communicated prescription for a substance included in Schedule III, IV, or V, which is a prescription drug as determined under RCW 69.04.560, for a resident in a long-term care facility or hospice program may be communicated to the pharmacy by an authorized agent of the prescriber. A registered nurse, pharmacist, or physician practicing in a long-term care facility or hospice program may act as the practitioner's agent for purposes of this section, without need for a written agency agreement.

(g) The prescription for a substance included in Schedule III, IV, or V may not be filled or refilled more than six months after the date issued by the practitioner or be refilled more than five times, unless renewed by the practitioner.

((g)) (h) A valid prescription or lawful order of a practitioner, in order to be effective in legalizing the possession of controlled substances, must be issued in good faith for a legitimate medical purpose by one authorized to prescribe the use of such controlled substance. An order purporting to be a prescription not in the course of professional treatment is not a valid prescription or lawful order of a practitioner within the meaning and intent of this chapter; and the person who knows or should know that the person is filling such an order, as well as the person issuing it, can be charged with a violation of this chapter.

((h)) (i) A substance included in Schedule V must be distributed or dispensed only for a medical purpose.

((i)) (j) A practitioner may dispense or deliver a controlled substance to or for an individual or animal only for medical treatment or authorized research in the ordinary course of that practitioner's profession. Medical treatment includes dispensing or administering a narcotic drug for pain, including intractable pain.

((j)) (k) No administrative sanction, or civil or criminal liability, authorized or created by this chapter may be imposed on a pharmacist for action taken in reliance on a reasonable belief that an order purporting to be a prescription was issued by a practitioner in the usual course of professional treatment or in authorized research.

((k)) (l) An individual practitioner may not dispense a substance included in Schedule II, III, or IV for that individual practitioner's personal use.

(4) For the purposes of this section, the terms "long-term care facility" and "hospice program" have the meaning provided in RCW 18.64.011.

Sec. 9. RCW 74.42.230 and 1994 sp.s. c 9 s 751 are each amended to read as follows:

(1) The resident's attending or staff physician or authorized practitioner approved by the attending physician shall order all medications for the resident. The order may be oral or written and shall ((be limited by time)) continue in effect until discontinued by a physician or other authorized prescriber, unless the order is specifically limited by time. An "authorized practitioner," as used in this section, is a registered nurse under chapter 18.79 RCW when authorized by the nursing care quality assurance commission, an osteopathic physician assistant under chapter 18.57A RCW when authorized by the committee of osteopathic examiners, ((or)) a physician assistant under chapter 18.71A RCW when authorized by the medical quality assurance commission, or a pharmacist under chapter 18.64 RCW when authorized by the pharmacy quality assurance commission.

(2) An oral order shall be given only to a licensed nurse, pharmacist, or another physician. The oral order shall be recorded and physically or electronically signed immediately by the person receiving the order. The attending physician shall sign the record of the oral order in a manner consistent with good medical practice.

(3) A licensed nurse, pharmacist, or another physician receiving and recording an oral order may, if so authorized by the physician or authorized practitioner, communicate that order to a pharmacy on behalf of the physician or authorized practitioner. The order may be communicated verbally by telephone, by facsimile manually signed by the person receiving the order pursuant to subsection (2) of this section, or by electronic transmission pursuant to RCW 69.41.055. The communication of a resident's order to a pharmacy by a licensed nurse, pharmacist, or another physician acting at the prescriber's direction has the same force and effect as if communicated directly by the delegating physician or authorized practitioner. Nothing in this provision limits the authority of a licensed nurse, pharmacist, or physician to delegate to an authorized agent, including but not limited to delegation of operation of a facsimile machine by credentialed facility staff, to the extent consistent with his or her professional license.

Sec. 10. RCW 69.41.010 and 2013 c 276 s 1 and 2013 c 19 s 55 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) "Administer" means the direct application of a legend drug whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(a) A practitioner; or

(b) The patient or research subject at the direction of the practitioner.

(2) "Community-based care settings" include: Community residential programs for persons with developmental disabilities, certified by the department of social and health services under chapter 71A.12 RCW; adult family homes licensed under chapter 70.128 RCW; and assisted living facilities licensed under chapter 18.20 RCW. Community-based care settings do not include acute care or skilled nursing facilities.

(3) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a legend drug, whether or not there is an agency relationship.

(4) "Department" means the department of health.

(5) "Dispense" means the interpretation of a prescription or order for a legend drug and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.

(6) "Dispenser" means a practitioner who dispenses.

(7) "Distribute" means to deliver other than by administering or dispensing a legend drug.

(8) "Distributor" means a person who distributes.

(9) "Drug" means:

(a) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of them;

(b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or animals;

(c) Substances (other than food, minerals or vitamins) intended to affect the structure or any function of the body of human beings or animals; and

(d) Substances intended for use as a component of any article specified in (a), (b), or (c) of this subsection. It does not include devices or their components, parts, or accessories.

(10) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization transmitted verbally by telephone nor a facsimile manually signed by the practitioner.

(11) "In-home care settings" include an individual's place of temporary and permanent residence, but does not include acute care or skilled nursing facilities, and does not include community-based care settings.

(12) "Legend drugs" means any drugs which are required by state law or regulation of the pharmacy quality assurance commission to be dispensed on prescription only or are restricted to use by practitioners only.

(13) "Legible prescription" means a prescription or medication order issued by a practitioner that is capable of being read and understood by the pharmacist filling the prescription or the nurse or other practitioner implementing the medication order. A prescription must be hand printed, typewritten, or electronically generated.

(14) "Medication assistance" means assistance rendered by a nonpractitioner to an individual residing in a community-based care setting or in-home care setting to facilitate the individual's self-administration of a legend drug or controlled substance. It includes reminding or coaching the individual, handing the medication container to the individual, opening the individual's medication container, using an enabler, or placing the medication in the individual's hand, and such other means of medication

assistance as defined by rule adopted by the department. A nonpractitioner may help in the preparation of legend drugs or controlled substances for self-administration where a practitioner has determined and communicated orally or by written direction that such medication preparation assistance is necessary and appropriate. Medication assistance shall not include assistance with intravenous medications or injectable medications, except pre-filled insulin syringes.

(15) "Person" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

(16) "Practitioner" means:

(a) A physician under chapter 18.71 RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter 18.57 RCW, a dentist under chapter 18.32 RCW, a podiatric physician and surgeon under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter 18.79 RCW, an optometrist under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010, an osteopathic physician assistant under chapter 18.57A RCW, a physician assistant under chapter 18.71A RCW, a naturopath licensed under chapter 18.36A RCW, a pharmacist under chapter 18.64 RCW, or, when acting under the required supervision of a dentist licensed under chapter 18.32 RCW, a dental hygienist licensed under chapter 18.29 RCW;

(b) A pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or to administer a legend drug in the course of professional practice or research in this state; and

(c) A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathic medicine and surgery in any state, or province of Canada, which shares a common border with the state of Washington.

(17) "Secretary" means the secretary of health or the secretary's designee.

(18) "Commission" means the pharmacy quality assurance commission.

Sec. 11. RCW 69.41.030 and 2013 c 71 s 1 and 2013 c 12 s 1 are each reenacted and amended to read as follows:

(1) It shall be unlawful for any person to sell, deliver, or possess any legend drug except upon the order or prescription of a physician under chapter 18.71 RCW, an osteopathic physician and surgeon under chapter 18.57 RCW, an optometrist licensed under chapter 18.53 RCW who is certified by the optometry board under RCW 18.53.010, a dentist under chapter 18.32 RCW, a podiatric physician and surgeon under chapter 18.22 RCW, a veterinarian under chapter 18.92 RCW, a commissioned medical or dental officer in the United States armed forces or public health service in the discharge of his or her official duties, a duly licensed physician or dentist employed by the veterans administration in the discharge of his or her official duties, a registered nurse or advanced registered nurse practitioner under chapter 18.79 RCW when authorized by the nursing care quality assurance commission, a pharmacist licensed under chapter 18.64 RCW to the extent permitted by drug therapy guidelines or protocols established under RCW 18.64.011 and authorized by the ((board of pharmacy)) commission and approved by a practitioner authorized to prescribe drugs, an osteopathic physician assistant under chapter 18.57A RCW when authorized by the board of osteopathic medicine and surgery, a physician assistant under chapter 18.71A RCW when authorized by the medical quality assurance commission, or any of the following professionals in any province of Canada that shares a common border with the state of Washington or in any state of the United

States: A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathic medicine and surgery, a dentist licensed to practice dentistry, a podiatric physician and surgeon licensed to practice podiatric medicine and surgery, a licensed advanced registered nurse practitioner, a licensed physician assistant, a licensed osteopathic physician assistant, or a veterinarian licensed to practice veterinary medicine: PROVIDED, HOWEVER, That the above provisions shall not apply to sale, delivery, or possession by drug wholesalers or drug manufacturers, or their agents or employees, or to any practitioner acting within the scope of his or her license, or to a common or contract carrier or warehouse operator, or any employee thereof, whose possession of any legend drug is in the usual course of business or employment: PROVIDED FURTHER, That nothing in this chapter or chapter 18.64 RCW shall prevent a family planning clinic that is under contract with the health care authority from selling, delivering, possessing, and dispensing commercially prepackaged oral contraceptives prescribed by authorized, licensed health care practitioners.

(2)(a) A violation of this section involving the sale, delivery, or possession with intent to sell or deliver is a class B felony punishable according to chapter 9A.20 RCW.

(b) A violation of this section involving possession is a misdemeanor.

Sec. 12. RCW 69.41.032 and 1987 c 41 s 2 are each amended to read as follows:

This chapter shall not prevent a medicare-approved dialysis center or facility operating a medicare-approved home dialysis program from selling, delivering, possessing, or dispensing directly to its dialysis patients, in case or full shelf lots, if prescribed by a physician licensed under chapter 18.57 or 18.71 RCW, those legend drugs determined by the ((board)) commission pursuant to rule.

Sec. 13. RCW 69.41.042 and 1989 1st ex.s. c 9 s 405 are each amended to read as follows:

A pharmaceutical manufacturer, wholesaler, pharmacy, or practitioner who purchases, dispenses, or distributes legend drugs shall maintain invoices or such other records as are necessary to account for the receipt and disposition of the legend drugs.

The records maintained pursuant to this section shall be available for inspection by the ((board)) commission and its authorized representatives and shall be maintained for two years.

Sec. 14. RCW 69.41.044 and 2005 c 274 s 328 are each amended to read as follows:

All records, reports, and information obtained by the ((board)) commission or its authorized representatives from or on behalf of a pharmaceutical manufacturer, representative of a manufacturer, wholesaler, pharmacy, or practitioner who purchases, dispenses, or distributes legend drugs under this chapter are confidential and exempt from public inspection and copying under chapter 42.56 RCW. Nothing in this section restricts the investigations or the proceedings of the ((board)) commission so long as the ((board)) commission and its authorized representatives comply with the provisions of chapter 42.56 RCW.

Sec. 15. RCW 69.41.055 and 1998 c 222 s 2 are each amended to read as follows:

(1) Information concerning an original prescription or information concerning a prescription refill for a legend drug may be electronically communicated between an authorized practitioner and a pharmacy of the patient's choice with no intervening person having access to the prescription drug order pursuant to the provisions of this chapter if the electronically communicated prescription information complies with the following:

(a) Electronically communicated prescription information must comply with all applicable statutes and rules regarding the form, content, recordkeeping, and processing of a prescription or order for a legend drug;

(b) The system used for transmitting electronically communicated prescription information and the system used for receiving electronically communicated prescription information must be approved by the ((board)) commission. This subsection does not apply to currently used facsimile equipment transmitting an exact visual image of the prescription. The ((board)) commission shall maintain and provide, upon request, a list of systems used for electronically communicating prescription information currently approved by the ((board)) commission;

(c) An explicit opportunity for practitioners must be made to indicate their preference on whether or not a therapeutically equivalent generic drug or interchangeable biological product may be substituted. This section does not limit the ability of practitioners and pharmacists to permit substitution by default under a prior-consent authorization;

(d) Prescription drug orders are confidential health information, and may be released only to the patient or the patient's authorized representative, the prescriber or other authorized practitioner then caring for the patient, or other persons specifically authorized by law to receive such information;

(e) To maintain confidentiality of prescription records, the electronic system shall have adequate security and systems safeguards designed to prevent and detect unauthorized access, modification, or manipulation of these records. The pharmacist in charge shall establish or verify the existence of policies and procedures which ensure the integrity and confidentiality of prescription information transmitted to the pharmacy by electronic means. All managers, employees, and agents of the pharmacy are required to read, sign, and comply with the established policies and procedures; and

(f) The pharmacist shall exercise professional judgment regarding the accuracy, validity, and authenticity of the prescription drug order received by way of electronic transmission, consistent with federal and state laws and rules and guidelines of the ((board)) commission.

(2) The electronic or digital signature of the prescribing practitioner's agent on behalf of the prescribing practitioner for a resident in a long-term care facility or hospice program, pursuant to a valid order and authorization under section 2 of this act, constitutes a valid electronic communication of prescription information. Such an authorized signature and transmission by an agent in a long-term care facility or hospice program does not constitute an intervening person having access to the prescription drug order.

(3) The ((board)) commission may adopt rules implementing this section.

Sec. 16. RCW 69.41.220 and 1989 1st ex.s. c 9 s 428 are each amended to read as follows:

Each manufacturer and distributor shall publish and provide to the ((board)) commission by filing with the department printed material which will identify each current imprint used by the manufacturer or distributor. The ((board)) commission shall be notified of any change by the filing of any change with the department. This information shall be provided by the department to all pharmacies licensed in the state of Washington, poison control centers, and hospital emergency rooms.

Sec. 17. RCW 18.64.245 and 2013 c 19 s 17 are each amended to read as follows:

(1) Every proprietor or manager of a pharmacy shall keep readily available a suitable record of prescriptions which shall preserve for a period of not less than two years the record of every

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

prescription dispensed at such pharmacy which shall be numbered, dated, and filed, and shall produce the same in court or before any grand jury whenever lawfully required to do so. The record shall be maintained either separately from all other records of the pharmacy or in such form that the information required is readily retrievable from ordinary business records of the pharmacy. All recordkeeping requirements for controlled substances must be complied with. Such record of prescriptions shall be for confidential use in the pharmacy, only. The record of prescriptions shall be open for inspection by the commission or any officer of the law, who is authorized to enforce this chapter ((18.64,)) or chapter 69.41(,) or 69.50 RCW.

(2) When a pharmacy receives a prescription in digital or electronic format through facsimile equipment transmitting an exact visual image of the prescription, or through electronic communication of prescription information, the digital or electronic record of every such prescription dispensed at the pharmacy constitutes a suitable record of prescriptions, provided that the original or direct copy of the prescription is electronically or digitally numbered or referenced, dated, and filed in a form that permits the information required to be readily retrievable.

(3) A person violating this section is guilty of a misdemeanor.

Sec. 18. RCW 18.64.500 and 2013 c 19 s 30 are each amended to read as follows:

(1) ((Effective July 1, 2010,)) Every prescription written in this state by a licensed practitioner must be written on a tamper-resistant prescription pad or paper approved by the commission.

(2) A pharmacist may not fill a written prescription from a licensed practitioner unless it is written on an approved tamper-resistant prescription pad or paper, except that a pharmacist may provide emergency supplies in accordance with the commission and other insurance contract requirements.

(3) If a hard copy of an electronic prescription is given directly to the patient, the manually signed hard copy prescription must be on approved tamper-resistant paper that meets the requirements of this section.

(4) For the purposes of this section, "tamper-resistant prescription pads or paper" means a prescription pad or paper that has been approved by the commission for use and contains the following characteristics:

(a) One or more industry-recognized features designed to prevent unauthorized copying of a completed or blank prescription form;

(b) One or more industry-recognized features designed to prevent the erasure or modification of information written on the prescription form by the practitioner; and

(c) One or more industry-recognized features designed to prevent the use of counterfeit prescription forms.

(5) Practitioners shall employ reasonable safeguards to assure against theft or unauthorized use of prescriptions.

(6) All vendors must have their tamper-resistant prescription pads or paper approved by the commission prior to the marketing or sale of pads or paper in Washington state.

(7) The commission shall create a seal of approval that confirms that a pad or paper contains all three industry-recognized characteristics required by this section. The seal must be affixed to all prescription pads or paper used in this state.

(8) The commission may adopt rules necessary for the administration of chapter 328, Laws of 2009.

(9) The tamper-resistant prescription pad or paper requirements in this section shall not apply to:

(a) Prescriptions that are transmitted to the pharmacy by telephone, facsimile, or electronic means; or

(b) Prescriptions written for inpatients of a hospital, outpatients of a hospital, residents of a ((nursing home)) long-

term care facility, patients of a hospice program, inpatients or residents of a mental health facility, or individuals incarcerated in a local, state, or federal correction facility, when the health care practitioner authorized to write prescriptions, or his or her authorized agent, writes the order into the patient's medical or clinical record, the order is given directly to the pharmacy, and the patient never has the opportunity to handle the written order.

(10) All acts related to the prescribing, dispensing, and records maintenance of all prescriptions shall be in compliance with applicable federal and state laws, rules, and regulations."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Becker moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6203.

Senator Becker spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6203.

The motion by Senator Becker carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6203 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6203, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6203, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Baumgartner

ENGROSSED SUBSTITUTE SENATE BILL NO. 6203, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6430 with the following amendment(s): 6430-S AMH APP H4640.1

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** Persons with mental illness and persons with substance use disorders in the custody of the criminal justice system need seamless access to community treatment networks and medical assistance upon release from

custody to prevent gaps in treatment and reduce barriers to accessing care. Access to care is critical to reduce recidivism and reduce costs associated with relapse, decompensation, and crisis care. In accord with the recommendations of the adult behavioral health system task force, persons should be allowed to apply or retain their enrollment in medical assistance during periods of incarceration. The legislature intends for the Washington state health care authority and the department of social and health services to raise awareness of best clinical practices to engage persons with behavioral health disorders and other chronic conditions during periods of incarceration and confinement to highlight opportunities for good preventive care and standardize reporting and payment practices for services reimbursable by federal law that support the safe transition of the person back into the community.

NEW SECTION. Sec. 2. A new section is added to chapter 74.09 RCW to read as follows:

The authority is directed to suspend, rather than terminate, medical assistance benefits by July 1, 2017, for persons who are incarcerated or committed to a state hospital. This must include the ability for a person to apply for medical assistance in suspense status during incarceration, and may not depend upon knowledge of the release date of the person. The authority must provide a progress report describing program design and a detailed fiscal estimate to the governor and relevant committees of the legislature by December 1, 2016.

NEW SECTION. Sec. 3. A new section is added to chapter 71.24 RCW to read as follows:

The department and the Washington state health care authority shall publish written guidance and provide trainings to behavioral health organizations, managed care organizations, and behavioral health providers related to how these organizations may provide outreach, assistance, transition planning, and rehabilitation case management reimbursable under federal law to persons who are incarcerated, involuntarily hospitalized, or in the process of transitioning out of one of these services. The guidance and trainings may also highlight preventive activities not reimbursable under federal law which may be cost-effective in a managed care environment. The purpose of this written guidance and trainings is to champion best clinical practices including, where appropriate, use of care coordination and long-acting injectable psychotropic medication, and to assist the health community to leverage federal funds and standardize payment and reporting procedures. The authority and the department shall construe governing laws liberally to effectuate the broad remedial purposes of this act, and provide a status update to the legislature by December 31, 2016.

NEW SECTION. Sec. 4. A new section is added to chapter 74.09 RCW to read as follows:

The authority shall collaborate with the department, the Washington state association of counties, the Washington association of sheriffs and police chiefs, and accountable communities of health to improve population health and reduce avoidable use of intensive services and settings by requesting expenditure authority from the federal government to provide behavioral health services to persons who are incarcerated in local jails. The authority in consultation with its partners may narrow its submission to discrete programs or regions of the state as deemed advisable to effectively demonstrate the potential to achieve savings by integrating medical assistance across community and correctional settings.

NEW SECTION. Sec. 5. A new section is added to chapter 74.09 RCW to read as follows:

It is the understanding of the legislature that persons participating in a work release program or other partial confinement programs at the state, county, or city level which

allow regular freedom during the day to pursue rehabilitative community activities such as participation in work, treatment, or medical care should not be considered "inmates of a public institution" for the purposes of exclusion from medicaid coverage under the social security act. The authority is instructed to obtain any permissions from the federal government necessary to confirm this understanding, and report back to the governor and relevant committees of the legislature.

Sec. 6. RCW 70.48.100 and 2014 c 225 s 105 are each amended to read as follows:

(1) A department of corrections or chief law enforcement officer responsible for the operation of a jail shall maintain a jail register, open to the public, into which shall be entered in a timely basis:

(a) The name of each person confined in the jail with the hour, date and cause of the confinement; and

(b) The hour, date and manner of each person's discharge.

(2) Except as provided in subsection (3) of this section, the records of a person confined in jail shall be held in confidence and shall be made available only to criminal justice agencies as defined in RCW 43.43.705; or

(a) For use in inspections made pursuant to RCW 70.48.070;

(b) In jail certification proceedings;

(c) For use in court proceedings upon the written order of the court in which the proceedings are conducted;

(d) To the Washington association of sheriffs and police chiefs;

(e) To the Washington institute for public policy, research and data analysis division of the department of social and health services, higher education institutions of Washington state, Washington state health care authority, state auditor's office, caseload forecast council, office of financial management, or the successor entities of these organizations, for the purpose of research in the public interest. Data disclosed for research purposes must comply with relevant state and federal statutes; ((or))

(f) To federal, state, or local agencies to determine eligibility for services such as medical, mental health, chemical dependency treatment, or veterans' services, and to allow for the provision of treatment to inmates during their stay or after release. Records disclosed for eligibility determination or treatment services must be held in confidence by the receiving agency, and the receiving agency must comply with all relevant state and federal statutes regarding the privacy of the disclosed records; or

(g) Upon the written permission of the person.

(3)(a) Law enforcement may use booking photographs of a person arrested or confined in a local or state penal institution to assist them in conducting investigations of crimes.

(b) Photographs and information concerning a person convicted of a sex offense as defined in RCW 9.94A.030 may be disseminated as provided in RCW 4.24.550, 9A.44.130, 9A.44.140, 10.01.200, 43.43.540, 43.43.745, 46.20.187, 70.48.470, 72.09.330, and section 401, chapter 3, Laws of 1990.

(4) Any jail that provides inmate records in accordance with subsection (2) of this section is not responsible for any unlawful secondary dissemination of the provided inmate records.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

MOTION

Senator O'Ban moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6430.

Senator O'Ban spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator O'Ban that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6430.

The motion by Senator O'Ban carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6430 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6430, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6430, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Habib

Excused: Senator Baumgartner

SUBSTITUTE SENATE BILL NO. 6430, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Mullet, and without objection, Senator Habib was excused.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6605 with the following amendment(s): 6605-S.E AMH ENVI H4571.1

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.95.060 and 1999 c 116 s 1 are each amended to read as follows:

(1) The department shall adopt rules establishing minimum functional standards for solid waste handling, consistent with the standards specified in this section. The department may classify areas of the state with respect to population density, climate, geology, status under a quarantine as defined in RCW 17.24.007, and other relevant factors bearing on solid waste disposal standards.

(2) In addition to the minimum functional standards adopted by the department under subsection (1) of this section, each landfill facility whose area at its design capacity will exceed one

hundred acres and whose horizontal height at design capacity will average one hundred feet or more above existing site elevations shall comply with the standards of this subsection. This subsection applies only to wholly new solid waste landfill facilities, no part or unit of which has had construction commence before April 27, 1999.

(a) No landfill specified in this subsection may be located:

(i) So that the active area is closer than five miles to any national park or a public or private nonprofit zoological park displaying native animals in their native habitats; or

(ii) Over a sole source aquifer designated under the federal safe drinking water act, if such designation was effective before January 1, 1999.

(b) Each landfill specified in this subsection (2) shall be constructed with an impermeable berm around the entire perimeter of the active area of the landfill of such height, thickness, and design as will be sufficient to contain all material disposed in the event of a complete failure of the structural integrity of the landfill.

Sec. 2. RCW 70.95.165 and 2015 1st sp.s. c 4 s 49 are each amended to read as follows:

(1) Each county or city siting a solid waste disposal facility shall review each potential site for conformance with the standards as set by the department for:

- (a) Geology;
- (b) Groundwater;
- (c) Soil;
- (d) Flooding;
- (e) Surface water;
- (f) Slope;
- (g) Cover material;
- (h) Capacity;
- (i) Climatic factors;
- (j) Land use;
- (k) Toxic air emissions; and
- (l) Other factors as determined by the department.

(2) The standards in subsection (1) of this section shall be designed to use the best available technology to protect the environment and human health, and shall be revised periodically to reflect new technology and information.

(3) Each county shall establish a local solid waste advisory committee to assist in the development of programs and policies concerning solid waste handling and disposal and to review and comment upon proposed rules, policies, or ordinances prior to their adoption. Such committees shall consist of a minimum of nine members and shall represent a balance of interests including, but not limited to, citizens, public interest groups, business, the waste management industry, agriculture, and local elected public officials. The members shall be appointed by the county legislative authority. A county or city shall not apply for funds from the state and local improvements revolving account, Waste Disposal Facilities, 1980, under RCW 43.83.350, for the preparation, update, or major amendment of a comprehensive solid waste management plan unless the plan or revision has been prepared with the active assistance and participation of a local solid waste advisory committee.

NEW SECTION. Sec. 3. A new section is added to chapter 70.95 RCW to read as follows:

Upon receipt by the department of a preliminary draft plan as provided in RCW 70.95.094, the department shall immediately provide a copy of the preliminary draft plan to the department of agriculture. Within forty-five days after receiving the preliminary draft plan, the department of agriculture shall review the preliminary draft plan for compliance with chapter 17.24 RCW and the rules adopted under that chapter. The department of

agriculture shall advise the local government submitting the preliminary draft plan and the department of the result of the review.

Sec. 4. RCW 70.95.180 and 1997 c 213 s 3 are each amended to read as follows:

(1) Applications for permits to operate a new or modified solid waste handling facility shall be on forms prescribed by the department and shall contain a description of the proposed facilities and operations at the site, plans and specifications for any new or additional facilities to be constructed, and such other information as the jurisdictional health department may deem necessary in order to determine whether the site and solid waste disposal facilities located thereon will comply with local regulations and state ((regulations)) rules.

(2) Upon receipt of an application for a permit to establish or modify a solid waste handling facility, the jurisdictional health department shall refer one copy of the application to the department which shall report its findings to the jurisdictional health department. When the application is for a permit to establish or modify a solid waste handling facility located in an area that is not under a quarantine, as defined in RCW 17.24.007, and when the facility will receive material for composting from an area under a quarantine, the jurisdictional health department shall also provide a copy of the application to the department of agriculture. The department of agriculture shall review the application to determine whether it contains information demonstrating that the proposed facility presents a risk of spreading disease, plant pathogens, or pests to areas that are not under a quarantine. For the purposes of this subsection, "composting" means the biological degradation and transformation of organic solid waste under controlled conditions designed to promote aerobic decomposition.

(3) The jurisdictional health department shall investigate every application as may be necessary to determine whether a proposed or modified site and facilities meet all solid waste, air, and other applicable laws and regulations, and conforms with the approved comprehensive solid waste handling plan, and complies with all zoning requirements.

(4) When the jurisdictional health department finds that the permit should be issued, it shall issue such permit. Every application shall be approved or disapproved within ninety days after its receipt by the jurisdictional health department.

(5) The jurisdictional board of health may establish reasonable fees for permits and renewal of permits. All permit fees collected by the health department shall be deposited in the treasury and to the account from which the health department's operating expenses are paid.

Sec. 5. RCW 70.95.200 and 1969 ex.s. c 134 s 20 are each amended to read as follows:

Any permit for a solid waste disposal site issued as provided herein shall be subject to suspension at any time the jurisdictional health department determines that the site or the solid waste disposal facilities located on the site are being operated in violation of this chapter, ((or)) the regulations of the department, the rules of the department of agriculture, or local laws and regulations.

Sec. 6. RCW 70.95.300 and 1998 c 156 s 2 are each amended to read as follows:

(1) The department may by rule exempt a solid waste from the permitting requirements of this chapter for one or more beneficial uses. In adopting such rules, the department shall specify both the solid waste that is exempted from the permitting requirements and the beneficial use or uses for which the solid waste is so exempted. The department shall consider: (a) Whether the material will be beneficially used or reused; and (b) whether

the beneficial use or reuse of the material will present threats to human health or the environment.

(2) The department may also exempt a solid waste from the permitting requirements of this chapter for one or more beneficial uses by approving an application for such an exemption. The department shall establish by rule procedures under which a person may apply to the department for such an exemption. The rules shall establish criteria for providing such an exemption, which shall include, but not be limited to: (a) The material will be beneficially used or reused; and (b) the beneficial use or reuse of the material will not present threats to human health or the environment. Rules adopted under this subsection shall identify the information that an application shall contain. Persons seeking such an exemption shall apply to the department under the procedures established by the rules adopted under this subsection.

(3) After receipt of an application filed under rules adopted under subsection (2) of this section, the department shall review the application to determine whether it is complete, and forward a copy of the completed application to all jurisdictional health departments and the department of agriculture for review and comment. Within forty-five days, the jurisdictional health departments and the department of agriculture shall forward to the department their comments and any other information they deem relevant to the department's decision to approve or disapprove the application. The department of agriculture's comments must be limited to addressing whether approving the application risks spreading disease, plant pathogens, or pests to areas that are not under a quarantine, as defined in RCW 17.24.007. Every complete application shall be approved or disapproved by the department within ninety days of receipt. If the application is approved by the department, the solid waste is exempt from the permitting requirements of this chapter when used anywhere in the state in the manner approved by the department. If the composition, use, or reuse of the solid waste is not consistent with the terms and conditions of the department's approval of the application, the use of the solid waste remains subject to the permitting requirements of this chapter.

(4) The department shall establish procedures by rule for providing to the public and the solid waste industry notice of and an opportunity to comment on each application for an exemption under subsection (2) of this section.

(5) Any jurisdictional health department or applicant may appeal the decision of the department to approve or disapprove an application under subsection (3) of this section. The appeal shall be made to the pollution control hearings board by filing with the hearings board a notice of appeal within thirty days of the decision of the department. The hearings board's review of the decision shall be made in accordance with chapter 43.21B RCW and any subsequent appeal of a decision of the board shall be made in accordance with RCW 43.21B.180.

(6) This section shall not be deemed to invalidate the exemptions or determinations of nonapplicability in the department's solid waste rules as they exist on June 11, 1998, which exemptions and determinations are recognized and confirmed subject to the department's continuing authority to modify or revoke those exemptions or determinations by rule.

Sec. 7. RCW 70.95.205 and 1998 c 36 s 18 are each amended to read as follows:

(1) Waste-derived soil amendments that meet the standards and criteria in this section may apply for exemption from solid waste permitting as required under RCW 70.95.170. The application shall be submitted to the department in a format determined by the department or an equivalent format. The application shall include:

(a) Analytical data showing that the waste-derived soil amendments meet standards established under RCW 15.54.800; and

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

ROLL CALL

(b) Other information deemed appropriate by the department to protect human health and the environment.

(2) After receipt of an application, the department shall review it to determine whether the application is complete, and forward a copy of the complete application to all interested jurisdictional health departments and the department of agriculture for review and comment. Within forty-five days, the jurisdictional health departments and the department of agriculture shall forward their comments and any other information they deem relevant to the department, which shall then give final approval or disapproval of the application. The department of agriculture's comments must be limited to addressing whether approving the application risks spreading disease, plant pathogens, or pests to areas that are not under a quarantine, as defined in RCW 17.24.007. Every complete application shall be approved or disapproved by the department within ninety days after receipt.

(3) The department, after providing opportunity for comments from the jurisdictional health departments and the department of agriculture, may at any time revoke an exemption granted under this section if the quality or use of the waste-derived soil amendment changes or the management, storage, or end use of the waste-derived soil amendment constitutes a threat to human health or the environment.

(4) Any aggrieved party may appeal the determination by the department in subsection (2) or (3) of this section to the pollution control hearings board.

Sec. 8. RCW 70.95.315 and 2009 c 178 s 5 are each amended to read as follows:

(1) The department may assess a civil penalty in an amount not to exceed one thousand dollars per day per violation to any person exempt from solid waste permitting in accordance with RCW 70.95.205, 70.95.300, 70.95.305, 70.95.306, or 70.95.330 who fails to comply with the terms and conditions of the exemption. Each such violation shall be a separate and distinct offense, and in the case of a continuing violation, each day's continuance shall be a separate and distinct violation. The penalty provided in this section shall be imposed pursuant to RCW 43.21B.300.

(2) If a person violates a provision of any of the sections referenced in subsection (1) of this section, the department may issue an appropriate order to ensure compliance with the conditions of the exemption. The order may be appealed pursuant to RCW 43.21B.310."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Warnick moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6605.

Senator Warnick spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Warnick that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6605.

The motion by Senator Warnick carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6605 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6605, as amended by the House.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6605, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dangel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick
Excused: Senators Baumgartner and Habib

ENGROSSED SUBSTITUTE SENATE BILL NO. 6605, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6558 with the following amendment(s): 6558-S AMH HCW H4592.1

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 18.64 RCW to read as follows:

The intent of this legislation is to make clear the legislature's directive to the commission to allow hospital pharmacy licenses to include individual practitioner offices and multipractitioner clinics owned, operated, or under common control with a hospital and that such offices and clinics are regulated, inspected, and investigated according to the level of service provided. While legislation providing for such a system was enacted in 2015, it has yet to be implemented. The legislature wishes to specify a clear timeline for implementation.

Sec. 2. RCW 18.64.043 and 2015 c 234 s 4 are each amended to read as follows:

(1) The owner of each pharmacy shall pay an original license fee to be determined by the secretary, and annually thereafter, on or before a date to be determined by the secretary, a fee to be determined by the secretary, for which he or she shall receive a license of location, which shall entitle the owner to operate such pharmacy at the location specified, or such other temporary location as the secretary may approve, for the period ending on a date to be determined by the secretary as provided in RCW 43.70.250 and 43.70.280, and each such owner shall at the time of filing proof of payment of such fee as provided in RCW 18.64.045 as now or hereafter amended, file with the ((department)) commission on a blank therefor provided, a declaration of ownership and location, which declaration of ownership and location so filed as aforesaid shall be deemed presumptive evidence of ownership of the pharmacy mentioned therein.

(2)(a) For a hospital licensed under chapter 70.41 RCW, the license of location provided under this section may include any individual practitioner's office or multipractitioner clinic owned ((and)), operated ((by)), or under common control with a hospital, and identified by the hospital on the pharmacy application or renewal. ((A hospital that elects to include one or more offices or clinics under this subsection on its pharmacy application must

maintain the office or clinic under its pharmacy license through at least one pharmacy inspection or twenty-four months. However, the department may, in its discretion, allow a change in licensure at an earlier time.) The definition of "hospital" under RCW 70.41.020 to exclude "clinics, or physician's offices where patients are not regularly kept as bed patients for twenty-four hours or more," does not limit the ability of a hospital to include individual practitioner's offices or multipractitioner clinics owned, operated, or under common control with a hospital on the pharmacy application or renewal or otherwise prevent the implementation of this act. A hospital that elects to include one or more offices or clinics under this subsection on its hospital pharmacy application shall describe the type of services relevant to the practice of pharmacy provided at each such office or clinic as requested by the commission. Any updates to the application, renewal, or related forms that are necessary to accomplish the provision of this licensure option must be made no later than ninety days after the effective date of this section. Nothing in this section limits the ability of a hospital to transfer drugs to another location consistent with federal laws and RCW 70.41.490, regardless of whether or not an election has been made with respect to adding the receiving location to the hospital's pharmacy license under this section.

(b) This chapter must be interpreted in a manner that supports regulatory, inspection, and investigation standards that are reasonable and appropriate based on the level of risk and the type of services provided in a pharmacy, including pharmacy services provided in a hospital and pharmacy services provided in an individual practitioner office or multipractitioner clinic owned, operated, or under common control with a hospital regardless of the office or clinic's physical address. The commission shall provide clear and specific information regarding the standards to which particular pharmacy services will be held, as appropriate, based on the type of pharmacy service provided at a particular location.

(c) The secretary may adopt rules to establish an additional reasonable fee for any such office or clinic.

((2)) (3) It shall be the duty of the owner to immediately notify the ((department)) commission of any change of location ((or)), ownership, or licensure and to keep the license of location or the renewal thereof properly exhibited in said pharmacy.

((3)) (4) Failure to comply with this section shall be deemed a misdemeanor, and each day that said failure continues shall be deemed a separate offense.

((4)) (5) In the event such license fee remains unpaid on the date due, no renewal or new license shall be issued except upon compliance with administrative procedures, administrative requirements, and fees determined as provided in RCW 43.70.250 and 43.70.280.

(6) If the commission determines that rules are necessary for the immediate implementation of the inspection standards described in this section, it must adopt rules under the emergency rule-making process in RCW 34.05.350, with such emergency rules effective not later than ninety days after the effective date of this section. The commission shall then begin the process to adopt any necessary permanent rules in accordance with chapter 34.05 RCW. The commission shall ensure that during the transition to the permanent rules adopted under this section, an emergency rule remains in effect without a break between the original emergency rule and any subsequent emergency rules that may be necessary. The commission shall ensure that during the transition to permanent rules there is no interruption in provision of the licensure option described under this section."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Parlette moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6558.

Senator Parlette spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Parlette that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6558.

The motion by Senator Parlette carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6558 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6558, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6558, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dassel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Baumgartner and Habib

SUBSTITUTE SENATE BILL NO. 6558, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 2, 2016

MR. PRESIDENT:

The House passed SENATE BILL NO. 6459 with the following amendment(s): 6459 AMH PS H4548.10.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 9.94A RCW to read as follows:

(1) Any peace officer has authority to assist the department with the supervisions of offenders.

(2) If a peace officer has reasonable cause to believe an offender is in violation of the terms of supervision, the peace officer may conduct a search as provided under RCW 9.94A.631, of the offender's person, automobile, or other personal property to search for evidence of the violation. A peace officer may assist a community corrections officer with a search of the offender's residence if requested to do so by the community corrections officer.

(3) Nothing in this section prevents a peace officer from arresting an offender for any new crime found as a result of the offender's arrest or search authorized by this section.

(4) Upon substantiation of a violation of the offender's conditions of community supervision, utilizing existing methods and systems, the peace officer should notify the department of the violation.

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

(5) For the purposes of this section, "peace officer" refers to a limited or general authority Washington peace officer as defined in RCW 10.93.020."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate concur in the House amendment(s) to Senate Bill No. 6459.

Senator Padden spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Padden that the Senate concur in the House amendment(s) to Senate Bill No. 6459.

The motion by Senator Padden carried and the Senate concurred in the House amendment(s) to Senate Bill No. 6459 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6459, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6459, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Erickson, Fain, Fraser, Frockt, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Darneille and Hasegawa

Excused: Senators Baumgartner and Habib

SENATE BILL NO. 6459, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SENATE BILL NO. 6614 with the following amendment(s): 6614 AMH TR H4649.10.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 47.01.071 and 2007 c 516 s 4 are each amended to read as follows:

The transportation commission shall have the following functions, powers, and duties:

(1) To propose policies to be adopted by the governor and the legislature designed to assure the development and maintenance of a comprehensive and balanced statewide transportation system which will meet the needs of the people of this state for safe and efficient transportation services. Wherever appropriate, the policies shall provide for the use of integrated, intermodal transportation systems. The policies must be aligned with the

goals established in RCW 47.04.280. To this end the commission shall:

(a) Develop transportation policies which are based on the policies, goals, and objectives expressed and inherent in existing state laws;

(b) Inventory the adopted policies, goals, and objectives of the local and area-wide governmental bodies of the state and define the role of the state, regional, and local governments in determining transportation policies, in transportation planning, and in implementing the state transportation plan;

(c) Establish a procedure for review and revision of the state transportation policy and for submission of proposed changes to the governor and the legislature; and

(d) Integrate the statewide transportation plan with the needs of the elderly and persons with disabilities, and coordinate federal and state programs directed at assisting local governments to answer such needs;

(2) To provide for the effective coordination of state transportation planning with national transportation policy, state and local land use policies, and local and regional transportation plans and programs;

(3) In conjunction with the provisions under RCW 47.01.075, to provide for public involvement in transportation designed to elicit the public's views both with respect to adequate transportation services and appropriate means of minimizing adverse social, economic, environmental, and energy impact of transportation programs;

(4) By December 2010, to prepare a comprehensive and balanced statewide transportation plan consistent with the state's growth management goals and based on the transportation policy goals provided under RCW 47.04.280 and applicable state and federal laws. The plan must reflect the priorities of government developed by the office of financial management and address regional needs, including multimodal transportation planning. The plan must, at a minimum: (a) Establish a vision for the development of the statewide transportation system; (b) identify significant statewide transportation policy issues; and (c) recommend statewide transportation policies and strategies to the legislature to fulfill the requirements of subsection (1) of this section. The plan must be the product of an ongoing process that involves representatives of significant transportation interests and the general public from across the state. Every four years, the plan shall be reviewed and revised, and submitted to the governor and the house of representatives and senate standing committees on transportation.

The plan shall take into account federal law and regulations relating to the planning, construction, and operation of transportation facilities;

(5) ((By December 2007, the office of financial management shall submit a baseline report on the progress toward attaining the policy goals under RCW 47.04.280 in the 2005-2007 fiscal biennium. By October 1, 2008, beginning with the development of the 2009-2011 biennial transportation budget, and by October 1st biennially thereafter, the office of financial management shall submit to the legislature and the governor a report on the progress toward the attainment by state transportation agencies of the state transportation policy goals and objectives prescribed by statute, appropriation, and governor directive. The report must, at a minimum, include the degree to which state transportation programs have progressed toward the attainment of the policy goals established under RCW 47.04.280, as measured by the objectives and performance measures established by the office of financial management under RCW 47.04.280;

(6))) To propose to the governor and the legislature prior to the convening of each regular session held in an odd-numbered

year a recommended budget for the operations of the commission as required by RCW 47.01.061;

((7)) (6) To adopt such rules as may be necessary to carry out reasonably and properly those functions expressly vested in the commission by statute;

((8)) (7) To contract with the office of financial management or other appropriate state agencies for administrative support, accounting services, computer services, and other support services necessary to carry out its other statutory duties;

((9)) (8) To conduct transportation-related studies and policy analysis to the extent directed by the legislature or governor in the biennial transportation budget act, or as otherwise provided in law, and subject to the availability of amounts appropriated for this specific purpose; and

((10)) (9) To exercise such other specific powers and duties as may be vested in the transportation commission by this or any other provision of law.

NEW SECTION. Sec. 2. A new section is added to chapter 47.04 RCW to read as follows:

By October 1, 2016, and by October 1st biennially thereafter, the office of financial management shall review and comment prior to the department of transportation submitting to the legislature and the governor a report on the progress toward the attainment by state transportation agencies of the state transportation policy goals and objectives prescribed by statute, appropriation, and governor directive. The report must, at a minimum, include the degree to which state transportation programs have progressed toward the attainment of the policy goals established under RCW 47.04.280, as measured by the objectives and performance measures established under RCW 47.04.280.

Sec. 3. RCW 47.04.280 and 2015 3rd sp.s. c 16 s 1 and 2015 3rd sp.s. c 1 s 304 are each reenacted and amended to read as follows:

(1) It is the intent of the legislature to establish policy goals for the planning, operation, performance of, and investment in, the state's transportation system. The policy goals established under this section are deemed consistent with the benchmark categories adopted by the state's blue ribbon commission on transportation on November 30, 2000. Public investments in transportation should support achievement of these policy goals:

(a) Economic vitality: To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy;

(b) Preservation: To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services;

(c) Safety: To provide for and improve the safety and security of transportation customers and the transportation system;

(d) Mobility: To improve the predictable movement of goods and people throughout Washington state, including congestion relief and improved freight mobility;

(e) Environment: To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment; and

(f) Stewardship: To continuously improve the quality, effectiveness, and efficiency of the transportation system.

(2) The powers, duties, and functions of state transportation agencies must be performed in a manner consistent with the policy goals set forth in subsection (1) of this section.

(3) These policy goals are intended to be the basis for establishing detailed and measurable objectives and related performance measures.

(4) It is the intent of the legislature that the ((department of transportation establish)) office of financial management, in consultation with the transportation commission, establish objectives and performance measures for the department and other state agencies with transportation-related responsibilities to ensure transportation system performance at local, regional, and state government levels progresses toward the attainment of the policy goals set forth in subsection (1) of this section. The ((department of transportation)) office of financial management shall submit objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during each regular session of the legislature during an even-numbered year thereafter.

(5) A local or regional agency engaging in transportation planning may voluntarily establish objectives and performance measures to demonstrate progress toward the attainment of the policy goals set forth in subsection (1) of this section or any other transportation policy goals established by the local or regional agency. A local or regional agency engaging in transportation planning is encouraged to provide local and regional objectives and performance measures to be included with the objectives and performance measures submitted to the legislature pursuant to subsection (4) of this section.

(6) This section does not create a private right of action.

Sec. 4. RCW 47.64.360 and 2015 3rd sp.s. c 1 s 306 are each amended to read as follows:

(1) The department of transportation shall complete a government management and accountability performance report that provides a baseline assessment of current performance on the performance measures identified in RCW 47.64.355 using final 2009-2011 data. This report must be presented to the legislature by November 1, 2011, through the attainment report required in ((RCW 47.01.071(5))) section 2 of this act and RCW 47.04.280.

(2) By December 31, 2012, and each year thereafter, the department of transportation shall complete a performance report for the prior fiscal year. This report must be reviewed by the office of financial management, which must provide comment on the report, and the joint transportation committee, prior to submitting the report to the legislature and governor.

(3) Management shall lead implementation of the performance measures in RCW 47.64.355."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Hobbs moved that the Senate concur in the House amendment(s) to Senate Bill No. 6614.

Senator Hobbs spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Hobbs that the Senate concur in the House amendment(s) to Senate Bill No. 6614.

The motion by Senator Hobbs carried and the Senate concurred in the House amendment(s) to Senate Bill No. 6614 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6614, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6614, as amended by the House, and the bill passed the

FIFTY SEVENTH DAY, MARCH 7, 2016

2016 REGULAR SESSION

Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Baumgartner and Habib

SENATE BILL NO. 6614, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 2, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6536 with the following amendment(s): 6536-S AMH CODY H4653.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. It is the intent of the legislature to enhance competition among all health carriers and limited health care service contractors by having the office of the insurance commissioner establish regulatory uniformity for the rate and form filing process and the rate and form filing content and regulatory review standards for group health benefit plans other than small group health benefit plans, as well as all stand-alone dental plans and all stand-alone vision plans.

Sec. 2. RCW 48.43.733 and 2015 c 19 s 3 are each amended to read as follows:

(1) All rates and forms of group health benefit plans other than small group plans, and all stand-alone dental and all stand-alone vision plans offered by a health carrier or limited health care service contractor as defined in RCW 48.44.035 and modification of a contract form or rate must be filed before the contract form is offered for sale to the public and before the rate schedule is used.

(2) Filings of negotiated health benefit plans, stand-alone dental, and stand-alone vision contract forms for groups other than small groups, and applicable rate schedules, that are placed into effect at time of negotiation or that have a retroactive effective date are not required to be filed in accordance with subsection (1) of this section, but must be filed within thirty working days after the earlier of:

- (a) The date group contract negotiations are completed; or
- (b) The date renewal premiums are implemented.

(3) For purposes of this section, a negotiated contract form is a health benefit plan, stand-alone dental plan, or stand-alone vision plan where benefits, and other terms and conditions, including the applicable rate schedules are negotiated and agreed to by the carrier or limited health care service contractor and the policy or contract holder. The negotiated policy form and associated rate schedule must otherwise comply with state and federal laws governing the content and schedule of rates for the negotiated plans.

(4) Stand-alone dental and stand-alone vision plans offered by a disability insurer to out-of-state groups specified by RCW 48.21.010(2) may be negotiated, but may not be offered in this state before the commissioner finds that the stand-alone dental or

stand-alone vision plan otherwise ((meet)) meets the standards set forth in RCW 48.21.010(2) (a) and (b).

(5) The commissioner may, subject to a carrier's or limited health care service contractor's right to demand and receive a hearing under chapters 48.04 and 34.05 RCW, disapprove filings submitted under this section, as permitted under RCW 48.18.110, 48.44.020, and 48.46.060.

(6) The commissioner shall ((adopt)) amend existing rules to standardize the rate and form filing ((requirements)) process as well as regulatory review standards for the rates and forms of the plans submitted under this section. ((In developing rules to implement this section,)) The commissioner ((must use the already adopted standards in place for)) may amend the rules previously adopted under RCW 48.43.733 and shall amend any additional rating requirements established by existing rule, that are not applied to health care service contractors and health maintenance organizations.

(7) The requirements of this section apply to all group health benefit plans other than small group plans, all stand-alone dental plans, and all stand-alone vision plans issued or renewed on or after ((January 1, 2016)) the effective date of this act.

NEW SECTION. Sec. 3. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Becker moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6536.

Senator Becker spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6536.

The motion by Senator Becker carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6536 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6536, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6536, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Baumgartner and Habib

SUBSTITUTE SENATE BILL NO. 6536, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

BRAD OWEN, President of the Senate

At 4:50 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m., Tuesday, March 8, 2016.

HUNTER G. GOODMAN, Secretary of the Senate

FIFTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, March 8, 2016

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Naima Pai and Miss Jenee Wade, presented the Colors.

The prayer was offered by Pastor Peter Degon of Faith Assembly Church, Lacey.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGES FROM OTHER STATE OFFICERS

The following reports were submitted to and received by the office of the Secretary of the Senate:

From the Department of Corrections – *“Prison Capacity, 2015 Report”* in accordance with Engrossed Substitute Senate Bill No. 6052, Report Date 02/22/2016

From the Department of Ecology – *“Statewide Progress on Setting Instream Flows, 2015 Report”* pursuant to 90.82.080 RCW, Report Date 11/30/2015

From the Health Care Authority – *“Expanded Oral Health Care Program for Adults with Diabetes and Pregnant Women”* in accordance with Engrossed Substitute Senate Bill No. 6052, Report Date 02/29/2016

From the Department of Health – *“Recreational Shellfish Biotoxin Monitoring Program, 2015 Report”* pursuant to 77.32.555 RCW, Report Date 02/16/2016; and *“Medical Marijuana Scheduling Options”* in accordance with Second Substitute Senate Bill No. 5052, Report Date 01/31/2016

From the Department of Social & Health Services - *“Violations, Penalties, and Actions Relating to Persons on Conditional Release to a Less Restrictive Placement, 2014 Report”* pursuant to 71.09.325 RCW, Report Date 12/01/2014; and *“Juvenile Court Block Grant Report for 2015”* pursuant to 13.40.540 RCW, Report Date 11/30/2015; and *“Violations, Penalties, and Actions Relating to Persons on Conditional Release to a Less Restrictive Placement, 2015 Report”* pursuant to 71.09.325 RCW, Report Date 12/01/2015

From the Department of Transportation - *“Violations of Environmental Permits and Regulations for State Highway Projects”* in accordance with Second Engrossed Substitute Senate Bill No. 5996, Report Date 02/24/2016; and *“Local Governments Determination on Permits”* in accordance with Second Engrossed Substitute Senate Bill No. 5994, Report Date 02/24/2016

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 7, 2016

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274, HOUSE BILL NO. 2356,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458,
- ENGROSSED HOUSE BILL NO. 2478,
- SUBSTITUTE HOUSE BILL NO. 2580,
- HOUSE BILL NO. 2694,
- ENGROSSED HOUSE BILL NO. 2749.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

2SHB 2839 by House Committee on Appropriations (originally sponsored by Representatives Springer and Nealey)

AN ACT Relating to providing a sales and use tax exemption for certain new building construction to be used by maintenance repair operators for airplane repair and maintenance; amending RCW 82.14.050 and 82.14.060; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Fain, and without objection, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

On motion of Senator Fain, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8714

By Senators Liias, Hobbs, Rivers, Carlyle, Frockt, Hill, Litzow, McAuliffe, and Fraser

WHEREAS, Multiple System Atrophy is a fatal neurological disease diagnosed in approximately 15,000 patients in the United States; and

WHEREAS, As many as 35,000 more patients in the United States with Multiple System Atrophy are misdiagnosed with other more recognizable neurodegenerative disorders; and

WHEREAS, Patients with Multiple System Atrophy lose the ability to walk, talk, chew, swallow, and even breathe over the course of a few years; and

WHEREAS, The incidence of Multiple System Atrophy in the United States has increased in recent years; and

WHEREAS, No specific risk factors or causes of Multiple System Atrophy have been identified; and

WHEREAS, There is currently no cure for Multiple System Atrophy; and

WHEREAS, The lack of awareness about Multiple System Atrophy has hindered research and the ability of researchers to obtain funding for their work; and

WHEREAS, Public support and greater awareness of the need for research funding can aid in the discovery of the cause of, and a cure for, Multiple System Atrophy;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate support the observation of March as Multiple System Atrophy Awareness Month to call attention to the pressing need to increase public awareness of this progressive neurodegenerative disorder and encourage further research into treatments and a cure for this terrible disease.

Senators Liias, Honeyford and McCoy spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8714.

The motion by Senator Liias carried and the resolution was adopted by voice vote.

INTRODUCTION OF GUESTS

The President welcomed and introduced Ms. Deborah Knutson, guest of Senator Liias, an advocate for those suffering from Multiple System Atrophy, who was present in the gallery.

The President also welcomed and introduced students from Wilson Creek High School, Wilson Creek, guests of Senator Warnick, who were seated in the gallery.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6242

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Fain announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 10:18 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:49 a.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MOTION

On motion of Senator Fain, and without objection, Engrossed Substitute House Bill 2524 and Engrossed Second Substitute House Bill 2872, which had been held at the desk, were placed on the second reading calendar.

MESSAGE FROM THE HOUSE

March 1, 2016

MR. PRESIDENT:

The House passed ENGROSSED SENATE BILL NO. 6091 with the following amendment(s): 6091.E AMH JUDI H4582.1

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 11.84.010 and 2009 c 525 s 1 are each amended to read as follows:

As used in this chapter:

(1) "Abuser" means any person who participates, either as a principal or an accessory before the fact, in the willful and unlawful financial exploitation of a vulnerable adult.

(2) "Decedent" means:

(a) Any person whose life is taken by a slayer; or

(b) Any deceased person who, at any time during life in which he or she was a vulnerable adult, was the victim of financial exploitation by an abuser.

(3) "Financial exploitation" has the same meaning as provided in RCW 74.34.020, as enacted or hereafter amended.

(4) "Property" includes any real and personal property and any right or interest therein.

(5) "Slayer" means any person who participates, either as a principal or an accessory before the fact, in the willful and unlawful killing of any other person as determined under RCW 11.84.140.

(6) "Vulnerable adult" has the same meaning as provided in RCW 74.34.020.

Sec. 2. RCW 11.84.140 and 2009 c 525 s 14 are each amended to read as follows:

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(1) A final judgment of conviction for the willful and unlawful killing of the decedent is conclusive for purposes of determining whether a person is a slayer under this section. A finding of not guilty by reason of insanity for the willful and unlawful killing of the decedent carries the same meaning as a judgment of conviction.

(2) In the absence of a criminal conviction or a finding of not guilty by reason of insanity, a superior court finding by a preponderance of the evidence that a person participated in the willful and unlawful killing of the decedent is conclusive for purposes of determining whether a person is a slayer under this section.

NEW SECTION. Sec. 3. This act may be known and cited as Carol's law."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6091.

Senator Padden spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Padden that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6091.

The motion by Senator Padden carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 6091 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6091, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6091, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 3; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senators Hasegawa, Jayapal and Nelson

ENGROSSED SENATE BILL NO. 6091, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Habib, and without objection, Senators Nelson, Hasegawa and Jayapal were excused.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6211 with the following amendment(s): 6211-S AMH ENGR H4603.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) This section is the tax preference performance statement for the tax preference contained in this act. This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or be used to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain businesses or individuals, as indicated in RCW 82.32.808(2)(e).

(3) It is the legislature's specific public policy objective to encourage and expand the ability of nonprofit low-income housing developers to provide homeownership opportunities for low-income households. It is the legislature's intent to exempt from taxation real property owned by a nonprofit entity for the purpose of building residences to be sold to low-income households in order to enhance the ability of nonprofit low-income housing developers to purchase and hold land for future affordable housing development.

(4)(a) To measure the effectiveness of the tax preference provided in section 2 of this act in achieving the specific public policy objectives described in subsection (3) of this section, the joint legislative audit and review committee must evaluate, two years prior to the expiration of the tax preference: (i) The annual growth in the percentage of revenues dedicated to the development of affordable housing, for each nonprofit claiming the preference, for the period that the preference has been claimed; and (ii) the annual changes in both the total number of parcels qualifying for the exemption and the total number of parcels for which owner occupancy notifications have been submitted to the department of revenue, from the effective date of this section through the most recent year of available data prior to the committee's review.

(b) If the review by the joint legislative audit and review committee finds that for most of the nonprofits claiming the exemption, program spending, program expenses, or another ratio representing the percentage of the nonprofit entity's revenues dedicated to the development of affordable housing has increased for the period during which the exemption was claimed, then the legislature intends to extend the expiration date of the tax preference.

(5) In order to obtain the data necessary to perform the review in subsection (4) of this section, the joint legislative audit and review committee may refer to:

(a) Initial applications for the preference as approved by the department of revenue under RCW 84.36.815;

(b) Owner occupancy notices reported to the department of revenue under section 2 of this act;

(c) Annual financial statements for a nonprofit entity claiming this tax preference, as defined in section 2 of this act, and provided by nonprofit entities claiming this preference; and

(d) Any other data necessary for the evaluation under subsection (4) of this section.

NEW SECTION. Sec. 2. A new section is added to chapter 84.36 RCW to read as follows:

(1) All real property owned by a nonprofit entity for the purpose of developing or redeveloping on the real property one or more residences to be sold to low-income households is exempt from state and local property taxes.

(2) The exemption provided in this section expires on or at the earlier of:

(a) The date on which the nonprofit entity transfers title to the real property;

(b) The end of the seventh consecutive property tax year for which the property is granted an exemption under this section or, if the nonprofit entity has claimed an extension under subsection (3) of this section, the end of the tenth consecutive property tax year for which the property is granted an exemption under this section; or

(c) The property is no longer held for the purpose for which the exemption was granted.

(3) If the nonprofit entity believes that title to the real property will not be transferred by the end of the sixth consecutive property tax year, the nonprofit entity may claim a three-year extension of the exemption period by:

(a) Filing a notice of extension with the department on or before March 31st of the sixth consecutive property tax year; and

(b) Providing a filing fee equal to the greater of two hundred dollars or one-tenth of one percent of the real market value of the property as of the most recent assessment date with the notice of extension. The filing fee must be deposited into the state general fund.

(4)(a) If the nonprofit entity has not transferred title to the real property to a low-income household within the applicable period described in subsection (2) of this section, or if the nonprofit entity has converted the property to a purpose other than the purpose for which the exemption was granted, the property is disqualified from the exemption.

(b) Upon disqualification, the county treasurer must collect an additional tax equal to all taxes that would have been paid on the property but for the existence of the exemption, plus interest at the same rate and computed in the same way as that upon delinquent property taxes.

(c) The additional tax must be distributed by the county treasurer in the same manner in which current property taxes applicable to the subject property are distributed. The additional taxes and interest are due in full thirty days following the date on which the treasurer's statement of additional tax due is issued.

(d) The additional tax and interest is a lien on the property. The lien for additional tax and interest has priority to and must be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the property may become charged or liable. If a nonprofit entity sells or transfers real property subject to a lien for additional taxes under this subsection, such unpaid additional taxes must be paid by the nonprofit entity at the time of sale or transfer. The county auditor may not accept an instrument of conveyance unless the additional tax has been paid. The nonprofit entity or the new owner may appeal the assessed values upon which the additional tax is based to the county board of equalization in accordance with the provisions of RCW 84.40.038.

(5) Nonprofit entities receiving an exemption under this section must immediately notify the department when the exempt real property becomes occupied. The notice of occupancy made to the department must include a certification by the nonprofit entity that the occupants are a low-income household and a date when the title to the real property was or is anticipated to be transferred. The department of revenue must make the notices of occupancy available to the joint legislative audit and review committee, upon request by the committee, in order for the committee to complete its review of the tax preference in this section.

(6) Upon cessation of the exemption, the value of new construction and improvements to the property, not previously considered as new construction, must be considered as new construction for purposes of calculating levies under chapter 84.55 RCW. The assessed value of the property as it was valued

prior to the beginning of the exemption may not be considered as new construction upon cessation of the exemption.

(7) Nonprofit entities receiving an exemption under this section must provide annual financial statements to the joint legislative audit and review committee, upon request by the committee, for the years that the exemption has been claimed. The nonprofit entity must identify the line or lines on the financial statements that comprise the percentage of revenues dedicated to the development of affordable housing.

(8) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Financial statements" means an audited annual financial statement and a completed United States treasury internal revenue service return form 990 for organizations exempt from income tax.

(b) "Low-income household" means a single person, family, or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for family size as most recently determined by the federal department of housing and urban development for the county in which the property is located.

(c) "Nonprofit entity" means a nonprofit as defined in RCW 84.36.800 that is exempt from federal income taxation under 26 U.S.C. Sec. 501(c)(3) of the federal internal revenue code of 1986, as amended.

(d) "Residence" means a single-family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands.

Sec. 3. RCW 84.36.805 and 2014 c 99 s 13 are each amended to read as follows:

(1) In order to qualify for an exemption under this chapter, the nonprofit organizations, associations, or corporations must satisfy the conditions in this section.

(2) The property must be used exclusively for the actual operation of the activity for which exemption is granted, unless otherwise provided, and does not exceed an amount reasonably necessary for that purpose. Notwithstanding anything to the contrary in this section:

(a) The loan or rental of the property does not subject the property to tax if:

(i) The rents and donations received for the use of the portion of the property are reasonable and do not exceed the maintenance and operation expenses attributable to the portion of the property loaned or rented; and

(ii) Except for the exemptions under RCW 84.36.030(4), 84.36.037, 84.36.050, and 84.36.060(1) (a) and (b), the property would be exempt from tax if owned by the organization to which it is loaned or rented;

(b) The use of the property for fund-raising events does not subject the property to tax if the fund-raising events are consistent with the purposes for which the exemption is granted or are conducted by a nonprofit organization. If the property is loaned or rented to conduct a fund-raising event, the requirements of (a) of this subsection (2) apply;

(c) An inadvertent use of the property in a manner inconsistent with the purpose for which exemption is granted does not subject the property to tax, if the inadvertent use is not part of a pattern of use. A pattern of use is presumed when an inadvertent use is repeated in the same assessment year or in two or more successive assessment years.

(3) The facilities and services must be available to all regardless of race, color, national origin or ancestry.

(4) The organization, association, or corporation must be duly licensed or certified where such licensing or certification is required by law or regulation.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(5) Property sold to organizations, associations, or corporations with an option to be repurchased by the seller does not qualify for exempt status. This subsection does not apply to property sold to a nonprofit entity, as defined in RCW 84.36.560(7), by:

(a) A nonprofit as defined in RCW 84.36.800 that is exempt from income tax under 26 U.S.C. Sec. 501(c) of the federal internal revenue code;

(b) A governmental entity established under RCW 35.21.660, 35.21.670, or 35.21.730;

(c) A housing authority created under RCW 35.82.030;

(d) A housing authority meeting the definition in RCW 35.82.210(2)(a); or

(e) A housing authority established under RCW 35.82.300.

(6) The department must have access to its books in order to determine whether the nonprofit organization, association, or corporation is exempt from taxes under this chapter.

(7) This section does not apply to exemptions granted under RCW 84.36.020, 84.36.032, 84.36.250, section 2 of this act, and 84.36.480(2).

(8)(a) The use of property exempt under this chapter, other than as specifically authorized by this chapter, nullifies the exemption otherwise available for the property for the assessment year. However, the exemption is not nullified by the use of the property by any individual, group, or entity, where such use is not otherwise authorized by this chapter, for not more than fifty days in each calendar year, and the property is not used for pecuniary gain or to promote business activities for more than fifteen of the fifty days in each calendar year. The fifty and fifteen-day limitations provided in this subsection (8)(a) do not include days during which setup and takedown activities take place immediately preceding or following a meeting or other event by an individual, group, or entity using the property as provided in this subsection (8)(a).

(b) If uses of the exempt property exceed the fifty and fifteen-day limitations provided in (a) of this subsection (8) during an assessment year, the exemption is removed for the affected portion of the property for that assessment year.

Sec. 4. RCW 84.36.815 and 2007 c 111 s 301 are each amended to read as follows:

(1) In order to qualify for exempt status for any real or personal property under this chapter except personal property under RCW 84.36.600, all foreign national governments; cemeteries; nongovernmental nonprofit corporations, organizations, and associations; hospitals owned and operated by a public hospital district for purposes of exemption under RCW 84.36.040(2); and soil and water conservation districts ((shall)) must file an initial application on or before March 31st with the state department of revenue. However, the initial application deadline for the exemption provided in section 2 of this act is July 1st for 2016 and March 31st for 2017 and thereafter. All applications ((shall)) must be filed on forms prescribed by the department and ((shall)) must be signed by an authorized agent of the applicant.

(2) In order to requalify for exempt status, all applicants except nonprofit cemeteries ((shall)) and nonprofits receiving the exemption under section 2 of this act must file an annual renewal declaration on or before March 31st each year. The renewal declaration ((shall)) must be on forms prescribed by the department of revenue and ((shall)) must contain a statement certifying the exempt status of the real or personal property owned by the exempt organization. This renewal declaration may be submitted electronically in a format provided or approved by the department. Information may also be required with the

renewal declaration to assist the department in determining whether the property tax exemption should continue.

(3) When an organization acquires real property qualified for exemption or converts real property to exempt status, the organization ((shall)) must file an initial application for the property within sixty days following the acquisition or conversion in accordance with all applicable provisions of subsection (1) of this section. If the application is filed after the expiration of the sixty-day period, a late filing penalty ((shall be)) is imposed under RCW 84.36.825.

(4) When organizations acquire real property qualified for exemption or convert real property to an exempt use, the property, upon approval of the application for exemption, is entitled to a property tax exemption for property taxes due and payable the following year. If the owner has paid taxes for the year following the year the property qualified for exemption, the owner is entitled to a refund of the amount paid on the property so acquired or converted.

(5) The department must share approved initial applications for the tax preference provided in section 2 of this act with the joint legislative audit and review committee, upon request by the committee, in order for the committee to complete its review of the tax preference provided in section 2 of this act.

Sec. 5. RCW 84.36.820 and 2007 c 111 s 302 are each amended to read as follows:

On or before January 1st of each year, the department of revenue ((shall)) must notify the owners of record of property exempted from property taxation at their last known address about the obligation to file an annual renewal declaration for continued exemption. When a continued exemption is not approved, the department ((shall)) must notify the assessor of the county in which the property is located who, in turn, ((shall)) must remove the tax exemption from the property. The failure to file an annual renewal declaration for continued exemption and subsequent removal of the exemption ((shall)) is not ((be)) subject to review as provided in RCW 84.36.850. The department of revenue ((shall)) must review applications received after the ((March 31st)) due date required under RCW 84.36.815, but these applications ((shall be)) are subject to late filing penalties provided in RCW 84.36.825.

Sec. 6. RCW 84.36.840 and 2007 c 111 s 305 are each amended to read as follows:

(1) In order to determine whether organizations, associations, corporations, or institutions, except those exempted under RCW 84.36.020, section 2 of this act, and 84.36.030, are exempt from property taxes, and before the exemption ((shall be)) is allowed for any year, the superintendent or manager or other proper officer of the organization, association, corporation, or institution claiming exemption from taxation ((shall)) must file with the department of revenue a statement certifying that the income and the receipts thereof, including donations to it, have been applied to the actual expenses of operating and maintaining it, or for its capital expenditures, and to no other purpose. This report ((shall)) must also include a statement of the receipts and disbursements of the exempt organization, association, corporation, or institution.

(2) Educational institutions claiming exemption under RCW 84.36.050 ((shall)) must also file a list of all property claimed to be exempt, the purpose for which it is used, the revenue derived from it for the preceding year, the use to which the revenue was applied, the number of students who attended the school or college, the total revenues of the institution with the source from which they were derived, and the purposes to which the revenues were applied, listing the items of such revenues and expenditures in detail.

(3) The reports required under subsections (1) and (2) of this section may be submitted electronically, in a format provided or approved by the department, or mailed to the department. The reports ((shall)) must be submitted on or before March 31st of each year. The department ((shall)) must remove the tax exemption from the property of any organization, association, corporation, or institution that does not file the required report with the department on or before the due date. However, the department ((shall)) must allow a reasonable extension of time for filing upon receipt of a written request on or before the required filing date and for good cause shown therein.

Sec. 7. RCW 84.36.845 and 1973 2nd ex.s. c 40 s 15 are each amended to read as follows:

If subsequent to the time that the exemption of any property is initially approved or renewed, it ((shall be)) is determined that such exemption was approved or renewed as the result of inaccurate information provided by the authorized agent of the applicant, the exemption ((shall)) must be revoked and taxes ((shall)) must be levied against such property pursuant to the provisions of RCW 84.36.810 or section 2(4) of this act for exemptions granted under section 2 of this act.

Sec. 8. RCW 84.36.855 and 1973 2nd ex.s. c 40 s 17 are each amended to read as follows:

Except as otherwise provided by law, property ((which)) that changes from exempt to taxable status ((shall be)) is subject to the provisions of RCW 84.36.810 and 84.40.350 through 84.40.390, and the assessor ((shall)) must also place the property on the assessment roll for taxes due and payable in the following year.

NEW SECTION. Sec. 9. This act applies to taxes levied in 2016 for collection in 2017 and thereafter."

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator O'Ban moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6211.

Senator O'Ban spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator O'Ban that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6211.

The motion by Senator O'Ban carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6211 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6211, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6211, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Lias, Litow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Dansel

Excused: Senator Jayapal

SUBSTITUTE SENATE BILL NO. 6211, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

REMARKS BY THE PRESIDENT

President Owen: "I would like to take a few minutes of your time, quite a few minutes, for those that are interested and answer the question what I have planned for the future. I understand that there are a few of you who would like to know, like three, and maybe one in the House, so four. In making a decision like this after over forty years in public office, it takes a significant amount of soul searching and conversations with a lot of people but most importantly with Linda and myself. This decision could not be made without her because if you know anything about my political history, my success in the last nine elections have been heavily influenced and determined from her 110 percent support and direct, wholehearted involvement. It is impossible to say or show how grateful that I truly am. And she makes great carrot cake.

When my term ends I will have walked the halls of this magnificent building for forty years. Six as a member of the House of Representatives, fourteen as a Senator and twenty as Lieutenant Governor and President of the Senate. My discussions with many for the last couple of years have taken me on a long trip down memory lane and I have revisited many of the road bumps and celebrations along the way. My career has put me before kings, queens and princes, presidents and ambassadors, actors, musicians and the giants of industry. My work on international matters has taken me to places many would be envious of: from the Great Wall of China; to the torn down wall of Berlin. I have seen the incredible masterpieces of the great terracotta warriors and other archaeological treasures of Xi'an in China and the beauty and magnificence of the phenomenal ruins of Machu Picchu in the mountains of Peru. It was a privilege to be invited to speak in Spain at the University of Salamanca, possibly one of the oldest universities in Europe, before the King and Queen of Spain, at the centuries old palace of the King and Queen in Leon as they dedicated a new exchange program with the University of Washington. From those trips we have helped hundreds of people connect with business, education, the arts and have been vigorous in our pursuit of goodwill, peace and harmony with people throughout the world.

Here at home, I have witnessed great accomplishments and sorry, inexcusable scandals and have been a part of political strategies - some that have succeeded and some that have not.

But when reporters and people in general ask me what was my greatest and most important accomplishment? It is not the legislation I introduced and helped pass or the bills I worked to defeat. It is the great and glorious satisfaction of helping a fellow citizen of this amazing state when they have been caught in the stranglehold of the government bureaucracy or the occasional, what seems to be hopeless grip of heartless business, where neither can see the struggling individual as a person but as a problem to be dealt with by ignoring their human needs in favor of a policy or a dollar.

Let me quickly share a couple cases with you. There was the teacher who inherited her husband's tremendous gambling debts after they divorced. She went to the businesses owed the money to work it out but instead they sent debt collectors after her and garnished her wages, took what little money she had and her daughter's money being saved for college, and set up an impossible payment schedule she could not pay while raising two kids alone. The incredible part of this case is she never tried to get

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

out of the debt even though it was clearly not her fault. Her Dad, an old friend, told her to call me. I met with the industry representative and we made a couple of calls. The garnishment was lifted, her and her daughter's money returned and they settled on the payment plan she originally asked for.

A young man broke his neck and ended up a quadriplegic. Years later a care taker talked him into somehow signing for a loan to fix up her house and make it more handicap accessible. She told him that she, of course, would make the payments on it. The work was not all done and of course she didn't pay and the bank went after him and his parents, simple working class folks with no resources to pay the debt. It was clearly fraud by an unscrupulous caretaker and no matter what they said or did the bank would not listen to them. The family called me at the suggestion of my sister. We made two calls, one to the bank, and the other to the state. The caretaker was charged with fraud, stripped of her caretaker's license and the bank went after her and not the family which relieved them of enormous stress.

Finally a friend was wrongly denied a lotto machine for his store. He called me when I was a senator and we checked into it. He was denied several times even after we were told by the agencies rep that they were going to approve it. When I became Lieutenant Governor I found out that the reason he kept getting denied was a district manager for the lottery commission was p.o'ed at him for going to a senator, me, years earlier. I went ballistic and he finally got the machine after losing thousands of dollars. He could have and should have sued the state. The question that I have for my friends in government and business is, 'Why did all of these people ever have to come to me for help in the first place?' Just think what a little listening, a little understanding, a little compassion and less arrogance would have done for them.

If all of you in this room, actually in this building, have not figured it out yet, let me share this with you. You are in a phenomenal position to help people. So please use it. So, that, along with my success in helping with resources for drug affected babies at Pediatric Interim Care Center in Kent and funding for Mentoring Works Washington, is the beautiful and rewarding part of my time in politics and being able to help people.

Then there is the other side that many of you have heard me harp on and talk about. That is the insanity of partisan politics. All it does is create an environment of 'us against them' instead of 'all of us for the people.' The team should be the body, not the caucus, the senate, not the party. I have never understood, and never will, how you can take the most valuable thing you have as an elected official, your vote, and give it away when in your heart you do not believe that you should. We see the stubborn, my way or the highway attitude of partisan politics creating gridlock on a national level. We hear idiotic partisan comments challenging someone's patriotism because of their position and opinion or action on an issue. When I have to ask, is not the ability to have a radically different opinion and be able to express it freely the very foundation of the United States of America? I grew up during the Vietnam War, but I didn't have to go there fortunately. However, I served in the house and the senate with two that did. Senator Dan McDonald, a very conservative pro-business Republican from Bellevue, and Senator Rick Bender, a labor Democrat from Snohomish County who later became head of the State Labor Council. Do you believe that if one found the other wounded in a rice patty in Vietnam they would have stopped before helping them and asked, 'Are you a Democrat or a Republican?' No. All that would have mattered is a fellow American needed help and I know neither would have hesitated to help the other! Why do we hesitate to help each other because

of party? It defies common sense, not to mention the common good.

I have personally felt the sting of partisan politics both from the Democrat and Republican side over my nearly 41 years as an elected official. And it all stemmed from I should be a leader as they see it, rather than as I see it, and, as I believe, how the people I represent see it. Now I do not profess to have been perfect in striving to be independent and not bow to caucus or partisan pressure. I did, rarely, but I did. There were only two of those occasions in forty years where I truly regretted it and seriously wanted a do-over. But my friends, you rarely get a do-over in this business. Each decision, each vote, each cave in, stays with you forever, but then so does each courageous act of statesmanship. And I can tell you the courageous act of statesmanship feels a hell of a lot better than the sinking feeling of caving in to partisan peer pressure.

My goals when taking this office were to restore the order and decorum to the Senate that I had learned from the incredibly gracious and dignified Lieutenant Governor John Cherberg. It had slipped after he retired. I always felt a great deal of pride and very high sense of responsibility when I was in the House and the Senate. I marveled at this amazingly beautiful building. I always felt it exemplified the extremely important work that is to be done here and it demanded to be respected and that meant we, and anybody who shared these walls and halls with us, were to be respectful. I am so thankful that your rules and your support have allowed me to protect and preserve the dignity of this magnificent institution. Upon taking this office going on twenty years ago, I endeavored to use the office to develop close and meaningful ties with people from around the world. To make anybody who visited our state, whether it be for business, or education, or to promote the arts, or just enjoy our beautiful home, the great state of Washington, to let them know we welcome them and are so honored they have chosen our state to pursue their goals. My office has become so well known as the go-to place in government for welcoming people from around the world. With that came numerous requests to help promote our wonderful state worldwide and I was regularly asked to lead trade, education, cultural and goodwill missions.

One of the wonderful side effects of our work internationally was how close I was able to become with many of the international communities and their representatives right here in the state of Washington. There are my great friends from the Chinese community, there are the Sikhs, and Hindus and Muslims of the Indian families. I regularly participated in German and Austrian celebrations. I was invited to be part of many Jewish celebrations and have met wonderful citizens here who came from Peru and Norway and Spain and I attended many, many Mexican fiestas. Of course, if I did not mention the Asian Pacific Islanders, particularly Samoa, my friend Lua Pritchard may not invite me to another celebration. The Korean community was always so generous and kind, which probably has a lot to do with my magnificent two sons coming from Korea. And then, of course, there are the wonderful Filipinos.

I know I have not mentioned them all but my friends know this; you have a tremendous treasure in this state. The beautiful mix of humanity, the incredibly fascinating and dynamic people who have literally built this state and made it so very special and the envy of the world. We have never been harmed by opening our doors to the world. On the contrary - we have been blessed by it.

My final goal when the voters entrusted me with this job, but one that was very, very dear to me, was using my office to promote efforts to help the beautiful, diverse children of our state avoid the scourge and pain that can be caused by drugs, alcohol

and other harmful substances. And, to recognize the hurt that can be caused by bullying when, in fact, they should learn to respect the beauty of diversity.

From my time in the Senate until I ended my Strategies for Youth program just a few years ago as Lieutenant Governor, I had traveled to over 600 schools in very possibly every legislative district in the state. We touched the lives of over 300,000 kids and the letters and calls and emails and personal testimonies said it mattered. One of the great yet most idiotic comments I received in all of those years was from a newspaper reporter who referred to me as being overzealous in my opposition to drugs. No apologies here!

But that commitment to our kids also brought the worst pain that Linda and I ever experienced in my forty years of public service when it was said we did it for personal gain and we were not allowed the true opportunity to prove otherwise. What hurt the most was not the accusation, but when I asked of the people that I had worked fairly with for forty years to give me the means to just make my case, not let me off, just make my case, I was rudely refused. But like my last opponent said in the campaign, "That's just politics."

Although we ended that program that I loved to do with the kids, I continued to work on behalf of kids as an active chair of Mentoring Works Washington. I have for fifteen or more years. You have always supported it and I thank you very much for that. Please continue to do so.

Needless to say, I am very proud of the Lieutenant Governor Brad Owen Nursery Room at Pediatric Interim Care Center in Kent where they help the precious innocent victims of drug abuse survive through their first months of life after being born racked with their mother's drug addictions. Barb Drennen, who's up here in the gallery with us today, and her team of caring, loving workers have built a model for care for these babies, but quite frankly, it has taken help from me and Senator Fain and many other representatives and senators over the years. Senator Fain, I began helping Barb and the babies when you were in elementary school. I am very thankful for your steadfast support of PICC, so please never back off of your commitment and continue with vigor the fight for Barb and the babies.

Nearly twenty years ago, I took a much underused office and with the help of many people that worked in my office over the years, made something significant out of it that I am very proud of.

But now, I will be leaving this office when this term is up next January. I will leave it for the next Lieutenant Governor to build upon, to make it even better. Of course, I sincerely hope that the voters choose a person that cares as much about the dignity of this place, about this magnificent institution, as I do. And most of all I cannot express how important I believe that it is for the person who follows me to carry on what I believe to be the hallmark of my twenty years as President of the Senate, the true, unequivocal commitment to nonpartisan running and decision making before this body.

Many have asked me what I will do. Well there has been some interest in me doing international work, however, I have not committed to anyone. Other than that, I don't know, probably nothing. Probably just sit around watch soaps, maybe some game shows, Linda likes Dr. Phil. Maybe I'll mow the lawn, probably not. I kind of suspect I'll find something, something to do while I'm away from this place.

So, to my family first, thank you for your wonderful support and your tolerance of my job when you may have felt neglected because of it. I hope that you all know how much you all meant to me throughout these years. And to all my friends and supporters who are with us today it is impossible to return to you what you have given me, but I am extremely grateful to you and

am honored to have your friendship. I asked you here so I could publicly say thank you.

To all of you here in the Senate and across the rotunda in the House, I thank you for the work you do, the commitment and sacrifices I know many of you have to make to be here. I truly thank those that stood by and helped me in my time of need just as I have steadfastly done for all of you whenever I was asked for the last twenty years. I am very appreciative of the time you have allowed me today to share these thoughts with you.

And finally, to the people of the great State of Washington who put their trust in me as a Shelton City Finance Commissioner, as a member of the House of Representatives, as a State Senator and finally, as your Lieutenant Governor, it was a rare privilege and a great honor. Thank you."

PERSONAL PRIVILEGE

Senator Nelson: "Thank you, Mr. President. Sorry, you've never said no to me before. First, we would be remiss if we did not start off with a thank you to Linda and your family. Because all of us have a partner, friends, a spouse at home that make the difference, and certainly you do, so thank you. Not just for the cookies but for all your support. And Mr. President, I've seen you on a trade mission, and if anybody thinks you're just going overseas to enjoy it, you're wrong. Because you work, you work to build relationships with other countries, such as Taiwan, that are so important to this state, and yes, you have made the office so incredibly important for our future. And I want to thank you for your work for the kids of this state, it's been incredibly important. But as a new Democratic leader, three years ago, I also wanted to say thank you for your friendship, for your support, for the order and decorum in this chamber. You do not always rule with us, sometimes you rule against us, but we know that you are fair and you are a statesman. And, Mr. President, I don't know that we can replace you, so thank you so much for your service."

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you Mr. President. I remember as a newly elected floor leader from the minority side of the aisle, the assistance you gave me of the protocols and procedures of this institution. How it would operate, and I'm very appreciative of that, as well as your leadership above and beyond that period of time. I would also like to thank you for your program on drug and alcohol awareness with our youth, because it didn't just go to the easy places, it went to places in Lincoln and Adams counties where not everybody wants to go, and that truly was a service to this state and I thank you."

PERSONAL PRIVILEGE

Senator Hargrove: "Thank you Mr. President. And now the rest of the story. So I met the President, I think it was thirty-five years ago, when redistricting in 1982 moved him off the Olympic Peninsula. He sat down and talked to me, and we had a lot of common interest in a lot of different areas, and I would have to blame him for me being elected and being here for the last thirty-two years. So he not only introduced me to people that could help fund my campaign, he also gave me multiple contacts in my district to talk to. I'm not sure I ever measured up to my predecessor, but that certainly helped me, plus I decided to use the same color campaign signs from then on, the orange and brown campaign signs that everybody was very familiar and liked. So, when Brad first ran for Lieutenant Governor and had an event down in Grays Harbor, I went to the effort to make a

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

bunch of four by eight orange and brown signs, and put them up all along Highway 12 going into Aberdeen so he would know that is certainly a base of support for him. But I would also like to talk about a few other things. The Lieutenant Governor was known as quite a maverick, and he skipped over some of these issues going through his history there. I remember when I was in the House, there was a time when because, then Senator Jim McDermott, didn't want to let him have any input in the budget, he just went over and wrote the budget with Senator Dan McDonald. That was pretty famous at that point in time. So I got in on the action with you, when I came over to the Senate, when we had a particular property rights initiative that the Democrats would not let come to the floor, so we both went over with Senator Dan McDonald and pulled it to the floor and got it on the ballot. Now, we didn't win but anyway. So, we've both been in the same boat sometimes, and I certainly appreciate, you alluded to it a little bit, your willingness to do what you feel in your heart is right, as opposed to bowing to pressure. I had never done that so I don't have anything to talk about here. So I'd like to say a couple of other things, on a little more personal level. When he built his new house out in Shelton, he put a trailer pad next to it so I could bring my old, moldy trailer and park it next to his house so I could stay there while I was in session. And I thought he was just being nice to me, but I found out later that when the assessor showed up, they downgraded his assessment because they saw my trailer there, so I'm not sure if that was all for me. So, certainly I respect all the work that the Lieutenant Governor has done to try to help keep kids off drugs. I mostly respect the way you've presided for the last twenty years. I think that your rulings are fair and consistent, despite my badgering. I've tried to get exceptions to that, but I really appreciate that. And also, and you may not believe me, but I appreciate the way you make us all look good because you're a stickler for decorum and the way you preside up there, and we know the cameras are mostly on you and you really make us all look good, and I know in my case that's a very difficult thing to do. So, I certainly hope that we have a Lieutenant Governor, the next one, that will pay as much attention to the respect for this institution and doing things in a fair way, and also hopefully someone that doesn't just stand on a box while he's up there."

PERSONAL PRIVILEGE

Senator Dansel: "Thank you, Mr. President. I had mentioned a couple of things the other day, but I didn't know you were going to lay this on us today, wish you wouldn't quite frankly. You know I haven't been here very long, this is my third year, but very early on I got a phone call in my office from you, asking me if I'd go to lunch with you, and I'm like okay I don't know this guy too much, but it was a pretty cool thing for a new guy. You know I didn't know if you were going to grill me on stuff, but what I found was quite possibly the warmest, and sunniest disposition of anybody that I've really ever met in public life. You reach out to kids when they come over and page from Eastern Washington, and they think it's the coolest thing ever. They always say how they got to go meet the Lieutenant Governor, and it's not something you do just for show. You're actually engaged with these kids, my pages, and session aides, and legislative assistants, even my parents, my mom's wanted to meet you forever. I've got to let the cat out of the bag, my mom's a hardcore Democrat, and she loves Brad Owen. I'm not even sure if she voted for me ever, but she certainly did the Lieutenant Governor, many times, and actually wanted you to run for Governor, but I'm not sure that's going to happen either. You also came up to Republic, Washington where we're economically

depressed and having troubles with our mine shutting down, and opened up possibilities for people to come and open up businesses in Republic, Washington in Ferry County. You came to Northport, as was in the picture, and did presentations there and also, we're going to get you a turkey one of these days by the way. I just want to say that when I think about this place, it seems to me that it's an institution, it's a place that decorum means something and you've elevated that I believe. So the last thing I'll say is that, in my opinion, you're class personified, and this is going to be remembered as the house that Owen built."

PERSONAL PRIVILEGE

Senator Fraser: "Thank you, Mr. President. Well this is truly a sentimental day, so I'd like to start by saying thank you for your dedicated leadership and for your very thoughtful reflections and memories today, and for your expressions of your vision for our future. Your and mine's relationship goes back probably at least four decades, back to when we were both city elected officials, you were on the City Commission as you mentioned in Shelton, and I was on the Lacey City Council and Lacey Mayor. And then we later served as senators together here, and I had greatly appreciated your role as Lieutenant Governor and presiding officer of the Senate. And, Mr. President, do I have permission to read from Reed's Parliamentary Rules? I will read from them, but I also say I have to correct them for gender neutrality, these are very old. The presiding officer should be a person of good presence, good voice, of much firmness and good temper. The President should have knowledge of parliamentary law, and sufficient good sense to enable the President to know when to press a rule, and when to let common consent have its way. The conduct of an assembly depends much more upon the conduct of the chair, than upon any other condition or perhaps all other conditions combined. These are the traditional rules that help operate the Senate. I would just like to say that I think you have lived up to these, absolutely marvelously, and in an A plus way. You've always conducted business here in a pleasant, orderly, fair, dignified way, with good judgement on whether to be strict or flexible on the letter of the rule. You've always been courteous to members and guests. Your parliamentary rulings are well researched, well considered and fair. So I want to thank you for your decades of public service, I'd like to thank Linda for hers, and wish you both a wonderful future."

PERSONAL PRIVILEGE

Senator Sheldon: "Well Mr. President, it's been a pleasure working with you for all these years. We both go back quite a ways in Shelton, you know it always was a family affair for you, your mom was an executive director for the Chamber of Commerce. You had Brad's Quickstop in Hoodspport and in Shelton, you were a well-known guy and people always respected you. And when you were elected, obviously, as a city commissioner and finance and then to the House of Representatives, and then to the Senate, people relied on you in my district. And so now it's kind of a bummer, I think you need to reconsider, because you've picked up the slack for me for many, many years. I can't tell you how many people, I would have a meeting and they would say, but could you talk to the Lieutenant Governor about that? Or would you mind if the Lieutenant Governor sat in on our meeting? So reference, just a couple of years ago, with the City Commission and Mayor Cronce, talking about waste water issues. I went to the meeting, usually we go and we're the ranking person there, but no the Lieutenant Governor's there, and we knew we were going to be

okay. So I have to say, we're going to have to add a person in our office. We're going to have to pick up our game because you've taken care of a lot of issues for us and you've never forgotten the people that elected you. You've never forgotten the community that you came from. And I just wanted to personally say you are a tremendous individual, and it's always been a family effort for you and we'll miss you very, very much."

PERSONAL PRIVILEGE

Senator Angel: "Thank you, Mr. President. Well I got to know you a long time before I was in politics, and I always liked the man. And then I got to know the man a little bit better as a county commissioner when I was able to accompany you on a trip to China. And my husband and I really marveled at the personality that you have, the way you worked with people of other cultures, and we had a great time. Only you left a little bit early, and being the next ranking elected, I had to try to fill your shoes, and those Gamba's were really difficult. But I want to thank you for your sense of humor on this floor, because there were times when it was really breathtaking and you broke that ice with your comments and your demeanor, and I want to thank you for the man that you have been and the man that you are. Thank you for being a man of the people. One other cute note, because we all don't have lines that divide us, because I showed up at a couple of your events and I heard, what is she doing here? Well you're a good man, and Brad I am honored to have known you and to know you and I wish you and your family the very best. God bless you."

PERSONAL PRIVILEGE

Senator Hobbs: "Mr. President, you may not know this, but I think you went to my high school, and I think I heard you perform way back when. I won't give the year out because then you'll feel even older. But after that, we actually met in 1996 at Scoop Jackson's house, you were campaigning for Lieutenant Governor, and I met you there. And learning about your background as a moderate Democrat, and fast forward to 2007 and I came into this body a freshman Senator, and you were a mentor to me. And as a moderate, there's not a lot of mentorship that goes on as a moderate, it's tough. You really don't have others to rely on, you have to rely on each other, and you taught me something. It was rather interesting because it's something that everyone receives when you come here as a freshman, that your leadership will always tell you this, 'Hey I don't care how you vote, but you've got to be with us on procedure.' And of course you told me that that's a bunch of BS and I appreciate that. So, I apologize to Lisa Brown, it was Brad Owen that made me do it. You know you were roadkill, before roadkill became famous, or infamous. It doesn't exist anymore anyway, there's none of us left. But you were the epitome of bipartisanship and statesmanship. What a true moderate is, I believe, is there are times when you're not just taking a vote against a bill or against your caucus, but you are going all the way to the mat including a procedural vote, or even going against your own, and I'm going to use air quotes here, 'allies.' You've been there for me in some of the worst times in session, when I had to go against the caucus, and it is true, it is so true, that there is so much pressure that comes upon you. Not just from your caucus, but also from your allies, and both sides know this. You know what I'm talking about, in 2010 it was particularly painful. So much money being spent against me, even from my own side, it was tough to bear. But you were there to remind me that you went through the same thing, and that there are times, and you have mentioned this in your speech today, that you have to stand up. You have to stand

up for your principles and you have to stand up for your district, and the people that put you into office. And you'll sleep better at night, and I certainly sleep better at night for the advice that you've given me, and the mentorship that you've given me over the ten years that I've been a state Senator. And quite frankly, Mr. President, you would make my life so much easier if you would reconsider your retirement."

PERSONAL PRIVILEGE

Senator Benton: "I know it just killed you to call on me. You know, you were chairman of the Senate Transportation Committee when I was vice chair of the House Transportation Committee and I had a chance to work with you. I was a freshman in the House that year and you were kind, and gentle, and your wisdom was remarkable as I recall, and I left the House that year, and you left the Senate that year and we both started a new journey. My journey here has really been, your tutelage the whole time has been pretty amazing. I saw the gentlelady from the twenty-second get out her little rule book, so I had to get out mine, don't get nervous. Don't worry, I don't need the book, I know what it says. I'm just amazed at how you keep up with everything and how you follow everything that's going on, on the floor. I want to thank you for my family, my two youngest boys, you know they grew up here. My son Brad, sometimes he'll call me and I'll think it's you. One time the phone rang at my desk, and I picked it up and you said this is Brad and I said what are you doing? No Brad up here, and I look up and it's you, and I thought it was my son calling, and you said that's not a cup I see at your desk is it? Now of course that was before we were allowed to have cups on our desks, that's a recent phenomenon, but he has an eagle eye for everything that happens out here. Don't think that he misses anything, even a small cup on your desk, because he doesn't, never has. But with that gentle prodding to keep us all in line with the rules, to bring the decorum back to this, as you put it, this magnificent institution. It won't be the same without you and Linda, I'm sure going to miss you too. God bless both of you, I'm sure we'll see you again. Thank you."

PERSONAL PRIVILEGE

Senator Conway: "I just want to, you know, I wanted to stand and thank you for your support for our community, and of course many of you know the roots that you had in our community. And you know, you never forgot those roots Lieutenant Governor, and as long as I've been in Tacoma, you've come back to celebrate and support our community. From the new Salishan that grew out of the old Salishan, to supporting the Asian-Pacific cultural center as you've mentioned, to supporting Cambodian New Year's, Chinese New Year's, the building of a new auto museum. I can't remember a time when you weren't there to help us celebrate these big events in our community. And so on behalf of my community, I wanted to thank you for your service, and thank you for supporting us."

PERSONAL PRIVILEGE

Senator McAuliffe: "Thank you. Today I want to acknowledge the many good words that have been spoken, but I did a little search on my phone to find out all the wonderful things you have done, and I stumbled upon one that I felt was especially worth mentioning today, because I think it applies to what a statesman you are here as well. On April 2, 2008, Juan Carlos, the King of Spain, bestowed upon you the Order of Isabella the Catholic, or Spanish knighthood. A civil order granted in

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

recognition of services that benefit the country. It was well deserved, but I may add that if we could, we would bestow upon you knighthood, for your services to Washington State and the people around the world, thank you so much.”

PERSONAL PRIVILEGE

Senator McCoy: “Well I’ve been down here fourteen years, and I knew you when I was lobbying and it’s always been a pleasure. And you’ve always helped me work through some of the issues in building state/tribal relations and that’s always been tremendous, so you’ve been a big help to me over the years and I’m really grateful and thankful. And I’m also thankful for all the native kids that you’ve helped over the years, and it’s always a pleasure to join you in your office when they show up and they fill up your office and we have a good time chatting. So again you’ll be missed, it’s been great. I don’t know how Linda is going to put up with you, I tried retirement four times, failed miserably, and my wife keeps telling me, I married you for life, not for lunch so you’ve got a problem. Thank you, Mr. President.”

PERSONAL PRIVILEGE

Senator Fain: “First, I’ll let the members know that you guys have until two o’clock for lunch, I’m sure that was probably the most pressing thing that you were interested in. I would also just remark right before we break here that the President was good enough to coordinate his remarks and ask when would be an appropriate time to share this with the chamber, and I appreciate that. He also spent a great deal of time vexing over whether or not there would be time allotted for points of personal privilege from the floor, and he was actually quite almost embarrassed to say I really don’t want that. And I appreciate that modesty, though I do notice that you have been reticent to use your catch phrase last line with any of the remarks that have been made today. But Mr. President, as we close this I believe that everyone here has been sharing a deep honesty about how they feel towards you, and about how your respect for this institution is something that is readily apparent by any person that has served in this chamber or that has visited in the gallery, and it is greatly appreciated. Having an independent arbiter of this chamber, and someone whose mission is to preserve the dignity of this chamber above any political aim, but that that be their sole mission, is so critical to how our institution functions, and I believe each of us know that you have been unswerving in discharging that ability, and we thank you.”

INTRODUCTION OF GUESTS

The President welcomed and introduced The Honorable Jay Inslee, Governor, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Governor Inslee to address the Senate.

Governor Inslee: “Thank you for an opportunity to add my words to this incredible four decades of public service. The Lieutenant Governor’s career is truly something remarkable, when you think around the history of the state of Washington, I can’t think of anybody who has been in the harness for so long and in so many capacities. And I know, I heard all the speeches, but I know that there is going to be recognition of his great work with the youth of our people, of our communities, the work that he has done for trade, which has been very, very prominent and has had some good successes in our trade, and these are things that have been above and beyond the call of duty, but I want to mention two things that were very impressive to me. Number

one, during my term as Governor, when the Lieutenant Governor, whenever I saw him, he would always inquire about my health, and I always knew that that was for virtuous personal reasons of concern, rather than anything else and I appreciate that. But the second is more important, I’m reading a biography of Hamilton by Ron Chernow, it’s really an extraordinary book, but it was making me think about why the Lieutenant Governor’s service has been so important to the institutions of Washington State. As I was reading this book, I was realizing that democracy is a living, breathing concept, and it takes humans to make it work. Humans who believe in fairness, dignity, and civility, and having an honest broker while we have the passions in a chamber like this. And it’s something that just doesn’t come down to on a piece of parchment that you’re safe, on a piece of paper somewhere. It takes leaders like the Lieutenant Governor to bring civility, to bring people a sense that their voices can be heard in the market place of ideas. And I’m not nominating him to be Hamilton or Thomas Jefferson, but Lieutenant Governor you have really helped democracy in this state and thank you for your service.”

MOTION

At 12:55 p.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:06 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Jayapal moved adoption of the following resolution:

SENATE RESOLUTION
8737

By Senators Jayapal, Hasegawa, Chase, Miloscia, Fain, Litzow, Fraser, Nelson, and Conway

WHEREAS, Bill Hobson worked tirelessly for more than thirty years to end homelessness and organize community resources to meet the needs of chronically homeless men and women with mental illness, substance use disorders, and other disabilities; and

WHEREAS, Mr. Hobson was one of Washington's most knowledgeable and eloquent advocates on issues relating to homelessness; and

WHEREAS, Mr. Hobson worked with the Downtown Emergency Service Center (DESC) in Seattle starting in 1984, and worked as DESC's Executive Director starting in 1988, and under his stewardship DESC evolved to better address their client's full range of needs, including some of the most disabled and difficult-to-house individuals in Seattle and King County; and

WHEREAS, DESC now serves more than 7,000 men and women each year, providing not only housing, but also mental health outreach programs, case management services, crisis respite, chemical dependency treatment, crisis diversion, and employment services; and

WHEREAS, Mr. Hobson worked to build innovative partnerships in the community, including with police and the business community, leading to DESC's selection by the United States Department of Health and Human Services as a model for building partnerships to address homelessness; and

WHEREAS, Mr. Hobson received numerous awards and distinctions recognizing his devotion to solving the problem of homelessness, and his leadership led DESC to receive many awards and distinctions as a leading provider of services relating to homelessness; and

WHEREAS, Mr. Hobson was recognized as a national expert on homelessness, and lended his time and experience to a number of organizations that shaped Seattle's and King County's response to homelessness; and

WHEREAS, Mr. Hobson's over thirty years of bold and ambitious leadership at DESC resulted in a truly unique organization, which demonstrates that disabled, marginalized, and chronically homeless people can stabilize and obtain, and successfully maintain, housing, ultimately becoming more independent and involved members of the community; and

WHEREAS, On March 4, 2016, Bill Hobson passed away at the age of 76, leaving behind a legacy of untiring advocacy and commitment;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the life, work, and contributions of Bill Hobson in leading the Downtown Emergency Service Center, advocating for marginalized populations, and working to end homelessness in Seattle and King County; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the family of Bill Hobson.

Senators Jayapal and Chase spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8737.

The motion by Senator Jayapal carried and the resolution was adopted by voice vote.

MOTION

Senator Benton moved adoption of the following resolution:

SENATE RESOLUTION 8732

By Senators Roach, Ranker, Bailey, Liias, Fraser, and Angel

WHEREAS, The historic schooner *Adventuress* was built in 1913 as an Arctic research vessel, became a San Francisco bar pilot ship in 1914, and, at the end of her service, was brought to Puget Sound by Doc Freeman in 1952, since then serving the Puget Sound region and Washington state youth for more than 50 years; and

WHEREAS, The *Adventuress* is one of only two National Historic Landmark sailing ships still in active service on the West Coast, and the only National Historic Landmark sailing ship in Washington state; and

WHEREAS, The *Adventuress* inspires thousands of young people each year to "look to our waterways" when they consider possible career paths, such as marine science and maritime jobs and industries; on day and overnight programs, children and teens explore current issues affecting the health of Puget Sound, work together to sail the century-old ship, and become personally connected to the waters on which they sail; teachers report that

following shipboard programs aboard *Adventuress*, their students are more engaged in learning, more connected to the marine environment, and more interested in looking to maritime for possible career choices; and

WHEREAS, The *Adventuress* is newly restored such that the ship will sail Puget Sound waters with programs for youth for at least the next 50 years; and

WHEREAS, The *Adventuress* is owned by the nonprofit Sound Experience, with a mission to educate, inspire, and empower an inclusive community for the future of our marine environment; and

WHEREAS, The *Adventuress* is an invaluable cultural and educational resource that sails "not for one, but for all";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the historic schooner *Adventuress* as an important on-the-water education platform that engages our state's young people in learning about the importance of our marine environment, in considering careers in maritime-related fields, and in engaging them in learning how our daily actions make a difference in the health of Puget Sound.

Senators Benton and Fraser spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8732.

The motion by Senator Benton carried and the resolution was adopted by voice vote.

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION 8708

By Senators Angel, Sheldon, Hargrove, Hobbs, Honeyford, Pedersen, Bailey, and Fraser

WHEREAS, Washington State is committed to the promotion of safety programs, policies, and actions; and

WHEREAS, Thousands of motorcyclists travel the roads, streets, highways, and interstate systems of Washington State every day; and

WHEREAS, Motorcycles are fuel-efficient vehicles that have access to Washington State High Occupancy Vehicle lanes, promoting a less congested travel way; and

WHEREAS, Motorcyclists help to provide funds for the transportation infrastructure of Washington State that they and others use; and

WHEREAS, The majority of the motorcycling community is committed to motorcycle safety and awareness and promotes policies and procedures for themselves and other motorists in order to create a safe roadway for all; and

WHEREAS, The motorcycling community is filled with people dedicated to charitable organizations and activities; and

WHEREAS, Hundreds of motorcyclists, like those of Bikers Against Child Abuse, band together to support kids and other vulnerable communities all around the state; and

WHEREAS, The month of May is recognized nationally and throughout the state as Motorcyclist Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the month of May as Motorcycle Awareness Month; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the AAA Washington office, the ABATE of Washington office, Bikers Against Child

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

Abuse, and the headquarters of the Washington State Patrol and the Washington State Department of Transportation.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8708.

The motion by Senator Fain carried and the resolution was adopted by voice vote.

MOTION

Senator Chase moved adoption of the following resolution:

SENATE RESOLUTION
8738

By Senators Chase, Fain, Nelson, Benton, and Fraser

WHEREAS, International Women's Day first emerged from the activities of labor movements at the turn of the twentieth century and has both local and global dimensions; and

WHEREAS, Washington women of every race, class, and ethnic background have made historic contributions to the growth and strength of our state and nation in countless recorded and unrecorded ways; and

WHEREAS, Washington women have played and continue to play a critical political, economic, cultural, and social role in every sphere of life by constituting a significant portion of the labor force, and have made progress towards achieving gender equity since 1971; and

WHEREAS, The Washington State Women's Council and Washington Women United, 1971-1986, were established "To consider appropriate questions pertaining to the rights and needs of women in contemporary America and to make recommendations to the Legislature with respect to desirable changes in program and law"; and

WHEREAS, From the early 1970s until the Fourth World Conference on Women in 1995 and now today, women have made progress in achieving the full privileges and responsibilities of leadership in Washington state; and

WHEREAS, Senator Patty Murray, Secretary of State Kim Wyman, Senator Maria Cantwell, and Congresswoman Cathy McMorris-Rodgers have provided outstanding leadership throughout our state, nation, and world, and represent outstanding role models for women and girls; and

WHEREAS, At the 1995 Fourth World Conference on Women in Beijing, the global call was to end all forms of violence against women and girls by highlighting violence against women as one of twelve critical areas of concern; and

WHEREAS, The growing international women's movement, which has been strengthened by the four global United Nations women's conferences, has helped make the 2015 commemoration of the Beijing Declaration and Platform a rallying point to build support for women's rights and participation in the political and economic arenas; and

WHEREAS, The Beijing+20 review session recommitted the international community to women's rights and empowerment as being at the heart of global sustainable development; and

WHEREAS, The 2030 United Nations Sustainable Development Goals reassert the necessity of women's safety and health, women's inclusion in all realms of society, and acknowledgment of both women's professional and family-related contributions to the economy and community; and

WHEREAS, This is the time to uphold women's achievements, recognize challenges, and focus greater attention

on women's rights and gender equality to mobilize all people to do their part; and

WHEREAS, From the early 1970s to the international movement today, from the actions of our mothers and grandmothers to the goals of our daughters, women have made progress in achieving the full privileges and responsibilities of leadership in Washington state and the world;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the achievements of women in history and commend Washington state women's participation in global action towards greater equality, justice, and fairness.

Senators Chase and Fraser spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8738.

The motion by Senator Chase carried and the resolution was adopted by voice vote.

MOTION

At 1:32 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 2:25 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6238 with the following amendment(s): 6238-S AMH HCW H4501.1

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 69.50.402 and 2013 c 19 s 107 are each amended to read as follows:

(1) It is unlawful for any person:

(a) Who is subject to Article III to distribute or dispense a controlled substance in violation of RCW 69.50.308;

(b) Who is a registrant, to manufacture a controlled substance not authorized by his or her registration, or to distribute or dispense a controlled substance not authorized by his or her registration to another registrant or other authorized person;

(c) Who is a practitioner, to prescribe, order, dispense, administer, supply, or give to any person:

(i) Any amphetamine, including its salts, optical isomers, and salts of optical isomers classified as a schedule II controlled substance by the commission pursuant to chapter 34.05 RCW; or
(ii) Any nonnarcotic stimulant classified as a schedule II controlled substance and designated as a nonnarcotic stimulant by the commission pursuant to chapter 34.05 RCW;

except for the treatment of narcolepsy, or for the treatment of hyperkinesia, or for the treatment of drug-induced brain dysfunction, or for the treatment of epilepsy, or for the differential diagnostic psychiatric evaluation of depression, or for the treatment of depression shown to be refractory to other therapeutic modalities, or for the treatment of multiple sclerosis, or for the treatment of any other disease states or conditions for

which the United States food and drug administration has approved an indication, or for the clinical investigation of the effects of such drugs or compounds, in which case an investigative protocol therefor shall have been submitted to and reviewed and approved by the commission before the investigation has been begun: PROVIDED, That the commission, in consultation with the medical quality assurance commission and the osteopathic disciplinary board, may establish by rule, pursuant to chapter 34.05 RCW, disease states or conditions in addition to those listed in this subsection for the treatment of which Schedule II nonnarcotic stimulants may be prescribed, ordered, dispensed, administered, supplied, or given to patients by practitioners: AND PROVIDED, FURTHER, That investigations by the commission of abuse of prescriptive authority by physicians, licensed pursuant to chapter 18.71 RCW, pursuant to subsection (1)(c) of this section shall be done in consultation with the medical quality assurance commission;

(d) To refuse or fail to make, keep or furnish any record, notification, order form, statement, invoice, or information required under this chapter;

(e) To refuse an entry into any premises for any inspection authorized by this chapter; or

(f) Knowingly to keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place, which is resorted to by persons using controlled substances in violation of this chapter for the purpose of using these substances, or which is used for keeping or selling them in violation of this chapter.

(2) Any person who violates this section is guilty of a class C felony and upon conviction may be imprisoned for not more than two years, fined not more than two thousand dollars, or both."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Dammeier moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6238.

Senator Dammeier spoke in favor of the motion.

MOTION

On motion of Senator Mullet, and without objection, Senators Liias and Nelson were excused.

MOTION

On motion of Senator Rivers, and without objection, Senator Benton was excused.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Dammeier that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6238.

The motion by Senator Dammeier carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6238 by voice vote.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6238, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6238, as amended by the House, and the bill

passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Carlyle

Excused: Senators Benton and Nelson

SUBSTITUTE SENATE BILL NO. 6238, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 1, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6273 with the following amendment(s): 6273-S AMH ENGR H4533.E

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature recognizes that as technology becomes more prevalent, students must learn how to safely, ethically, responsibly, and effectively use technology. The legislature intends to provide a process in which students, parents or guardians, teachers, teacher-librarians, other school employees, administrators, and community representatives will engage in an ongoing discussion on safe technology use, internet use, digital citizenship, and media literacy as part of implementing the state's basic education goal outlined in RCW 28A.150.210(3) and essential academic learning requirements for technology outlined in RCW 28A.655.075.

NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.650 RCW to read as follows:

(1) For the purposes of this section, "digital citizenship" includes the norms of appropriate, responsible, and healthy behavior related to current technology use, including digital and media literacy, ethics, etiquette, and security. The term also includes the ability to access, analyze, evaluate, develop, produce, and interpret media, as well as internet safety and cyberbullying prevention and response.

(2)(a) By December 1, 2016, the office of the superintendent of public instruction shall develop best practices and recommendations for instruction in digital citizenship, internet safety, and media literacy, and report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, on strategies to implement the best practices and recommendations statewide. The best practices and recommendations must be developed in consultation with an advisory committee as specified in (b) of this subsection. Best practices and recommendations must include instruction that provides guidance about thoughtful, safe, and strategic uses of online and other media resources, and education on how to apply critical thinking skills when consuming and producing information.

(b) The office of the superintendent of public instruction must convene and consult with an advisory committee when developing best practices and recommendations for instruction in digital citizenship, internet safety, and media literacy. The advisory committee must include: Representatives from the Washington state school directors' association; experts in digital

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

citizenship, internet safety, and media literacy; teacher-librarians as defined in RCW 28A.320.240; and other stakeholders, including parent associations, educators, and administrators. Recommendations produced by the committee may include, but are not limited to:

(i) Revisions to the state learning standards for educational technology, required under RCW 28A.655.075;

(ii) Revisions to the model policy and procedures on electronic resources and internet safety developed by the Washington state school directors' association;

(iii) School district processes necessary to develop customized district policies and procedures on electronic resources and internet safety;

(iv) Best practices, resources, and models for instruction in digital citizenship, internet safety, and media literacy; and

(v) Strategies that will support school districts in local implementation of the best practices and recommendations developed by the office of the superintendent of public instruction under (a) of this subsection.

(3) Beginning in the 2017-18 school year, a school district shall annually review its policy and procedures on electronic resources and internet safety. In reviewing and amending the policy and procedures, a school district must:

(a) Involve a representation of students, parents or guardians, teachers, teacher-librarians, other school employees, administrators, and community representatives with experience or expertise in digital citizenship, media literacy, and internet safety issues;

(b) Consider customizing the model policy and procedures on electronic resources and internet safety developed by the Washington state school directors' association;

(c) Consider existing school district resources; and

(d) Consider best practices, resources, and models for instruction in digital citizenship, internet safety, and media literacy, including methods to involve parents."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Liias moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6273.

Senator Liias spoke in favor of the motion.

MOTION

On motion of Senator Liias, and without objection, Senator Hargrove was excused.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Liias that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6273.

The motion by Senator Liias carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6273 by voice vote.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6273, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6273, as amended by the House, and the bill

passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Hargrove and Nelson

SUBSTITUTE SENATE BILL NO. 6273, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6528 with the following amendment(s): 6528-S.E AMH GGIT H4624.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Communication and information resources in the various state agencies are strategic and vital assets belonging to the people of Washington and are an important component of maintaining a vibrant economy. Coordinated efforts and a sense of urgency are necessary to protect these assets against unauthorized access, disclosure, use, and modification or destruction, whether accidental or deliberate, as well as to assure the confidentiality, integrity, and availability of information.

(2) State government has a duty to Washington citizens to ensure that the information entrusted to state agencies is safe, secure, and protected from unauthorized access, unauthorized use, or destruction.

(3) Securing the state's communication and information resources is a statewide imperative requiring a coordinated and shared effort from all departments, agencies, and political subdivisions of the state and a long-term commitment to state funding that ensures the success of such efforts.

(4) Risks to communication and information resources must be managed, and the integrity of data and the source, destination, and processes applied to data must be assured.

(5) Information security standards, policies, and guidelines must be adopted and implemented throughout state agencies to ensure the development and maintenance of minimum information security controls to protect communication and information resources that support the operations and assets of those agencies.

(6) Washington state must build upon its existing expertise in information technology including research and development facilities and workforce to become a national leader in cybersecurity.

Sec. 2. RCW 43.105.020 and 2015 3rd sp.s. c 1 s 102 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) "Agency" means the consolidated technology services agency.

(2) "Board" means the technology services board.

(3) "Customer agencies" means all entities that purchase or use information technology resources, telecommunications, or services from the consolidated technology services agency.

(4) "Director" means the state chief information officer, who is the director of the consolidated technology services agency.

(5) "Enterprise architecture" means an ongoing activity for translating business vision and strategy into effective enterprise change. It is a continuous activity. Enterprise architecture creates, communicates, and improves the key principles and models that describe the enterprise's future state and enable its evolution.

(6) "Equipment" means the machines, devices, and transmission facilities used in information processing, including but not limited to computers, terminals, telephones, wireless communications system facilities, cables, and any physical facility necessary for the operation of such equipment.

(7) "Information" includes, but is not limited to, data, text, voice, and video.

(8) "Information security" means the protection of communication and information resources from unauthorized access, use, disclosure, disruption, modification, or destruction in order to:

(a) Prevent improper information modification or destruction;

(b) Preserve authorized restrictions on information access and disclosure;

(c) Ensure timely and reliable access to and use of information; and

(d) Maintain the confidentiality, integrity, and availability of information.

(9) "Information technology" includes, but is not limited to, all electronic technology systems and services, automated information handling, system design and analysis, conversion of data, computer programming, information storage and retrieval, telecommunications, requisite system controls, simulation, electronic commerce, radio technologies, and all related interactions between people and machines.

((9)) (10) "Information technology portfolio" or "portfolio" means a strategic management process documenting relationships between agency missions and information technology and telecommunications investments.

((10)) (11) "K-20 network" means the network established in RCW 43.41.391.

((11)) (12) "Local governments" includes all municipal and quasi-municipal corporations and political subdivisions, and all agencies of such corporations and subdivisions authorized to contract separately.

((12)) (13) "Office" means the office of the state chief information officer within the consolidated technology services agency.

((13)) (14) "Oversight" means a process of comprehensive risk analysis and management designed to ensure optimum use of information technology resources and telecommunications.

((14)) (15) "Proprietary software" means that software offered for sale or license.

((15)) (16) "Public agency" means any agency of this state or another state; any political subdivision or unit of local government of this state or another state including, but not limited to, municipal corporations, quasi-municipal corporations, special purpose districts, and local service districts; any public benefit nonprofit corporation; any agency of the United States; and any Indian tribe recognized as such by the federal government.

((16)) (17) "Public benefit nonprofit corporation" means a public benefit nonprofit corporation as defined in RCW 24.03.005 that is receiving local, state, or federal funds either directly or through a public agency other than an Indian tribe or political subdivision of another state.

((17)) (18) "Public record" has the definitions in RCW 42.56.010 and chapter 40.14 RCW and includes legislative records and court records that are available for public inspection.

((18)) (19) "Security incident" means an accidental or deliberative event that results in or constitutes an imminent threat of the unauthorized access, loss, disclosure, modification, disruption, or destruction of communication and information resources.

(20) "State agency" means every state office, department, division, bureau, board, commission, or other state agency, including offices headed by a statewide elected official.

((19)) (21) "Telecommunications" includes, but is not limited to, wireless or wired systems for transport of voice, video, and data communications, network systems, requisite facilities, equipment, system controls, simulation, electronic commerce, and all related interactions between people and machines.

((20)) (22) "Utility-based infrastructure services" includes personal computer and portable device support, servers and server administration, security administration, network administration, telephony, email, and other information technology services commonly used by state agencies.

Sec. 3. RCW 43.105.054 and 2015 3rd sp.s. c 1 s 108 are each amended to read as follows:

(1) The director shall establish standards and policies to govern information technology in the state of Washington.

(2) The office shall have the following powers and duties related to information services:

(a) To develop statewide standards and policies governing the:

(i) Acquisition of equipment, software, and technology-related services;

(ii) Disposition of equipment;

(iii) Licensing of the radio spectrum by or on behalf of state agencies; and

(iv) Confidentiality of computerized data;

(b) To develop statewide and interagency technical policies, standards, and procedures;

(c) To review and approve standards and common specifications for new or expanded telecommunications networks proposed by agencies, public postsecondary education institutions, educational service districts, or statewide or regional providers of K-12 information technology services;

(d) ((With input from the legislature and the judiciary.)) to provide direction concerning strategic planning goals and objectives for the state;

(e) To establish policies for the periodic review by the director of state agency performance which may include but are not limited to analysis of:

(i) Planning, management, control, and use of information services;

(ii) Training and education;

(iii) Project management; and

(iv) Cybersecurity;

(f) To coordinate with state agencies with an annual information technology expenditure that exceeds ten million dollars to implement a technology business management program to identify opportunities for savings and efficiencies in information technology expenditures and to monitor ongoing financial performance of technology investments; ((and))

(g) In conjunction with the consolidated technology services agency, to develop statewide standards for agency purchases of technology networking equipment and services;

(h) To implement a process for detecting, reporting, and responding to security incidents consistent with the information security standards, policies, and guidelines adopted by the director;

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(i) To develop plans and procedures to ensure the continuity of commerce for information resources that support the operations and assets of state agencies in the event of a security incident; and

(j) To work with the department of commerce and other economic development stakeholders to facilitate the development of a strategy that includes key local, state, and federal assets that will create Washington as a national leader in cybersecurity. The office shall collaborate with, including but not limited to, community colleges, universities, the national guard, the department of defense, the department of energy, and national laboratories to develop the strategy.

(3) Statewide technical standards to promote and facilitate electronic information sharing and access are an essential component of acceptable and reliable public access service and complement content-related standards designed to meet those goals. The office shall:

(a) Establish technical standards to facilitate electronic access to government information and interoperability of information systems, including wireless communications systems; and

(b) Require agencies to include an evaluation of electronic public access needs when planning new information systems or major upgrades of systems.

In developing these standards, the office is encouraged to include the state library, state archives, and appropriate representatives of state and local government.

NEW SECTION. Sec. 4. A new section is added to chapter 43.105 RCW to read as follows:

(1) The office must evaluate the extent to which the state is building upon its existing expertise in information technology to become a national leader in cybersecurity, as described in section 1(6) of this act, by periodically evaluating the state's performance in achieving the following objectives:

(a) High levels of compliance with the state's information technology security policy and standards, as demonstrated by the attestation that state agencies make annually to the office in which they report their implementation of best practices identified by the office;

(b) Achieving recognition from the federal government as a leader in cybersecurity, as evidenced by federal dollars received for ongoing efforts or for piloting cybersecurity programs;

(c) Developing future leaders in cybersecurity, as evidenced by an increase in the number of students trained, and cybersecurity programs enlarged in educational settings from a January 1, 2016, baseline;

(d) Broad participation in cybersecurity trainings and exercises or outreach, as evidenced by the number of events and the number of participants;

(e) Full coverage and protection of state information technology assets by a centralized cybersecurity protocol; and

(f) Adherence by state agencies to recovery and resilience plans post cyber attack.

(2) The office is encouraged to collaborate with community colleges, universities, the department of commerce, and other stakeholders in obtaining the information necessary to measure its progress in achieving these objectives.

(3) Before December 1, 2020, the office must report to the legislature:

(a) Its performance in achieving the objectives described in subsection (1) of this section; and

(b) Its recommendations, if any, for additional or different metrics that would improve measurement of the effectiveness of the state's efforts to maintain leadership in cybersecurity.

(4) This section expires October 1, 2021.

NEW SECTION. Sec. 5. This act may be known and cited as the cybersecurity jobs act of 2016."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Brown moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6528.

Senator Brown spoke in favor of the motion.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Brown that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6528.

The motion by Senator Brown carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6528 by voice vote.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6528, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6528, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Hargrove and Nelson

ENGROSSED SUBSTITUTE SENATE BILL NO. 6528, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6601 with the following amendment(s): 6601-S2.E AMH APP H4648.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.95.010 and 1997 c 289 s 1 are each amended to read as follows:

(1) The Washington advanced college tuition payment program is established to help make higher education affordable and accessible to all citizens of the state of Washington by offering a savings incentive that will protect purchasers and beneficiaries against rising tuition costs. ((The program is))

(2) Subject to the availability of amounts appropriated for this specific purpose, the Washington college savings program is established to provide an additional financial option for individuals, organizations, and families to save for college.

(3) These programs are designed to encourage savings and enhance the ability of Washington citizens to obtain financial access to institutions of higher education. In addition, the programs encourage(s) elementary and secondary school students to do well in school as a means of preparing for and aspiring to higher education attendance. ((This program is)) These programs are intended to promote a well-educated and financially secure population to the ultimate benefit of all citizens of the state of Washington.

Sec. 2. RCW 28B.95.020 and 2015 3rd sp.s. c 36 s 6 are each amended to read as follows:

The definitions in this section apply throughout this chapter, unless the context clearly requires otherwise.

(1) "Academic year" means the regular nine-month, three-quarter, or two-semester period annually occurring between August 1st and July 31st.

(2) "Account" means the Washington advanced college tuition payment program account established for the deposit of all money received by the office from eligible purchasers and interest earnings on investments of funds in the account, as well as for all expenditures on behalf of eligible beneficiaries for the redemption of tuition units and for the development of any authorized college savings program pursuant to RCW 28B.95.150.

(3) "Advisor sold" means a channel through which a broker dealer, investment advisor, or other financial intermediary recommends the Washington college savings program established pursuant to RCW 28B.95.010 to eligible investors and assists with the opening and servicing of individual college savings program accounts.

(4) "College savings program account" means the Washington college savings program account established pursuant to RCW 28B.95.010.

(5) "Committee on advanced tuition payment and college savings" or "committee" means a committee of the following members: The state treasurer, the director of the office of financial management, the director of the office, or their designees, and two members to be appointed by the governor, one representing program participants and one private business representative with marketing, public relations, or financial expertise.

((4)) (6) "Contractual obligation" means a legally binding contract of the state with the purchaser and the beneficiary establishing that purchases of tuition units in the advanced college tuition payment program will be worth the same number of tuition units at the time of redemption as they were worth at the time of the purchase, except as provided in RCW 28B.95.030(7).

((5)) (7) "Dual credit fees" means any fees charged to a student for participation in college in the high school under RCW 28A.600.290 or running start under RCW 28A.600.310.

((6)) (8) "Eligible beneficiary" means the person ((for whom the tuition unit will be redeemed for attendance at an institution of higher education, participation in college in the high school under RCW 28A.600.290, or participation in running start under RCW 28A.600.310. The beneficiary is that person named by the purchaser at the time that a tuition unit contract is accepted by the governing body)) designated as the individual whose education expenses are to be paid from the advanced college tuition payment program or the college savings program. Qualified organizations, as allowed under section 529 of the federal internal revenue code, purchasing tuition unit contracts as future scholarships need not designate a beneficiary at the time of purchase.

((7)) (9) "Eligible contributor" means an individual or organization that contributes money for the purchase of tuition units, and for an individual college savings program account established pursuant to this chapter for an eligible beneficiary.

(10) "Eligible purchaser" means an individual or organization that has entered into a tuition unit contract with the governing body for the purchase of tuition units in the advanced college tuition payment program for an eligible beneficiary, or that has entered into a participant college savings program account contract for an eligible beneficiary. The state of Washington may be an eligible purchaser for purposes of purchasing tuition units to be held for granting Washington college bound scholarships.

((8)) (11) "Full-time tuition charges" means resident tuition charges at a state institution of higher education for enrollments between ten credits and eighteen credit hours per academic term.

((9)) (12) "Governing body" means the committee empowered by the legislature to administer the Washington advanced college tuition payment program and the Washington college savings program.

((10)) (13) "Individual college savings program account" means the formal record of transactions relating to a Washington college savings program beneficiary.

(14) "Institution of higher education" means an institution that offers education beyond the secondary level and is recognized by the internal revenue service under chapter 529 of the internal revenue code.

((11)) (15) "Investment board" means the state investment board as defined in chapter 43.33A RCW.

((12)) (16) "Investment manager" means the state investment board, another state, or any other entity as selected by the governing body, including another college savings plan established pursuant to section 529 of the internal revenue code.

(17) "Office" means the office of student financial assistance as defined in chapter 28B.76 RCW.

((13)) (18) "Owner" means the eligible purchaser or the purchaser's successor in interest who shall have the exclusive authority to make decisions with respect to the tuition unit contract or the individual college savings program contract. The owner has exclusive authority and responsibility to establish and change the asset investment options for a beneficiaries' individual college savings program account.

(19) "Participant college savings program account contract" means a contract to participate in the Washington college savings program between an eligible purchaser and the office.

(20) "State institution of higher education" means institutions of higher education as defined in RCW 28B.10.016.

((14)) (21) "Tuition and fees" means undergraduate tuition and services and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded to the nearest whole dollar. For purposes of this chapter, services and activities fees do not include fees charged for the payment of bonds heretofore or hereafter issued for, or other indebtedness incurred to pay, all or part of the cost of acquiring, constructing, or installing any lands, buildings, or facilities.

((15)) (22) "Tuition unit contract" means a contract between an eligible purchaser and the governing body, or a successor agency appointed for administration of this chapter, for the purchase of tuition units in the advanced college tuition payment program for a specified beneficiary that may be redeemed at a later date for an equal number of tuition units, except as provided in RCW 28B.95.030(7).

((16)) (23) "Unit purchase price" means the minimum cost to purchase one tuition unit in the advanced college tuition payment program for an eligible beneficiary. Generally, the minimum purchase price is one percent of the undergraduate tuition and fees for the current year, rounded to the nearest whole dollar, adjusted for the costs of administration and adjusted to ensure the actuarial soundness of the account. The analysis for price setting shall also include, but not be limited to consideration of past and projected patterns of tuition increases, program

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

liability, past and projected investment returns, and the need for a prudent stabilization reserve.

Sec. 3. RCW 28B.95.025 and 2011 1st sp.s. c 11 s 169 are each amended to read as follows:

The office shall maintain appropriate offices and employ and fix compensation of such personnel as may be necessary to perform the advanced college tuition payment program and the Washington college savings program duties. The office shall consult with the governing body on the selection, compensation, and other issues relating to the employment of the program director. The positions are exempt from classified service under chapter 41.06 RCW. The employees shall be employees of the office.

Sec. 4. RCW 28B.95.030 and 2015 3rd sp.s. c 36 s 7 are each amended to read as follows:

(1) The Washington advanced college tuition payment program shall be administered by the committee on advanced tuition payment which shall be chaired by the director of the office. The committee shall be supported by staff of the office.

(2)(a) The Washington advanced college tuition payment program shall consist of the sale of tuition units, which may be redeemed by the beneficiary at a future date for an equal number of tuition units regardless of any increase in the price of tuition, that may have occurred in the interval, except as provided in subsection (7) of this section.

(b) Each purchase shall be worth a specific number of or fraction of tuition units at each state institution of higher education as determined by the governing body, except as provided in subsection (7) of this section.

(c) The number of tuition units necessary to pay for a full year's, full-time undergraduate tuition and fee charges at a state institution of higher education shall be set by the governing body at the time a purchaser enters into a tuition unit contract, except as provided in subsection (7) of this section.

(d) The governing body may limit the number of tuition units purchased by any one purchaser or on behalf of any one beneficiary, however, no limit may be imposed that is less than that necessary to achieve four years of full-time, undergraduate tuition charges at a state institution of higher education. The governing body also may, at its discretion, limit the number of participants, if needed, to ensure the actuarial soundness and integrity of the program.

(e) While the Washington advanced college tuition payment program is designed to help all citizens of the state of Washington, the governing body may determine residency requirements for eligible purchasers and eligible beneficiaries to ensure the actuarial soundness and integrity of the program.

(3)(a) No tuition unit may be redeemed until two years after the purchase of the unit.

(b) Units may be redeemed for enrollment at any institution of higher education that is recognized by the internal revenue service under chapter 529 of the internal revenue code. Units may also be redeemed to pay for dual credit fees.

(c) Units redeemed at a nonstate institution of higher education or for graduate enrollment shall be redeemed at the rate for state public institutions in effect at the time of redemption.

(4) The governing body shall determine the conditions under which the tuition benefit may be transferred to another family member. In permitting such transfers, the governing body may not allow the tuition benefit to be bought, sold, bartered, or otherwise exchanged for goods and services by either the beneficiary or the purchaser.

(5) The governing body shall administer the Washington advanced college tuition payment program in a manner reasonably designed to be actuarially sound, such that the assets

of the trust will be sufficient to defray the obligations of the trust including the costs of administration. The governing body may, at its discretion, discount the minimum purchase price for certain kinds of purchases such as those from families with young children, as long as the actuarial soundness of the account is not jeopardized.

(6) The governing body shall annually determine current value of a tuition unit.

(7) For the 2015-16 and 2016-17 academic years only, the governing body shall set the payout value for units redeemed during that academic year only at one hundred seventeen dollars and eighty-two cents per unit. For academic years after the 2016-17 academic year, the governing body shall make program adjustments it deems necessary and appropriate to ensure that the total payout value of each account on October 9, 2015, is not decreased or diluted as a result of the initial application of any changes in tuition under section 3, chapter 36, Laws of 2015 3rd sp. sess. In the event the committee or governing body provides additional units under chapter 36, Laws of 2015 3rd sp. sess., the committee and governing body shall also increase the maximum number of units that can be redeemed in any year to mitigate the reduction in available account value during any year as a result of chapter 36, Laws of 2015 3rd sp. sess. The governing body must notify holders of tuition units after the adjustment in this subsection is made and must include a statement concerning the adjustment.

(8) The governing body shall promote, advertise, and publicize the Washington advanced college tuition payment program. Materials and online publications advertising the Washington advanced college tuition payment program shall include a disclaimer that the Washington advanced college tuition payment program's guarantee is that one hundred tuition units will equal one year of full-time, resident, undergraduate tuition at the most expensive state institution of higher education, and that if resident, undergraduate tuition is reduced, a tuition unit may lose monetary value.

(9) In addition to any other powers conferred by this chapter, the governing body may:

(a) Impose reasonable limits on the number of tuition units or units that may be used in any one year;

(b) Determine and set any time limits, if necessary, for the use of benefits under this chapter;

(c) Impose and collect administrative fees and charges in connection with any transaction under this chapter;

(d) Appoint and use advisory committees and the state actuary as needed to provide program direction and guidance;

(e) Formulate and adopt all other policies and rules necessary for the efficient administration of the program;

(f) Consider the addition of an advanced payment program for room and board contracts and also consider a college savings program;

(g) Purchase insurance from insurers licensed to do business in the state, to provide for coverage against any loss in connection with the account's property, assets, or activities or to further insure the value of the tuition units;

(h) Make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise and discharge of its powers and duties under this chapter;

(i) Contract for the provision for all or part of the services necessary for the management and operation of the program with other state or nonstate entities authorized to do business in the state;

(j) Contract for other services or for goods needed by the governing body in the conduct of its business under this chapter;

(k) Contract with financial consultants, actuaries, auditors, and other consultants as necessary to carry out its responsibilities under this chapter;

(l) Solicit and accept cash donations and grants from any person, governmental agency, private business, or organization; and

(m) Perform all acts necessary and proper to carry out the duties and responsibilities of this program under this chapter.

NEW SECTION. Sec. 5. A new section is added to chapter 28B.95 RCW to read as follows:

(1) The Washington college savings program shall be administered by the committee, which shall be chaired by the director of the office. The committee shall be supported by staff of the office.

(2) The Washington college savings program shall consist of the college savings program account and the individual college savings program accounts, and shall allow an eligible purchaser to establish an individual college savings program account for an eligible beneficiary whereby the money in the account may be invested and used for enrollment at any institution of higher education that is recognized by the internal revenue service under chapter 529 of the internal revenue code. Money in the account may also be used to pay for dual credit fees.

(3) The Washington college savings program is open to eligible purchasers and eligible beneficiaries who are residents or nonresidents of Washington state.

(4) The Washington college savings program shall not require eligible purchasers to make an initial minimum contribution in any amount that exceeds twenty-five dollars when establishing a new account.

(5) The committee may contract with other state or nonstate entities that are authorized to do business in the state for the investment of moneys in the college savings program, including other college savings plans established pursuant to section 529 of the internal revenue code. The investment of eligible contributors' deposits may be in credit unions, savings and loan associations, banks, mutual savings banks, purchase life insurance, shares of an investment company, individual securities, fixed annuity contracts, variable annuity contracts, any insurance company, other 529 plans, or any investment company licensed to contract business in this state.

(6) The governing body shall determine the conditions under which control or the beneficiary of an individual college savings program account may be transferred to another family member. In permitting such transfers, the governing body may not allow the individual college savings program account to be bought, sold, bartered, or otherwise exchanged for goods and services by either the beneficiary or the purchaser.

(7) The governing body shall promote, advertise, and publicize the Washington college savings program.

(8) The governing body shall develop materials to educate potential account owners and beneficiaries on (a) the differences between the advanced college tuition payment program and the Washington college savings program, and (b) how the two programs can complement each other to save towards the full cost of attending college.

(9) In addition to any other powers conferred by this chapter, the governing body may:

(a) Impose limits on the amount of contributions that may be made on behalf of any eligible beneficiary;

(b) Determine and set age limits and any time limits for the use of benefits under this chapter;

(c) Establish incentives to encourage participation in the Washington college savings program to include but not be limited to entering into agreements with any public or private employer under which an employee may agree to have a designated amount

deducted in each payroll period from the wages due the employee for the purpose of making contributions to a participant college savings program account;

(d) Impose and collect administrative fees and charges in connection with any transaction under this chapter;

(e) Appoint and use advisory committees and the state actuary as needed to provide program direction and guidance;

(f) Formulate and adopt all other policies and rules necessary for the efficient administration of the program;

(g) Purchase insurance from insurers licensed to do business in the state, to provide for coverage against any loss in connection with the account's property, assets, or activities;

(h) Make, execute, and deliver contracts, conveyances, and other instruments necessary to the exercise and discharge of its powers and duties under this chapter;

(i) Contract for the provision for all or part of the services necessary for the management and operation of the Washington college savings program with other state or nonstate entities authorized to do business in the state for the investment of moneys;

(j) Contract for other services or for goods needed by the governing body in the conduct of its business under this chapter;

(k) Contract with financial consultants, actuaries, auditors, and other consultants as necessary to carry out its responsibilities under this chapter;

(l) Review advisor sold 529 college savings plan programs used by other states to supplement direct-sold channels, provide additional program access and options, increase overall college savings by residents, and if deemed appropriate, establish an advisor sold option for the Washington college savings program;

(m) Solicit and accept gifts, bequests, cash donations, and grants from any person, governmental agency, private business, or organization; and

(n) Perform all acts necessary and proper to carry out the duties and responsibilities of the Washington college savings program under this chapter.

(10) It is the intent of the legislature to establish policy goals for the Washington college savings program. The policy goals established under this section are deemed consistent with creating a nationally competitive 529 savings plan. The Washington college savings program should support achievement of these policy goals:

(a) Process: To have an investment manager design a thoughtful, well-diversified glide path for age-based portfolios and offer a robust suite of investment options;

(b) People: To have a well-resourced, talented, and long-tenured investment manager;

(c) Parent: To demonstrate that the committee is a good caretaker of college savers' capital and can manage the plan professionally;

(d) Performance: To demonstrate that the program's options have earned their keep with solid risk-adjusted returns over relevant time periods; and

(e) Price: To demonstrate that the investment options are a good value.

(11) The powers, duties, and functions of the Washington college savings program must be performed in a manner consistent with the policy goals in subsection (10) of this section.

(12) The policy goals in this section are intended to be the basis for establishing detailed and measurable objectives and related performance measures.

(13) It is the intent of the legislature that the committee establish objectives and performance measures for the investment manager to progress toward the attainment of the policy goals in subsection (10) of this section. The committee shall submit objectives and performance measures to the legislature for its

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

review and shall provide an updated report on the objectives and measures before the regular session of the legislature during even-numbered years thereafter.

NEW SECTION. Sec. 6. A new section is added to chapter 28B.95 RCW to read as follows:

(1) The committee shall create an expedited process by which owners can complete a direct rollover of a 529 account from (a) a state-sponsored prepaid tuition plan to a state-sponsored college savings plan, (b) a state-sponsored college savings plan to a state-sponsored prepaid tuition plan, or (c) a state-sponsored prepaid tuition plan or a state-sponsored college savings plan to an out-of-state eligible 529 plan.

(2) The committee shall report annually to the governor and the appropriate committees of the legislature on (a) the number of accounts that have been rolled into the Washington college savings program from out of state and (b) the number of accounts rolled out of the Washington college savings program to 529 plans into other states.

Sec. 7. RCW 28B.95.035 and 1998 c 69 s 3 are each amended to read as follows:

No member of the committee is liable for the negligence, default, or failure of any other person or members of the committee to perform the duties of office and no member may be considered or held to be an insurer of the funds or assets of any of the advanced college tuition payment program or any of the Washington college savings program.

Sec. 8. RCW 28B.95.040 and 2011 1st sp.s. c 11 s 171 are each amended to read as follows:

The governing body may, at its discretion, allow an organization to purchase tuition units or establish savings plans for future use as scholarships. Such organizations electing to purchase tuition units or establish Washington college savings program accounts for this purpose must enter into a contract with the governing body which, at a minimum, ensures that the scholarship shall be freely given by the purchaser to a scholarship recipient. For such purchases, the purchaser need not name a beneficiary until four months before the date when the tuition units are first expected to be used.

The governing body shall formulate and adopt such rules as are necessary to determine which organizations may qualify to purchase tuition units or establish Washington college savings program accounts for scholarships under this section. The governing body also may consider additional rules for the use of tuition units or Washington college savings program accounts if purchased as scholarships.

The governing body may establish a scholarship fund with moneys from the Washington advanced college tuition payment program account. A scholarship fund established under this authority shall be administered by the office and shall be provided to students who demonstrate financial need. Financial need is not a criterion that any other organization need consider when using tuition units as scholarships. The office also may establish its own corporate-sponsored scholarship fund under this chapter.

NEW SECTION. Sec. 9. A new section is added to chapter 28B.95 RCW to read as follows:

(1) The Washington college savings program account is created in the custody of the state treasurer. The account shall be a discrete nontreasury account retaining its interest earnings in accordance with RCW 43.79A.040.

(2) The governing body shall deposit in the account all moneys received for the program. The account shall be self-sustaining and consist of payments received for the purposes of college savings for the beneficiary. With the exception of investment and operating costs associated with the investment of money by a nonstate entity or paid under RCW 43.08.190,

43.33A.160, and 43.84.160, the account shall be credited with all investment income earned by the account. Disbursements from the account are exempt from appropriations and the allotment provisions of chapter 43.88 RCW. Money used for program administration is subject to the allotment of all expenditures. However, an appropriation is not required for such expenditures. Program administration includes, but is not limited to: The salaries and expenses of the Washington college savings program personnel including lease payments, travel, and goods and services necessary for program operation; contracts for Washington college savings program promotion and advertisement, audits, and account management; and other general costs of conducting the business of the Washington college savings program.

(3) The account is authorized to maintain a cash deficit in the account for a period no more than five fiscal years to defray its initial program administration costs. By December 31, 2017, the governing body shall establish a program administration spending plan and a fee schedule to discharge any projected cash deficit to the account. The legislature may make appropriations into the account for the purpose of reducing program administration costs.

(4) The assets of the account may be spent without appropriation for the purpose of making payments to institutions of higher education on behalf of the qualified beneficiaries, making refunds, transfers, or direct payments upon the termination of the Washington college savings program. Disbursements from the account shall be made only on the authorization of the governing body.

(5) With regard to the assets of the account, the state acts in a fiduciary, not ownership, capacity. Therefore the assets of the program are not considered state money, common cash, or revenue to the state.

Sec. 10. RCW 28B.95.080 and 2011 1st sp.s. c 12 s 3 are each amended to read as follows:

The governing body shall annually evaluate, and cause to be evaluated by the state actuary, the soundness of the advanced college tuition payment program account and determine the additional assets needed, if any, to defray the obligations of the account. The governing body may, at its discretion, consult with a nationally recognized actuary for periodic assessments of the account.

If funds are determined by the governing body, based on actuarial analysis to be insufficient to ensure the actuarial soundness of the account, the governing body shall adjust the price of subsequent tuition credit purchases to ensure its soundness.

If there are insufficient numbers of new purchases to ensure the actuarial soundness of the account, the governing body shall request such funds from the legislature as are required to ensure the integrity of the program. Funds may be appropriated directly to the account or appropriated under the condition that they be repaid at a later date. The repayment shall be made at such time that the account is again determined to be actuarially sound.

NEW SECTION. Sec. 11. A new section is added to chapter 28B.95 RCW to read as follows:

The governing body shall begin and continue to accept applications for new tuition unit contracts and authorize the sale of new tuition units by July 1, 2017. Upon reopening the advanced college tuition payment program, in any year in which the total annual sale of tuition units is below five hundred thousand, the governing body shall determine how to reinvestigate the advanced college tuition payment program to incentivize Washingtonians to enter into tuition unit contracts and purchase tuition units.

Sec. 12. RCW 28B.95.090 and 2005 c 272 s 3 are each amended to read as follows:

(1) In the event that the ((state)) legislature determines that the advanced college tuition payment program is not financially feasible, or for any other reason, the ((state)) legislature may declare the discontinuance of the program. At the time of such declaration, the governing body will cease to accept any further tuition unit contracts or purchases.

(2) The remaining tuition units for all beneficiaries who have either enrolled in higher education or who are within four years of graduation from a secondary school shall be honored until such tuition units have been exhausted, or for ten fiscal years from the date that the program has been discontinued, whichever comes first. All other contract holders shall receive a refund equal to the value of the current tuition units in effect at the time that the program was declared discontinued.

(3) At the end of the ten-year period, any tuition units remaining unused by currently active beneficiaries enrolled in higher education shall be refunded at the value of the current tuition unit in effect at the end of that ten-year period.

(4) At the end of the ten-year period, all other funds remaining in the account not needed to make refunds or to pay for administrative costs shall be deposited to the state general fund.

(5) The governing body may make refunds under other exceptional circumstances as it deems fit, however, no tuition units may be honored after the end of the tenth fiscal year following the declaration of discontinuance of the program.

NEW SECTION. Sec. 13. A new section is added to chapter 28B.95 RCW to read as follows:

(1) The investment manager has the full power to invest, reinvest, manage, contract, sell, or exchange investment money in the Washington college savings program without limitation as to the amount pursuant to RCW 43.84.150 and 43.33A.140. All investment and operating costs associated with the investment of money must be paid to the investment manager as allowed by RCW 43.33A.160 and 43.84.160. With the exception of these expenses and the administrative costs authorized in sections 5 and 9 of this act, one hundred percent of all earnings from investments accrue directly to the owner of the individual college savings program account.

(2) The governing body may allow owners to self-direct the investment of moneys in individual college savings program accounts through the selection of investment options. The governing body may provide plans that it deems are in the interests of the owners and beneficiaries.

(a) The investment manager, after consultation with the governing body, shall provide a set of options for owners to choose from for investment of individual college savings program account contributions, including an age-based investment option.

(b) The investment manager has the full authority to invest moneys pursuant to the investment directions of the owner of a self-directed individual college savings program account.

(3) Annually on each December 1st, the committee shall report to the governor and the appropriate committees of the legislature regarding the total fees charged to each investment option offered in the Washington college savings program. It is the intent of the legislature that fees charged to the owner not exceed one-half of one percent for any investment option on an annual basis. Beginning January 1, 2018, fees charged to the owner may not exceed one-half of one percent for any investment option on an annual basis.

(4) In the next succeeding legislative session following receipt of a report required under subsection (3) of this section, the appropriate committees of the legislature shall review the report and consider whether any legislative action is necessary with respect to the investment option with fees that exceed one-

half of one percent, including but not limited to consideration of whether any legislative action is necessary with respect to reducing the fees and expenses associated with the underlying investment option. With the exception of fees associated with the administration of the program authorized in sections 5 and 9 of this act, all moneys in the college savings program account, all property and rights purchased with the account, and all income attributable to the account, shall be held in trust for the exclusive benefit of the owners and their eligible beneficiaries.

(5) All investments made by the investment manager shall be made with the exercise of that degree of judgment and care expressed in chapter 43.33A RCW.

(6) As deemed appropriate by the investment manager, money in the Washington college savings program account may be commingled for investment with other funds subject to investment by the investment manager.

(7) The authority to establish all policies relating to the Washington college savings program and the Washington college savings program account, other than investment policies resides with the governing body. With the exception of expenses of the investment manager as provided in subsection (1) of this section, disbursements from the Washington college savings program account shall be made only on the authorization of the governing body or its designee, and moneys in the account may be spent only for the purposes of the Washington college savings program as specified in this chapter.

(8) The investment manager shall routinely consult and communicate with the governing body on the investment policy, earnings of the trust, and related needs of the Washington college savings program.

Sec. 14. RCW 28B.95.100 and 2000 c 14 s 7 are each amended to read as follows:

(1) The governing body, in planning and devising the advanced college tuition payment program and the Washington college savings program, shall consult with the investment board, the state treasurer, the office of financial management, and the institutions of higher education.

(2) The governing body may seek the assistance of the state agencies named in subsection (1) of this section, private financial institutions, and any other qualified party with experience in the areas of accounting, actuary, risk management, or investment management to assist with preparing an accounting of the programs and ensuring the fiscal soundness of the advanced college tuition payment program account and the Washington college savings program account.

(3) State agencies and public institutions of higher education shall fully cooperate with the governing body in matters relating to the programs in order to ensure the solvency of the advanced college tuition payment account and the Washington college savings program account and ability of the governing body to meet outstanding commitments.

NEW SECTION. Sec. 15. A new section is added to chapter 28B.95 RCW to read as follows:

The intent of the Washington college savings program is to make distributions from individual college savings program accounts for beneficiaries' attendance at public or private institutions of higher education. Federal penalties and taxes associated with 529 savings plan refunds may apply to any refund issued by the Washington college savings plan. Refunds shall be issued under specific conditions that may include the following:

(1) Certification that the beneficiary, who is eighteen years of age or older, will not attend a public or private institution of higher education, will result in a refund not to exceed the current value at the time of such certification. The refund shall be made no sooner than ninety days after such certification, less any administrative processing fees assessed by the governing body;

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(2) If there is certification of the death or disability of the beneficiary, the refund shall be equal to one hundred percent of the current value at the time that such certification is submitted to the governing body, less any administrative processing fees assessed by the governing body;

(3) If there is certification by the student of graduation or program completion, the refund shall be as great as one hundred percent of the current value at the time that such certification is submitted to the governing body, less any administrative processing fees assessed by the governing body. The governing body may, at its discretion, impose a penalty if needed to comply with federal tax rules;

(4) If there is certification of other tuition and fee scholarships that will cover the cost of tuition for the eligible beneficiary, the refund may not exceed the value of the scholarship or scholarships, less any administrative processing fees assessed by the governing body;

(5) Incorrect or misleading information provided by the purchaser or beneficiaries may result in a refund of the purchaser's and contributors' contributions, less any administrative processing fees assessed by the governing body. The value of the refund must not exceed the actual dollar value of the purchaser's or contributors' contributions; and

(6) The governing body may determine other circumstances qualifying for refunds of remaining unused participant Washington college savings program account balances and may determine the value of that refund.

NEW SECTION. Sec. 16. A new section is added to chapter 28B.95 RCW to read as follows:

With regard to bankruptcy filings and enforcement of judgments under Title 6 RCW, participant Washington college savings program account deposits made more than two years before the date of filing or judgment are considered excluded personal assets.

Sec. 17. RCW 28B.95.150 and 2012 c 198 s 16 are each amended to read as follows:

(1) The committee may establish a college savings program. If such a program is established, the college savings program shall be established, in such form as may be determined by the committee, to be a qualified state tuition program as defined by the internal revenue service under section 529 of the internal revenue code, and shall be administered in a manner consistent with the Washington advanced college tuition payment program. The committee, in planning and devising the program, shall consult with the state investment board, the state treasurer, the state actuary, the legislative fiscal and higher education committees, and the institutions of higher education. The governing body may, at its discretion, consult with a qualified actuarial consulting firm with appropriate expertise to evaluate such plans for periodic assessments of the program.

(2) Up to two hundred thousand dollars of administrative fees collected from guaranteed education tuition program participants may be applied as a loan to fund the development and start-up of a college savings program. This loan must be repaid with interest before the conclusion of the biennium following the biennium in which the committee draws funds for this purpose from the advanced college tuition payment program account.

(3) The committee, after consultation with the state investment board or other contracted investment manager, shall determine the investment policies for the college savings program. Program contributions may be invested by the state investment board, in which case it and not the committee shall determine the investment policies for the college savings program, or the committee may contract with an investment company licensed to conduct business in this state to do the

investing. The committee shall keep or cause to be kept full and adequate accounts and records of the assets of each individual participant in the college savings program.

(4)(a) The governing body may elect to have the state investment board serve as investment manager for the funds in the college savings program. Members of the state investment board and its officers and employees are not considered an insurer of the funds or assets and are not liable for any action or inaction.

(b) Members of the state investment board and its officers and employees are not liable to the state, to the fund, or to any other person as a result of their activities as members, whether ministerial or discretionary, except for willful dishonesty or intentional violations of law. The state investment board in its discretion may purchase liability insurance for members.

(c) If selected by the governing body to be the investment manager, the state investment board retains all authority to establish all investment policies relating to the investment of college savings program moneys.

(d) The state investment board shall routinely consult and communicate with the committee on the investment policy, earnings of the accounts, and related needs of the college savings program.

(5) The owner has exclusive authority and responsibility to establish and change the asset allocation for an individual participant college savings program account.

(6) Neither the state nor any eligible educational institution may be considered or held to be an insurer of the funds or assets of the individual participant accounts in the college savings program created under this section nor may any such entity be held liable for any shortage of funds in the event that balances in the individual participant accounts are insufficient to meet the educational expenses of the institution chosen by the student for which the individual participant account was intended.

((5)) (7) The committee shall adopt rules to implement this section. Such rules shall include but not be limited to administration, investment management, recordkeeping, promotion, and marketing; compliance with internal revenue service standards and applicable securities regulations; application procedures and fees; start-up costs; phasing in the savings program and withdrawals therefrom; deterrents to early withdrawals and provisions for hardship withdrawals; and reenrollment in the savings program after withdrawal.

((6)) (8) The committee may, at its discretion, determine to cease operation of the college savings program if it determines the continuation is not in the best interest of the state. The committee shall adopt rules to implement this section addressing the orderly distribution of assets.

Sec. 18. RCW 28B.95.900 and 1997 c 289 s 11 are each amended to read as follows:

This chapter shall not be construed as a promise that any beneficiary shall be granted admission to any institution of higher education, will earn any specific or minimum number of academic credits, or will graduate from any such institution. In addition, this chapter shall not be construed as a promise of either course or program availability.

Participation in ((this)) the advanced college tuition payment program or the Washington college savings program does not guarantee an eligible beneficiary the right to resident tuition and fees. To qualify for resident and respective tuition subsidies, the eligible beneficiary must meet the applicable provisions of RCW 28B.15.011 through 28B.15.015.

This chapter shall not be construed to imply that the redemption of tuition units in the advanced college tuition payment program shall be equal to any value greater than the undergraduate tuition and services and activities fees at a state

institution of higher education as computed under this chapter. Eligible beneficiaries will be responsible for payment of any other fee that does not qualify as a services and activities fee including, but not limited to, any expenses for tuition surcharges, tuition overload fees, laboratory fees, equipment fees, book fees, rental fees, room and board charges, or fines.

Sec. 19. RCW 43.33A.135 and 2010 1st sp.s. c 7 s 36 are each amended to read as follows:

The state investment board has the full power to establish investment policy, develop participant investment options, and manage investment funds for the college savings program, if the committee on advanced tuition payment and college savings selects the state investment board as the investment manager pursuant to section 5 of this act, and for the state deferred compensation plan, consistent with the provisions of RCW 41.50.770 and 41.50.780. The board may continue to offer the investment options provided as of June 11, 1998, until the board establishes a deferred compensation plan investment policy and adopts new investment options after considering the recommendations of the department of retirement systems.

Sec. 20. RCW 43.33A.190 and 2000 c 247 s 701 are each amended to read as follows:

(Pursuant to RCW 41.34.130,) The state investment board shall invest all self-directed investment moneys under teachers' retirement system plan 3, the school employees' retirement system plan 3, and the public employees' retirement system plan 3 pursuant to RCW 41.34.130 and under the college savings program, if the committee on advanced tuition payment and college savings selects the state investment board as the investment manager pursuant to section 5 of this act, with full power to establish investment policy, develop investment options, and manage self-directed investment funds.

Sec. 21. RCW 43.79A.040 and 2013 c 251 s 5 and 2013 c 88 s 1 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The Washington promise scholarship account, the Washington advanced college tuition payment program account, the Washington college savings program account, the accessible communities account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the

county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees' and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

NEW SECTION. Sec. 22. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Frockt moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6601.

Senators Frockt, Braun, Mullet and Bailey spoke in favor of the motion.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Frockt that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6601.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

The motion by Senator Frockt carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6601 by voice vote.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6601, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6601, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Ericksen and Padden
Excused: Senators Hargrove and Nelson

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6601, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5109 with the following amendment(s): 5109-S2.E AMH CDHT FLYN 240

On page 8, line 25, after "construction;" insert "and"

On page 8, beginning on line 26 after "funds" strike all material through "mountains" on line 30

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Brown moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 5109.

Senator Brown spoke in favor of the motion.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Brown that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 5109.

The motion by Senator Brown carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 5109 by voice vote.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5109, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5109, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Jayapal and Padden
Excused: Senators Hargrove and Nelson

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5109, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 2, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6227 with the following amendment(s): 6227-S AMH CB H4479.3

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. In section 3163, chapter 3, Laws of 2015 3rd sp. sess., the legislature directed the recreation and conservation office to review and make recommendations for changes to the Washington wildlife and recreation program. The recreation and conservation office conducted the review and this act details the proposed recommendations for statutory revisions to chapter 79A.15 RCW that will promote habitat conservation, outdoor recreation, working lands preservation, property rights, coordination between the state and local governments, and ensure continued success of the program for future generations.

Sec. 2. RCW 79A.15.010 and 2015 c 225 s 126 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Acquisition" means the purchase on a willing seller basis of fee or less than fee interests in real property. These interests include, but are not limited to, options, rights of first refusal, conservation easements, leases, and mineral rights.

(2) "Board" means the recreation and conservation funding board.

(3) "Critical habitat" means lands important for the protection, management, or public enjoyment of certain wildlife species or groups of species, including, but not limited to, wintering range for deer, elk, and other species, waterfowl and upland bird habitat, fish habitat, and habitat for endangered, threatened, or sensitive species.

(4) "Farmlands" means any land defined as: (a) "Farm and agricultural land" in RCW 84.34.020(2); and (b) "farm and agricultural conservation land" in RCW 84.34.020(8).

(5) "Local agencies" means a city, county, town, federally recognized Indian tribe, special purpose district, port district, or other political subdivision of the state providing services to less than the entire state.

(6) "Natural areas" means areas that have, to a significant degree, retained their natural character and are important in

preserving rare or vanishing flora, fauna, geological, natural historical, or similar features of scientific or educational value.

(7) "Nonprofit nature ((conservancy corporation or association")) conservancies means ((an)) organizations as defined in RCW 84.34.250.

(8) "Riparian habitat" means land adjacent to water bodies, as well as submerged land such as streambeds, which can provide functional habitat for salmonids and other fish and wildlife species. Riparian habitat includes, but is not limited to, shorelines and near-shore marine habitat, estuaries, lakes, wetlands, streams, and rivers.

(9) "Special needs populations" means physically restricted people or people of limited means.

(10) "State agencies" means the state parks and recreation commission, the department of natural resources, the department of enterprise services, and the department of fish and wildlife.

(11) "Trails" means public ways constructed for and open to pedestrians, equestrians, or bicyclists, or any combination thereof, other than a sidewalk constructed as a part of a city street or county road for exclusive use of pedestrians.

(12) "Urban wildlife habitat" means lands that provide habitat important to wildlife in proximity to a metropolitan area.

(13) "Water access" means boat or foot access to marine waters, lakes, rivers, or streams.

(14) "Confer" means a dialogue between project sponsors and local county and city officials with the purpose of early review of potential projects. The dialogue may include any matter relevant to a particular project, which may include but need not be limited to: Project purpose and scope; project elements; estimated project cost; costs and benefits to the community; plans for project management and maintenance; and public access.

(15) "Forest lands" means any land defined as "timberland" in RCW 84.34.020(3).

(16) "Multiple benefits" means recreational uses that are compatible with habitat conservation or resources uses or management practices that are compatible with and provide the ability to achieve additional conservation benefits.

Sec. 3. RCW 79A.15.030 and 2015 c 183 s 1 are each amended to read as follows:

(1) Moneys appropriated prior to July 1, 2016, for this chapter shall be divided as follows:

(a) Appropriations for a biennium of forty million dollars or less must be allocated equally between the habitat conservation account and the outdoor recreation account.

(b) If appropriations for a biennium total more than forty million dollars, the money must be allocated as follows: (i) Twenty million dollars to the habitat conservation account and twenty million dollars to the outdoor recreation account; (ii) any amount over forty million dollars up to fifty million dollars shall be allocated as follows: (A) Ten percent to the habitat conservation account; (B) ten percent to the outdoor recreation account; (C) forty percent to the riparian protection account; and (D) forty percent to the farmlands preservation account; and (iii) any amounts over fifty million dollars must be allocated as follows: (A) Thirty percent to the habitat conservation account; (B) thirty percent to the outdoor recreation account; (C) thirty percent to the riparian protection account; and (D) ten percent to the farmlands preservation account.

(2) ((Except as otherwise provided in chapter 303, Laws of 2005.)) Beginning July 1, 2016, moneys appropriated for this chapter must be allocated as follows: (a) Forty-five percent to the habitat conservation account; (b) forty-five percent to the outdoor recreation account; and (c) ten percent to the farm and forest account.

(3) Moneys deposited in these accounts shall be invested as authorized for other state funds, and any earnings on them shall be credited to the respective account.

((3)) (4) All moneys deposited in the habitat conservation, outdoor recreation, ((riparian protection, and farmlands preservation)) and farm and forest accounts shall be allocated as provided under RCW 79A.15.040, 79A.15.050, ((79A.15.120,)) and 79A.15.130 as grants to state or local agencies or nonprofit nature ((conservancy organizations or associations)) conservancies for acquisition, development, and renovation within the jurisdiction of those agencies, subject to legislative appropriation. The board may use or permit the use of any funds appropriated for this chapter as matching funds where federal, local, or other funds are made available for projects within the purposes of this chapter. Moneys appropriated to these accounts that are not obligated to a specific project may be used to fund projects from lists of alternate projects from the same account in biennia succeeding the biennium in which the moneys were originally appropriated.

((4)) (5) Projects receiving grants ((under this chapter that are developed or otherwise accessible for public recreational uses shall be available to the public)) for development, recreational access, or fee simple acquisition of land under this chapter must be accessible for public recreation and outdoor education unless the board specifically approves limiting public access in order to protect sensitive species, water quality, or public safety.

((5)) (6) The board may make grants to an eligible project from the habitat conservation, outdoor recreation, ((riparian protection, and farmlands preservation)) and farm and forest accounts and any one or more of the applicable categories under such accounts described in RCW 79A.15.040, 79A.15.050, ((79A.15.120,)) and 79A.15.130.

((6)) (7) The board may accept private donations to the habitat conservation account, the outdoor recreation account, ((the riparian protection account,)) and the ((farmlands preservation)) farm and forest account for the purposes specified in this chapter.

((7)) (8) The board may retain a portion of the funds appropriated for this chapter for its office for the administration of the programs and purposes specified in this chapter. The portion of the funds retained for administration may not exceed: (a) The actual administration costs averaged over the previous five biennia as a percentage of the legislature's new appropriation for this chapter; or (b) the amount specified in the appropriation, if any. Each biennium the percentage specified under (a) of this subsection must be approved by the office of financial management and submitted along with the prioritized lists of projects to be funded in RCW 79A.15.060((6)), 79A.15.070((7)), ((79A.15.120(10,)) and 79A.15.130((11))).

((8)) (9) Habitat and recreation land and facilities acquired or developed with moneys appropriated for this chapter may not, without prior approval of the board, be converted to a use other than that for which funds were originally approved. The board shall adopt rules and procedures governing the approval of such a conversion.

Sec. 4. RCW 79A.15.040 and 2008 c 299 s 29 are each amended to read as follows:

(1) Moneys appropriated for this chapter prior to July 1, 2016, to the habitat conservation account shall be distributed in the following way:

(a) Not less than forty percent through June 30, 2011, at which time the amount shall become forty-five percent, for the acquisition and development of critical habitat;

(b) Not less than thirty percent for the acquisition and development of natural areas;

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(c) Not less than twenty percent for the acquisition and development of urban wildlife habitat; and

(d) Not less than ten percent through June 30, 2011, at which time the amount shall become five percent, shall be used by the board to fund restoration and enhancement projects on state lands. Only the department of natural resources and the department of fish and wildlife may apply for these funds to be used on existing habitat and natural area lands.

(2) Moneys appropriated beginning July 1, 2016, for this chapter to the habitat conservation account shall be distributed in the following way:

(a) Not less than thirty-five percent for the acquisition and development of critical habitat;

(b) Not less than twenty-five percent for the acquisition and development of natural areas;

(c) Not less than fifteen percent for the acquisition or enhancement or restoration of riparian habitat;

(d) Not less than fifteen percent for the acquisition and development of urban wildlife habitat; and

(e) Not less than ten percent or three million dollars, whichever is less, for the board to fund restoration and enhancement projects on state lands. Any amount above three million dollars must be distributed for the purposes of (c) of this subsection.

(3)(a) In distributing these funds, the board retains discretion to meet the most pressing needs for critical habitat, natural areas, riparian protection, and urban wildlife habitat, and is not required to meet the percentages described in subsections (1) and (2) of this section in any one biennium.

(b) If not enough project applications are submitted in a category within the habitat conservation account to meet the percentages described in subsections (1) and (2) of this section in any biennium, the board retains discretion to distribute any remaining funds to the other categories within the account.

((3)) (4) State agencies and nonprofit nature conservancies may apply for acquisition and development funds for natural areas projects under subsection (1)(b) of this section.

((4)) (5) State and local agencies and nonprofit nature conservancies may apply for acquisition and development funds for critical habitat ((and)), urban wildlife habitat, and riparian protection projects under ((subsection (1)(a) and (c) of)) this section. Other state agencies not defined in RCW 79A.15.010, such as the department of transportation and the department of corrections, may enter into interagency agreements with state agencies to apply in partnership for riparian protection funds under this section.

(6) The department of natural resources, the department of fish and wildlife, and the state parks and recreation commission may apply for restoration and enhancement funds to be used on existing state-owned lands.

((5)) (7)(a) Any lands that have been acquired with grants under this section by the department of fish and wildlife are subject to an amount in lieu of real property taxes and an additional amount for control of noxious weeds as determined by RCW 77.12.203.

(b) Any lands that have been acquired with grants under this section by the department of natural resources are subject to payments in the amounts required under the provisions of RCW 79.70.130 and 79.71.130.

((6)) (8) Except as otherwise conditioned by RCW 79A.15.140 or 79A.15.150, the board in its evaluating process shall consider the following in determining distribution priority:

(a) Whether the entity applying for funding is a Puget Sound partner, as defined in RCW 90.71.010;

(b) Effective one calendar year following the development and statewide availability of model evergreen community management plans and ordinances under RCW 35.105.050, whether the entity receiving assistance has been recognized, and what gradation of recognition was received, in the evergreen community recognition program created in RCW 35.105.030; and

(c) Whether the project is referenced in the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

((7)) (9) After January 1, 2010, any project designed to address the restoration of Puget Sound may be funded under this chapter only if the project is not in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

Sec. 5. RCW 79A.15.050 and 2007 c 241 s 30 are each amended to read as follows:

(1) Moneys appropriated prior to July 1, 2016, for this chapter to the outdoor recreation account shall be distributed in the following way:

(a) Not less than thirty percent to the state parks and recreation commission for the acquisition and development of state parks, with at least fifty percent of the money for acquisition costs;

(b) Not less than thirty percent for the acquisition, development, and renovation of local parks, with at least fifty percent of this money for acquisition costs;

(c) Not less than twenty percent for the acquisition, renovation, or development of trails;

(d) Not less than fifteen percent for the acquisition, renovation, or development of water access sites, with at least seventy-five percent of this money for acquisition costs; and

(e) Not less than five percent for development and renovation projects on state recreation lands. Only the department of natural resources and the department of fish and wildlife may apply for these funds to be used on their existing recreation lands.

(2) Moneys appropriated beginning July 1, 2016, for this chapter to the outdoor recreation account shall be distributed in the following way:

(a) Not less than thirty percent to the state parks and recreation commission for the acquisition and development of state parks, with at least forty percent but no more than fifty percent of the money for acquisition costs;

(b) Not less than thirty percent for the acquisition, development, and renovation of local parks, with at least forty percent but no more than fifty percent of this money for acquisition costs;

(c) Not less than twenty percent for the acquisition, renovation, or development of trails;

(d) Not less than ten percent for the acquisition, renovation, or development of water access sites, with at least seventy-five percent of this money for acquisition costs; and

(e) Not less than ten percent or three million dollars, whichever is less, for development and renovation projects on state recreation lands. Any amount above three million dollars must be distributed for the purposes of (d) of this subsection.

(3)(a) In distributing these funds, the board retains discretion to meet the most pressing needs for state and local parks, trails, and water access sites, and is not required to meet the percentages described in subsections (1) and (2) of this section in any one biennium.

(b) If not enough project applications are submitted in a category within the outdoor recreation account to meet the percentages described in subsections (1) and (2) of this section in any biennium, the board retains discretion to distribute any remaining funds to the other categories within the account.

((3)) (4) Only the state parks and recreation commission may apply for acquisition and development funds for state parks under subsections (1)(a) and (2)(a) of this section.

(5) Only local agencies may apply for acquisition, development, or renovation funds for local parks under subsections (1)(b) and (2)(b) of this section.

((4)) (6) Only state and local agencies may apply for funds for trails under subsections (1)(c) and (2)(c) of this section.

((5)) (7) Only state and local agencies may apply for funds for water access sites under subsections (1)(d) and (2)(d) of this section.

(8) Only the department of natural resources and the department of fish and wildlife may apply for funds for development and renovation projects on existing state recreation lands under subsections (1)(e) and (2)(e) of this section.

Sec. 6. RCW 79A.15.060 and 2009 c 341 s 3 and 2009 c 16 s 1 are each reenacted and amended to read as follows:

(1) The board may adopt rules establishing acquisition policies and priorities for distributions from the habitat conservation account.

(2) Except as provided in RCW 79A.15.030((7)) (8), moneys appropriated for this chapter may not be used by the board to fund staff positions or other overhead expenses, or by a state, regional, or local agency to fund operation or maintenance of areas acquired under this chapter.

(3) Moneys appropriated for this chapter may be used by grant recipients for costs incidental to acquisition, including, but not limited to, surveying expenses, fencing, noxious weed control, and signing.

(4) The board may not approve a local project where the local agency share is less than the amount to be awarded from the habitat conservation account.

(5) In determining acquisition priorities with respect to the habitat conservation account, the board shall consider, at a minimum, the following criteria:

(a) For critical habitat and natural areas proposals:

(i) Multiple benefits for the project;

(ii) Whether, and the extent to which, a conservation easement can be used to meet the purposes for the project;

(iii) Community support for the project based on input from, but not limited to, local citizens, local organizations, and local elected officials;

((ii)) (iv) The project proposal's ongoing stewardship program that includes estimated costs of maintaining and operating the project including, but not limited to, control of noxious weeds(,) and detrimental invasive species, and that identifies the source of the funds from which the stewardship program will be funded;

((iii)) (v) Recommendations as part of a watershed plan or habitat conservation plan, or a coordinated regionwide prioritization effort, and for projects primarily intended to benefit salmon, limiting factors, or critical pathways analysis;

((iv)) (vi) Immediacy of threat to the site;

((v)) (vii) Uniqueness of the site;

((vi)) (viii) Diversity of species using the site;

((vii)) (ix) Quality of the habitat;

((viii)) (x) Long-term viability of the site;

((ix)) (xi) Presence of endangered, threatened, or sensitive species;

((x)) (xii) Enhancement of existing public property;

((xi)) (xiii) Consistency with a local land use plan, or a regional or statewide recreational or resource plan, including projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130;

((xii)) (xiv) Educational and scientific value of the site;

((xiii)) (xv) Integration with recovery efforts for endangered, threatened, or sensitive species;

((xiv) For critical habitat proposals by local agencies,) (xvi) The statewide significance of the site.

(b) For urban wildlife habitat proposals, in addition to the criteria of (a) of this subsection:

(i) Population of, and distance from, the nearest urban area;

(ii) Proximity to other wildlife habitat;

(iii) Potential for public use; and

(iv) Potential for use by special needs populations.

(c) For riparian protection proposals, the board must consider, at a minimum, the following criteria:

(i) Whether the project continues the conservation reserve enhancement program. Applications that extend the duration of leases of riparian areas that are currently enrolled in the conservation reserve enhancement program are eligible. These applications are eligible for a conservation lease extension of at least twenty-five years of duration;

(ii) Whether the projects are identified or recommended in a watershed plan, salmon recovery plan, or other local plans, such as habitat conservation plans, and these must be highly considered in the process;

(iii) Whether there is community support for the project;

(iv) Whether the proposal includes an ongoing stewardship program that includes control of noxious weeds, detrimental invasive species, and that identifies the source of the funds from which the stewardship program will be funded;

(v) Whether there is an immediate threat to the site;

(vi) Whether the quality of the habitat is improved or, for projects including restoration or enhancement, the potential for restoring quality habitat including linkage of the site to other high quality habitat;

(vii) Whether the project is consistent with a local land use plan or a regional or statewide recreational or resource plan. The projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130 must be highly considered in the process;

(viii) Whether the site has educational or scientific value; and

(ix) Whether the site has passive recreational values for walking trails, wildlife viewing, the observation of natural settings, or other multiple benefits.

(d) Moneys appropriated for this chapter to riparian protection projects must be distributed for the acquisition or enhancement or restoration of riparian habitat. All enhancement or restoration projects, except those qualifying under (c)(i) of this subsection, must include the acquisition of a real property interest in order to be eligible.

(6) Before November 1st of each even-numbered year, the board shall recommend to the governor a prioritized list of all ((state agency and local)) projects to be funded under RCW 79A.15.040((1) (a), (b), and (c))). The governor may remove projects from the list recommended by the board and shall submit this amended list in the capital budget request to the legislature. The list shall include, but not be limited to, a description of each project and any particular match requirement, and describe for each project any anticipated restrictions upon recreational activities allowed prior to the project.

Sec. 7. RCW 79A.15.070 and 2007 c 241 s 33 are each amended to read as follows:

(1) In determining which state parks proposals and local parks proposals to fund, the board shall use existing policies and priorities.

(2) Except as provided in RCW 79A.15.030((7)) (8), moneys appropriated for this chapter may not be used by the board to fund staff or other overhead expenses, or by a state,

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

regional, or local agency to fund operation or maintenance of areas acquired under this chapter.

(3) Moneys appropriated for this chapter may be used by grant recipients for costs incidental to acquisition and development, including, but not limited to, surveying expenses, fencing, and signing.

(4) The board may not approve a project of a local agency where the share contributed by the local agency is less than the amount to be awarded from the outdoor recreation account. The local agency's share may be reduced or waived if the project meets the needs of an underserved population or a community in need, as defined by the board.

(5) The board may adopt rules establishing acquisition policies and priorities for the acquisition and development of trails and water access sites to be financed from moneys in the outdoor recreation account.

(6) In determining the acquisition and development priorities, the board shall consider, at a minimum, the following criteria:

(a) For trails proposals:

- (i) Community support for the project;
- (ii) Immediacy of threat to the site;
- (iii) Linkage between communities;
- (iv) Linkage between trails;
- (v) Existing or potential usage;

(vi) Consistency with a local land use plan, or a regional or statewide recreational or resource plan, including projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130;

- (vii) Availability of water access or views;
- (viii) Enhancement of wildlife habitat; and
- (ix) Scenic values of the site.

(b) For water access proposals:

- (i) Community support for the project;
- (ii) Distance from similar water access opportunities;
- (iii) Immediacy of threat to the site;
- (iv) Diversity of possible recreational uses;
- (v) Public demand in the area; and

(vi) Consistency with a local land use plan, or a regional or statewide recreational or resource plan, including projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130.

(7) Before November 1st of each even-numbered year, the board shall recommend to the governor a prioritized list of all ((state agency and local)) projects to be funded under RCW 79A.15.050((1) (a), (b), (c), and (d))). The governor may remove projects from the list recommended by the board and shall submit this amended list in the capital budget request to the legislature. The list shall include, but not be limited to, a description of each project and any particular match requirement, and describe for each project any anticipated restrictions upon recreational activities allowed prior to the project.

Sec. 8. RCW 79A.15.080 and 2007 c 241 s 34 are each amended to read as follows:

The board shall not sign contracts or otherwise financially obligate funds from the habitat conservation account, the outdoor recreation account, ((the riparian protection account,)) or the ((farmlands preservation)) farm and forest account as provided in this chapter before the legislature has appropriated funds for a specific list of projects. The legislature may remove projects from the list recommended by the governor.

Sec. 9. RCW 79A.15.110 and 2007 c 241 s 36 are each amended to read as follows:

((A)) State or local ((agency)) agencies or nonprofit nature conservancies shall review the proposed project application and confer with the county or city with jurisdiction over the project area prior to applying for funds for the acquisition of property under this chapter. The appropriate county or city legislative authority may, at its discretion, submit a letter to the board identifying the authority's position with regard to the acquisition project. The board shall make the letters received under this section available to the governor and the legislature when the prioritized project list is submitted under ((RCW 79A.15.120, 79A.15.060, and 79A.15.070)) this chapter.

Sec. 10. RCW 79A.15.130 and 2009 c 341 s 5 are each amended to read as follows:

(1) The ((farmlands preservation)) farm and forest account is established in the state treasury. The board will administer the account in accordance with chapter 79A.25 RCW and this chapter, and hold it separate and apart from all other money, funds, and accounts of the board. Moneys appropriated for this chapter to the ((farmlands preservation)) farm and forest account must be distributed for the acquisition and preservation of farmlands and forest lands in order to maintain the opportunity for agricultural and forest management activity upon these lands.

(2)((a) Moneys appropriated for this chapter to the farmlands preservation account may be distributed for (i) the fee simple or less than fee simple acquisition of farmlands; (ii) the enhancement or restoration of ecological functions on those properties; or (iii) both)) Moneys appropriated beginning July 1, 2016, for this chapter shall be divided as follows:

(a) Not less than ninety percent for the acquisition and preservation of farmlands.

(b) Not less than ten percent for the acquisition and preservation of forest lands.

(3) Moneys appropriated for this chapter to the farm and forest account may be distributed for: (a) The acquisition of a less than fee simple interest in farmlands or forest land, such as a conservation easement or lease; (b) the enhancement or restoration of ecological functions on those properties; or (c) both. In order for a farmland or forest land preservation grant to provide for an environmental enhancement or restoration project, the project must include the acquisition of a real property interest.

((b) If a city, county, nonprofit nature conservancy organization or association, or the conservation commission acquires a property through this program in fee simple, the city, county, nonprofit nature conservancy organization or association, or the conservation commission shall endeavor to secure preservation of the property through placing a conservation easement, or other form of deed restriction, on the property which dedicates the land to agricultural use and retains one or more property rights in perpetuity. Once an easement or other form of deed restriction is placed on the property, the city, county, nonprofit nature conservancy organization or association, or the conservation commission shall seek to sell the property, at fair market value, to a person or persons who will maintain the property in agricultural production. Any moneys from the sale of the property shall either be used to purchase interests in additional properties which meet the criteria in subsection (9) of this section, or to repay the grant from the state which was originally used to purchase the property.

(3)) (4) Cities, counties, nonprofit nature ((conservancy organizations or associations)) conservancies, and the conservation commission may apply for acquisition and enhancement or restoration funds for farmland or forest land preservation projects within their jurisdictions under subsection (1) of this section.

((4)) (5) The board may adopt rules establishing acquisition and enhancement or restoration policies and priorities for distributions from the ((farmlands preservation)) farm and forest account.

((5)) (6) The acquisition of a property ((right)) interest in a project under this section ((by a county, city, nonprofit nature conservancy organization or association, or the conservation commission)) does not provide a right of access to the property by the public unless explicitly provided for in a conservation easement or other form of deed restriction.

((6)) (7) Except as provided in RCW 79A.15.030((7)) (8), moneys appropriated for this section may not be used by the board to fund staff positions or other overhead expenses, or by ((a city, county, nonprofit nature conservancy organization or association)) cities, counties, nonprofit nature conservancies, or the conservation commission to fund operation or maintenance of areas acquired under this chapter.

((7)) (8) Moneys appropriated for this section may be used by grant recipients for costs incidental to restoration and acquisition, including, but not limited to, surveying expenses, fencing, noxious weed control, and signing.

((8)) (9) The board may not approve a local project where the local agency's or nonprofit nature ((conservancy organization's or association's)) conservancies' share is less than the amount to be awarded from the ((farmlands preservation)) farm and forest account. In-kind contributions, including contributions of a real property interest in land, may be used to satisfy the local agency's or nonprofit nature ((conservancy organization's or association's)) conservancies' share.

((9)) (10) In determining the acquisition priorities for farmland projects, the board must consider, at a minimum, the following criteria:

- (a) Community support for the project;
- (b) A recommendation as part of a limiting factors or critical pathways analysis, a watershed plan or habitat conservation plan, or a coordinated regionwide prioritization effort;
- (c) The likelihood of the conversion of the site to nonagricultural or more highly developed usage;
- (d) Consistency with a local land use plan, or a regional or statewide recreational or resource plan. The projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130 must be highly considered in the process;
- (e) Benefits to salmonids;
- (f) Benefits to other fish and wildlife habitat;
- (g) Integration with recovery efforts for endangered, threatened, or sensitive species;
- (h) The viability of the site for continued agricultural production, including, but not limited to:
 - (i) Soil types;
 - (ii) On-site production and support facilities such as barns, irrigation systems, crop processing and storage facilities, wells, housing, livestock sheds, and other farming infrastructure;
 - (iii) Suitability for producing different types or varieties of crops;
 - (iv) Farm-to-market access;
 - (v) Water availability; and
- (i) Other community values provided by the property when used as agricultural land, including, but not limited to:
 - (i) Viewshed;
 - (ii) Aquifer recharge;
 - (iii) Occasional or periodic collector for storm water runoff;
 - (iv) Agricultural sector job creation;
 - (v) Migratory bird habitat and forage area; and
 - (vi) Educational and curriculum potential.

((10)) (11) In allotting funds for environmental enhancement or restoration projects, the board will require the projects to meet the following criteria:

- (a) Enhancement or restoration projects must further the ecological functions of the farmlands;
- (b) The projects, such as fencing, bridging watercourses, replanting native vegetation, replacing culverts, clearing of waterways, etc., must be less than fifty percent of the acquisition cost of the project including any in-kind contribution by any party;
- (c) The projects should be based on accepted methods of achieving beneficial enhancement or restoration results; and
- (d) The projects should enhance the viability of the preserved farmland to provide agricultural production while conforming to any legal requirements for habitat protection.

((11)) (12) In determining the acquisition priorities for forest land projects, the board must consider, at a minimum, the following criteria:

- (a) Community support for the project;
- (b) A recommendation as part of a limiting factors or critical pathways analysis, a watershed plan or habitat conservation plan, or a coordinated regionwide prioritization effort;
- (c) The likelihood of conversion of the site to nontimber or more highly developed use;
- (d) Consistency with a local land use plan, or a regional or statewide recreational or resource plan. The projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130 must be highly considered in the process;
- (e) Multiple benefits of the project;
- (f) Project attributes, including but not limited to:
 - (i) Clean air and water;
 - (ii) Storm water management;
 - (iii) Wildlife habitat; and
 - (iv) Potential for carbon sequestration.

(13) In allotting funds for environmental enhancement or restoration projects, the board must require the projects to meet the following criteria:

- (a) Enhancement or restoration projects must further the ecological functions of the forest lands;
- (b) The projects, such as fencing, bridging watercourses, replanting native vegetation, replacing culverts, etc., must be less than fifty percent of the acquisition cost of the project including any in-kind contribution by any party;
- (c) The projects should be based on accepted methods of achieving beneficial enhancement or restoration results;
- (d) The projects should enhance the viability of the preserved forest land to provide timber production while conforming to any legal requirements for habitat protection.

(14) Before November 1st of each even-numbered year, the board will recommend to the governor a prioritized list of all projects to be funded under this section. The governor may remove projects from the list recommended by the board and must submit this amended list in the capital budget request to the legislature. The list must include, but not be limited to, a description of each project and any particular match requirement.

NEW SECTION. Sec. 11. The allocations in sections 3, 4, and 5 of this act apply to the prioritized list of all projects submitted by November 1, 2016. The eligibility provisions in sections 4 and 5 of this act for nonprofit nature conservancies, as defined in RCW 84.34.250, and eligibility provisions in section 10 of this act are effective for projects submitted in 2016. The recreation and conservation funding board shall provide a prioritized list of projects to be funded under RCW

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

79A.15.130(2)(b) by November 1, 2017. All other provisions of this act apply to subsequent grant cycles.

NEW SECTION. Sec. 12. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Honeyford moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6227.

Senators Honeyford and Jayapal spoke in favor of the motion.

The President Pro Tempore declared the question before the Senate to be the motion by Senator Honeyford that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6227.

The motion by Senator Honeyford carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6227 by voice vote.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6227, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6227, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dansel and Padden

Excused: Senators Hargrove and Nelson

SUBSTITUTE SENATE BILL NO. 6227, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President of the Senate, Lt. Governor Owen, assumed the chair.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6261 with the following amendment(s): 6261-S AMH PS H4546.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 68.50.050 and 2011 c 96 s 48 are each amended to read as follows:

(1) Any person, not authorized or directed by the coroner or ((his)) medical examiner or ((her)) their deputies, who removes

the body of a deceased person not claimed by a relative or friend, or ((who came to their death by reason of violence or from unnatural causes or where there shall exist reasonable grounds for the belief that such death has been caused by unlawful means at the hands of another)) moves, disturbs, molests, or interferes with the human remains coming within the jurisdiction of the coroner or medical examiner as set forth in RCW 68.50.010, to any undertaking rooms or elsewhere, or any person who knowingly directs, aids, or abets such unauthorized moving, disturbing, molesting, or taking, and any person who ((in any way)) knowingly conceals the ((body of a deceased person for the purpose of taking the same to any undertaking rooms or elsewhere)) human remains, shall in each of said cases be guilty of a gross misdemeanor ((and upon conviction thereof shall be punished by fine of not more than one thousand dollars, or by imprisonment in the county jail for up to three hundred sixty-four days or by both fine and imprisonment in the discretion of the court)).

(2) In evaluating whether it is necessary to retain jurisdiction and custody of human remains under RCW 68.50.010, 68.50.645, and 27.44.055, the coroner or medical examiner shall consider the deceased's religious beliefs, if known, including the tenets, customs, or rites related to death and burial.

(3) For purposes of this section and unless the context clearly requires otherwise, "human remains" has the same meaning as defined in RCW 68.04.020. Human remains also includes, but is not limited to, skeletal remains.

Sec. 2. RCW 68.50.020 and 1987 c 331 s 55 are each amended to read as follows:

It shall be the duty of every person who knows of the existence and location of ((a dead body)) human remains coming under the jurisdiction of the coroner or medical examiner as set forth in RCW 68.50.010 or 27.44.055, to notify the coroner, medical examiner, or law enforcement thereof in the most expeditious manner possible, unless such person shall have good reason to believe that such notice has already been given. Any person knowing of the existence of such ((dead body)) human remains and not having good reason to believe that the coroner has notice thereof and who shall fail to give notice to the coroner as aforesaid, shall be guilty of a misdemeanor. For purposes of this section and unless the context clearly requires otherwise, "human remains" has the same meaning as defined in RCW 68.04.020. Human remains also includes, but is not limited to, skeletal remains."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6261.

Senator Padden spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Padden that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6261.

The motion by Senator Padden carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6261 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6261, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6261, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Hargrove and Nelson

SUBSTITUTE SENATE BILL NO. 6261, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6534 with the following amendment(s): 6534-S2.E AMH APP H4637.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.54 RCW to read as follows:

(1) For the purposes of this section, "maternal mortality" or "maternal death" means a death of a woman while pregnant or within one year of delivering or following the end of a pregnancy, whether or not the woman's death is related to or aggravated by the pregnancy.

(2) A maternal mortality review panel is established to conduct comprehensive, multidisciplinary reviews of maternal deaths in Washington to identify factors associated with the deaths and make recommendations for system changes to improve health care services for women in this state. The members of the panel must be appointed by the secretary of the department of health, must serve without compensation, and may include:

- (a) An obstetrician;
- (b) A physician specializing in maternal fetal medicine;
- (c) A neonatologist;
- (d) A midwife with licensure in the state of Washington;
- (e) A representative from the department of health who works in the field of maternal and child health;
- (f) A department of health epidemiologist with experience analyzing perinatal data;
- (g) A pathologist; and
- (h) A representative of the community mental health centers.

(3) The maternal mortality review panel must conduct comprehensive, multidisciplinary reviews of maternal mortality in Washington. The panel may not call witnesses or take testimony from any individual involved in the investigation of a maternal death or enforce any public health standard or criminal law or otherwise participate in any legal proceeding relating to a maternal death.

(4)(a) Information, documents, proceedings, records, and opinions created, collected, or maintained by the maternity mortality review panel or the department of health in support of

the maternal mortality review panel are confidential and are not subject to public inspection or copying under chapter 42.56 RCW and are not subject to discovery or introduction into evidence in any civil or criminal action.

(b) Any person who was in attendance at a meeting of the maternal mortality review panel or who participated in the creation, collection, or maintenance of the panel's information, documents, proceedings, records, or opinions may not be permitted or required to testify in any civil or criminal action as to the content of such proceedings, or the panel's information, documents, records, or opinions. This subsection does not prevent a member of the panel from testifying in a civil or criminal action concerning facts which form the basis for the panel's proceedings of which the panel member had personal knowledge acquired independently of the panel or which is public information.

(c) Any person who, in substantial good faith, participates as a member of the maternal mortality review panel or provides information to further the purposes of the maternal mortality review panel may not be subject to an action for civil damages or other relief as a result of the activity or its consequences.

(d) All meetings, proceedings, and deliberations of the maternal mortality review panel may, at the discretion of the maternal mortality review panel, be confidential and may be conducted in executive session.

(e) The maternal mortality review panel and the secretary of the department of health may retain identifiable information regarding facilities where maternal deaths, or from which the patient was transferred, occur and geographic information on each case solely for the purposes of trending and analysis over time. All individually identifiable information must be removed before any case review by the panel.

(5) The department of health shall review department available data to identify maternal deaths. To aid in determining whether a maternal death was related to or aggravated by the pregnancy, and whether it was preventable, the department of health has the authority to:

(a) Request and receive data for specific maternal deaths including, but not limited to, all medical records, autopsy reports, medical examiner reports, coroner reports, and social service records; and

(b) Request and receive data as described in (a) of this subsection from health care providers, health care facilities, clinics, laboratories, medical examiners, coroners, professions and facilities licensed by the department of health, local health jurisdictions, the health care authority and its licensees and providers, and the department of social and health services and its licensees and providers.

(6) Upon request by the department of health, health care providers, health care facilities, clinics, laboratories, medical examiners, coroners, professions and facilities licensed by the department of health, local health jurisdictions, the health care authority and its licensees and providers, and the department of social and health services and its licensees and providers must provide all medical records, autopsy reports, medical examiner reports, coroner reports, social services records, information and records related to sexually transmitted diseases, and other data requested for specific maternal deaths as provided for in subsection (5) of this section to the department.

(7) By July 1, 2017, and biennially thereafter, the maternal mortality review panel must submit a report to the secretary of the department of health and the health care committees of the senate and house of representatives. The report must protect the confidentiality of all decedents and other participants involved in any incident. The report must be distributed to relevant stakeholder groups for performance improvement. Interim results may be shared at the Washington state hospital association

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

coordinated quality improvement program. The report must include the following:

(a) A description of the maternal deaths reviewed by the panel during the preceding twenty-four months, including statistics and causes of maternal deaths presented in the aggregate, but the report must not disclose any identifying information of patients, decedents, providers, and organizations involved; and

(b) Evidence-based system changes and possible legislation to improve maternal outcomes and reduce preventable maternal deaths in Washington.

Sec. 2. RCW 42.56.360 and 2014 c 223 s 17 are each amended to read as follows:

(1) The following health care information is exempt from disclosure under this chapter:

(a) Information obtained by the pharmacy quality assurance commission as provided in RCW 69.45.090;

(b) Information obtained by the pharmacy quality assurance commission or the department of health and its representatives as provided in RCW 69.41.044, 69.41.280, and 18.64.420;

(c) Information and documents created specifically for, and collected and maintained by a quality improvement committee under RCW 43.70.510, 70.230.080, or 70.41.200, or by a peer review committee under RCW 4.24.250, or by a quality assurance committee pursuant to RCW 74.42.640 or 18.20.390, or by a hospital, as defined in RCW 43.70.056, for reporting of health care-associated infections under RCW 43.70.056, a notification of an incident under RCW 70.56.040(5), and reports regarding adverse events under RCW 70.56.020(2)(b), regardless of which agency is in possession of the information and documents;

(d)(i) Proprietary financial and commercial information that the submitting entity, with review by the department of health, specifically identifies at the time it is submitted and that is provided to or obtained by the department of health in connection with an application for, or the supervision of, an antitrust exemption sought by the submitting entity under RCW 43.72.310;

(ii) If a request for such information is received, the submitting entity must be notified of the request. Within ten business days of receipt of the notice, the submitting entity shall provide a written statement of the continuing need for confidentiality, which shall be provided to the requester. Upon receipt of such notice, the department of health shall continue to treat information designated under this subsection (1)(d) as exempt from disclosure;

(iii) If the requester initiates an action to compel disclosure under this chapter, the submitting entity must be joined as a party to demonstrate the continuing need for confidentiality;

(e) Records of the entity obtained in an action under RCW 18.71.300 through 18.71.340;

(f) Complaints filed under chapter 18.130 RCW after July 27, 1997, to the extent provided in RCW 18.130.095(1);

(g) Information obtained by the department of health under chapter 70.225 RCW;

(h) Information collected by the department of health under chapter 70.245 RCW except as provided in RCW 70.245.150;

(i) Cardiac and stroke system performance data submitted to national, state, or local data collection systems under RCW 70.168.150(2)(b);

(j) All documents, including completed forms, received pursuant to a wellness program under RCW 41.04.362, but not statistical reports that do not identify an individual; and

(k) Data and information exempt from disclosure under RCW 43.371.040.

(2) Chapter 70.02 RCW applies to public inspection and copying of health care information of patients.

(3)(a) Documents related to infant mortality reviews conducted pursuant to RCW 70.05.170 are exempt from disclosure as provided for in RCW 70.05.170(3).

(b)(i) If an agency provides copies of public records to another agency that are exempt from public disclosure under this subsection (3), those records remain exempt to the same extent the records were exempt in the possession of the originating entity.

(ii) For notice purposes only, agencies providing exempt records under this subsection (3) to other agencies may mark any exempt records as "exempt" so that the receiving agency is aware of the exemption, however whether or not a record is marked exempt does not affect whether the record is actually exempt from disclosure.

(4) Information and documents related to maternal mortality reviews conducted pursuant to section 1 of this act are confidential and exempt from public inspection and copying.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 4. This act expires June 30, 2020." Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator O'Ban moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6534.

Senator O'Ban spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator O'Ban that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6534.

The motion by Senator O'Ban carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6534 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6534, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6534, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Danel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Hargrove and Nelson

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6534, as amended by the House, having received the constitutional majority, was declared passed. There being no

objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The Speaker has signed HOUSE BILL NO. 2332

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6564 with the following amendment(s): 6564-S2.E AMH ELHS H4591.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds and declares that the prevalence of the abuse and neglect of individuals with developmental disabilities has become an issue that negatively affects the health and well-being of such individuals. In order to address this issue, the state seeks to increase visitation of clients who are classified at the highest risk of abuse and neglect based on the assessment of risk factors by developmental disabilities administration case managers, and to create an independent office of the developmental disabilities ombuds to monitor and report on services to persons with developmental disabilities.

NEW SECTION. Sec. 2. A new section is added to chapter 71A.12 RCW to read as follows:

At every developmental disabilities administration annual assessment, the case manager is required to meet with the client in an in-person setting. If the client is receiving personal care services or supported living services, the case manager must ask permission to view the client's living quarters and note his or her observations in the service episode record. If the case manager is unable to view the client's living quarters for any reason, the case manager must note this in his or her report along with the reason given for why this is not practicable at the current time.

NEW SECTION. Sec. 3. A new section is added to chapter 71A.12 RCW to read as follows:

(1) Within funds appropriated for this purpose, the developmental disabilities administration shall increase home visits for clients identified as having the highest risk of abuse and neglect.

(2)(a) The developmental disabilities administration must develop a process to determine which of its clients who receive an annual developmental disabilities assessment are at highest risk of abuse or neglect. The administration may consider factors such as:

(i) Whether the client lives with the client's caregiver and receives no other developmental disabilities administration services, or whether the client is largely or entirely dependent on a sole caregiver for assistance, and the caregiver is largely or entirely dependent on the client for his or her income;

(ii) Whether the client has limited ability to supervise the caregiver, to express himself or herself verbally, has few community contacts, or no independent person outside the home is identified to assist the client;

(iii) Whether the client has experienced a destabilizing event such as hospitalization, arrest, or victimization;

(iv) Whether the client has been the subject of an adult protective services or child protective services referral in the past year; or

(v) Whether the client lives in an environment that jeopardizes personal safety.

(b) The developmental disabilities administration must visit those clients identified as having the highest risk of abuse or neglect at least once every four months, including unannounced visits as needed. This unannounced visit may replace a scheduled visit; however if the case manager is unable to meet with the client, a follow-up visit must be scheduled. A client may refuse to allow an unannounced visit to take place, but this fact must be noted.

(3) The developmental disabilities administration may develop rules to implement this section.

Sec. 4. RCW 74.34.300 and 2008 c 146 s 10 are each amended to read as follows:

(1) The department ((may)) shall conduct a vulnerable adult fatality review in the event of a death of a vulnerable adult when the department has reason to believe that the death of the vulnerable adult may be related to the abuse, abandonment, exploitation, or neglect of the vulnerable adult, or may be related to the vulnerable adult's self-neglect, and the vulnerable adult was:

(a) Receiving home and community-based services in his or her own home or licensed or certified settings, described under chapters 74.39 ((and)), 74.39A, 18.20, 70.128, and 71A.12 RCW, within sixty days preceding his or her death; or

(b) Living in his or her own home or licensed or certified settings described under chapters 74.39, 74.39A, 18.20, 70.128, and 71A.12 RCW and was the subject of a report under this chapter received by the department within twelve months preceding his or her death.

(2) When conducting a vulnerable adult fatality review of a person who had been receiving hospice care services before the person's death, the review shall provide particular consideration to the similarities between the signs and symptoms of abuse and those of many patients receiving hospice care services.

(3) All files, reports, records, communications, and working papers used or developed for purposes of a fatality review are confidential and not subject to disclosure pursuant to RCW 74.34.095.

(4) The department may adopt rules to implement this section.

NEW SECTION. Sec. 5. (1) There is created an office of the developmental disabilities ombuds. The department of commerce shall contract with a private, independent nonprofit organization to provide developmental disability ombuds services. The department of commerce shall designate, by a competitive bidding process, the nonprofit organization that will contract to operate the ombuds. The selection process must include consultation of stakeholders in the development of the request for proposals and evaluation of bids. The selected organization must have experience and the capacity to effectively communicate regarding developmental disabilities issues with policymakers, stakeholders, and the general public and must be prepared and able to provide all program and staff support necessary, directly or through subcontracts, to carry out all duties of the office.

(2) The contracting organization and its subcontractors, if any, are not state agencies or departments, but instead are private, independent entities operating under contract with the state.

(3) The governor or state may not revoke the designation of the organization contracted to provide the services of the ombuds except upon a showing of neglect of duty, misconduct, or inability to perform duties.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(4) The department of commerce shall ensure that the ombuds staff has access to sufficient training or experience with issues relating to persons with developmental disabilities and the program and staff support necessary to enable the ombuds to effectively protect the interests of persons with developmental disabilities. The office of the developmental disabilities ombuds shall have the powers and duties to do the following:

(a) Provide information as appropriate on the rights and responsibilities of persons receiving developmental disability administration services or other state services, and on the procedures for providing these services;

(b) Investigate, upon its own initiative or upon receipt of a complaint, an administrative act related to a person with developmental disabilities alleged to be contrary to law, rule, or policy, imposed without an adequate statement of reason, or based on irrelevant, immaterial, or erroneous grounds; however, the ombuds may decline to investigate any complaint;

(c) Monitor the procedures as established, implemented, and practiced by the department to carry out its responsibilities in the delivery of services to a person with developmental disabilities, with a view toward appropriate preservation of families and ensuring health and safety;

(d) Review periodically the facilities and procedures of state institutions which serve persons with developmental disabilities and state-licensed facilities or residences;

(e) Recommend changes in the procedures for addressing the needs of persons with developmental disabilities;

(f) Submit annually, by November 1st, to the governor and appropriate committees of the legislature a report analyzing the work of the office, including recommendations;

(g) Establish procedures to protect the confidentiality of records and sensitive information to ensure that the identity of any complainant or person with developmental disabilities will not be disclosed without the written consent of the complainant or person, or upon court order;

(h) Maintain independence and authority within the bounds of the duties prescribed by this chapter, insofar as this independence and authority is exercised in good faith and within the scope of contract; and

(i) Carry out such other activities as determined by the department of commerce within the scope of this chapter.

(5) The developmental disabilities ombuds must consult with stakeholders to develop a plan for future expansion of the ombuds into a model of individual ombuds services akin to the operations of the long-term care ombuds. The developmental disabilities ombuds shall report its progress and recommendations related to this subsection to the governor and appropriate committees of the legislature by November 1, 2019.

NEW SECTION. Sec. 6. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Administration" means the developmental disabilities administration of the department of social and health services.

(2) "Department" means the department of social and health services.

(3) "Ombuds" means the office of the developmental disabilities ombuds.

NEW SECTION. Sec. 7. The ombuds shall collaborate and have a memoranda of agreement with the office of the state long-term care ombuds, the office of the family and children's ombuds, Washington protection and advocacy system, the mental health ombuds, and the office of the education ombuds to clarify authority in those situations where their mandates overlap.

NEW SECTION. Sec. 8. (1) A developmental disabilities ombuds shall not have participated in the paid provision of

services to any person with developmental disabilities within the past year.

(2) A developmental disabilities ombuds shall not have been employed in a governmental position with direct involvement in the licensing, certification, or regulation of a paid developmental disabilities service provider within the past year.

(3) No developmental disabilities ombuds or any member of his or her immediate family may have, or have had within the past year, any significant ownership or investment interest in a paid provider of services to persons with developmental disabilities.

(4) A developmental disabilities ombuds shall not be assigned to investigate a facility or provider of services which provides care or services to a member of that ombuds' immediate family.

NEW SECTION. Sec. 9. The ombuds shall treat all matters under investigation, including the identities of service recipients, complainants, and individuals from whom information is acquired, as confidential, except as far as disclosures may be necessary to enable the ombuds to perform the duties of the office and to support any recommendations resulting from an investigation. Upon receipt of information that by law is confidential or privileged, the ombuds shall maintain the confidentiality of such information and shall not further disclose or disseminate the information except as provided by applicable state or federal law. Investigative records of the office of the ombuds are confidential and are exempt from public disclosure under chapter 42.56 RCW.

NEW SECTION. Sec. 10. (1) Identifying information about complainants or witnesses is not subject to any method of legal compulsion and may not be revealed to the legislature or the governor except under the following circumstances: (a) The complainant or witness waives confidentiality; (b) under a legislative subpoena when there is a legislative investigation for neglect of duty or misconduct by the ombuds or ombuds' office when the identifying information is necessary to the investigation of the ombuds' acts; or (c) under an investigation or inquiry by the governor as to neglect of duty or misconduct by the ombuds or ombuds' office when the identifying information is necessary to the investigation of the ombuds' acts. Consistently with this section, the ombuds must act to protect sensitive client information.

(2) For the purposes of this section, "identifying information" includes the complainant's or witness's name, location, telephone number, likeness, social security number or other identification number, or identification of immediate family members.

NEW SECTION. Sec. 11. The privilege described in section 10 of this act does not apply when:

(1) The ombuds or ombuds' staff member has direct knowledge of an alleged crime, and the testimony, evidence, or discovery sought is relevant to that allegation;

(2) The ombuds or a member of the ombuds' staff has received a threat of, or becomes aware of a risk of, imminent serious harm to any person, and the testimony, evidence, or discovery sought is relevant to that threat or risk; or

(3) The ombuds has been asked to provide general information regarding the general operation of, or the general processes employed at, the ombuds' office.

NEW SECTION. Sec. 12. (1) An employee of the office of the developmental disabilities ombuds is not liable for good faith performance of responsibilities under this chapter.

(2) No discriminatory, disciplinary, or retaliatory action may be taken against an employee of the department, an employee of the department of commerce, an employee of a contracting agency of the department, a provider of developmental disabilities services, or a recipient of department services for any communication made, or information given or disclosed, to aid

the office of the developmental disabilities ombuds in carrying out its responsibilities, unless the communication or information is made, given, or disclosed maliciously or without good faith. This subsection is not intended to infringe on the rights of the employer to supervise, discipline, or terminate an employee for other reasons.

(3) All communications by an ombuds, if reasonably related to the requirements of that individual's responsibilities under this chapter and done in good faith, are privileged and that privilege serves as a defense in any action in libel or slander.

NEW SECTION. Sec. 13. When the ombuds or ombuds' staff member has reasonable cause to believe that any public official, employee, or other person has acted in a manner warranting criminal or disciplinary proceedings, the ombuds or ombuds' staff member shall report the matter, or cause a report to be made, to the appropriate authorities.

NEW SECTION. Sec. 14. The department and the department of health shall:

(1) Allow the ombuds or the ombuds' designee to communicate privately with any person receiving services from the department, or any person who is part of a fatality or near fatality investigation involving a person with developmental disabilities, for the purposes of carrying out its duties under this chapter;

(2) Permit the ombuds or the ombuds' designee physical access to state institutions serving persons with developmental disabilities and information in the possession of the department concerning state-licensed facilities or residences for the purpose of carrying out its duties under this chapter;

(3) Upon the ombuds' request, grant the ombuds or the ombuds' designee the right to access, inspect, and copy all relevant information, records, or documents in the possession or control of the department or the department of health that the ombuds considers necessary in an investigation.

NEW SECTION. Sec. 15. Sections 5 through 14 of this act constitute a new chapter in Title 43 RCW."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator O'Ban moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6564.

Senator O'Ban spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator O'Ban that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6564.

The motion by Senator O'Ban carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6564 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6564, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6564, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hargrove

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6564, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 2, 2016

MR. PRESIDENT:

The House passed ENGROSSED SENATE BILL NO. 6620 with the following amendment(s): 6620.E AMH ENGR H4564.E

Strike everything after the enacting clause and insert the following:

"PART I

NEW SECTION. Sec. 1. The legislature recognizes that public schools are required to have safe school plans and procedures in place. The legislature acknowledges that there are costs associated with these plans and procedures. The legislature intends to review the funding of school safety and security programs and work toward a statewide plan for funding cost-effective methods for school safety that meet the needs of local school districts.

NEW SECTION. Sec. 2. (1) The Washington state institute for public policy shall complete an evaluation of how Washington and other states have addressed the funding of school safety and security programs and submit a report to the appropriate committees of the legislature, the governor, and the office of the superintendent of public instruction by December 1, 2017.

(2) This section expires August 1, 2018.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction and the school safety advisory committee shall hold annual school safety summits. Each annual summit must focus on establishing and monitoring the progress of a statewide plan for funding cost-effective methods for school safety that meet local needs. Other areas of focus may include planning and implementation of school safety planning efforts, training of school safety professionals, and integrating mental health and security measures.

(2) Summit participants must be appointed no later than August 1, 2016.

(a) The majority and minority leaders of the senate shall appoint two members from each of the relevant caucuses of the senate.

(b) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives.

(c) The governor shall appoint one representative.

(3) Other summit participants may include representatives from the office of the superintendent of public instruction, the department of health, educational service districts, educational associations, emergency management, law enforcement, fire departments, parent organizations, and student organizations.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(4) Staff support for the annual summit shall be provided by the office of the superintendent of public instruction and the school safety advisory committee.

(5) Legislative members of the summit are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

NEW SECTION. Sec. 4. (1) In order to foster a school climate that promotes safety and security, school district staff should receive proper training in developing students' social and emotional skills. The office of the superintendent of public instruction shall create and maintain an online social and emotional training module for educators, administrators, and other school district staff. The module must be available by September 1, 2017.

(2) The training module must be based on the recommendations of the office of the superintendent of public instruction's 2016 report on comprehensive benchmarks for developmentally appropriate interpersonal and decision-making knowledge and skills of social and emotional learning. The module must promote students' self-awareness, self-management, social-awareness, relationships, and responsible decision making.

PART II

NEW SECTION. Sec. 5. The legislature finds that school personnel are often the first responders when there is a violent threat or natural or man-made disaster at a school. The legislature further finds there is a need to develop training for school personnel to intervene and provide assistance during these emergency incidents. The legislature recognizes an educational service district has developed a model for a regional school safety and security center, which can provide this type of training.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.310 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, educational service districts may implement a regional school safety and security program modeled after the educational service district that has developed a regional school safety and security center.

(2) The programs should include the following components:

(a) Establishment of a network of school safety coordinators for the educational service districts, which shall focus on prevention planning, intervention, mitigation, crisis response, and community recovery regarding emergency incidents in schools;

(b) Collaboration with the educational service district that developed the model for a regional school safety and security center to adopt its model for a regional school safety and security center;

(c) Creation of technology-based systems that enable more efficient and effective communication between schools and emergency response entities, including local law enforcement, local fire department, and state and federal responders;

(d) Provision of technology support to improve communication and data management between schools and emergency response entities;

(e) Ongoing training of school personnel and emergency responders to establish a system for preventative identification, intervention strategies, and management of risk behaviors;

(f) Development of a professional development to train school personnel as first responders until the arrival of emergency responders; and

(g) Building collaborative relationships between other educational service districts, the office of the superintendent of public instruction, and the school safety advisory committee."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator McAuliffe moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6620.

Senator McAuliffe spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator McAuliffe that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6620.

The motion by Senator McAuliffe carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 6620 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6620, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6620, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Angel, Benton, Ericksen and Padden

Excused: Senator Hargrove

ENGROSSED SENATE BILL NO. 6620, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6470 with the following amendment(s): 6470-S.E AMH GGIT H4629.1

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 66.24.170 and 2014 c 105 s 1 and 2014 c 27 s 1 are each reenacted and amended to read as follows:

(1) There ((shall be)) is a license for domestic wineries; fee to be computed only on the liters manufactured: Less than two hundred fifty thousand liters per year, one hundred dollars per year; and two hundred fifty thousand liters or more per year, four hundred dollars per year.

(2) The license allows for the manufacture of wine in Washington state from grapes or other agricultural products.

(3) Any domestic winery licensed under this section may also act as a retailer of wine of its own production. Any domestic winery licensed under this section may act as a distributor of its own production. Notwithstanding any language in this title to the contrary, a domestic winery may use a common carrier to deliver up to one hundred cases of its own production, in the aggregate, per month to licensed Washington retailers. A domestic winery may not arrange for any such common carrier shipments to licensed retailers of wine not of its own production. Except as provided in this section, any winery operating as a distributor and/or retailer under this subsection must comply with the applicable laws and rules relating to distributors and/or retailers, except that a winery operating as a distributor may maintain a warehouse off the premises of the winery for the distribution of wine of its own production provided that: (a) The warehouse has been approved by the board under RCW 66.24.010; and (b) the number of warehouses off the premises of the winery does not exceed one.

(4) A domestic winery licensed under this section, at locations separate from any of its production or manufacturing sites, may serve samples of its own products, with or without charge, may sell wine of its own production at retail, and may sell for off-premises consumption wines of its own production in kegs or sanitary containers meeting the applicable requirements of federal law brought to the premises by the purchaser or furnished by the licensee and filled at the tap at the time of sale, provided that: (a) Each additional location has been approved by the board under RCW 66.24.010; (b) the total number of additional locations does not exceed two; (c) a winery may not act as a distributor at any such additional location; and (d) any person selling or serving wine at an additional location for ((on-premises)) on-premises consumption must obtain a class 12 or class 13 alcohol server permit. Each additional location is deemed to be part of the winery license for the purpose of this title. At additional locations operated by multiple wineries under this section, if the board cannot connect a violation of RCW 66.44.200 or 66.44.270 to a single licensee, the board may hold all licensees operating the additional location jointly liable. Nothing in this subsection may be construed to prevent a domestic winery from holding multiple domestic winery licenses.

(5)(a) A domestic winery licensed under this section may apply to the board for an endorsement to sell wine of its own production at retail for off-premises consumption at a qualifying farmers market. The annual fee for this endorsement is seventy-five dollars. An endorsement issued pursuant to this subsection does not count toward the two additional retail locations limit specified in this section.

(b) For each month during which a domestic winery will sell wine at a qualifying farmers market, the winery must provide the board or its designee a list of the dates, times, and locations at which bottled wine may be offered for sale. This list must be received by the board before the winery may offer wine for sale at a qualifying farmers market.

(c) The wine sold at qualifying farmers markets must be made entirely from grapes grown in a recognized Washington appellation or from other agricultural products grown in this state.

(d) Each approved location in a qualifying farmers market is deemed to be part of the winery license for the purpose of this title. The approved locations under an endorsement granted under this subsection include tasting or sampling privileges subject to the conditions pursuant to RCW 66.24.175. The winery may not store wine at a farmers market beyond the hours that the winery offers bottled wine for sale. The winery may not act as a distributor from a farmers market location.

(e) Before a winery may sell bottled wine at a qualifying farmers market, the farmers market must apply to the board for

authorization for any winery with an endorsement approved under this subsection to sell bottled wine at retail at the farmers market. This application shall include, at a minimum: (i) A map of the farmers market showing all booths, stalls, or other designated locations at which an approved winery may sell bottled wine; and (ii) the name and contact information for the on-site market managers who may be contacted by the board or its designee to verify the locations at which bottled wine may be sold. Before authorizing a qualifying farmers market to allow an approved winery to sell bottled wine at retail at its farmers market location, the board ((shall)) must notify the persons or entities of such application for authorization pursuant to RCW 66.24.010 (8) and (9). An authorization granted under this subsection (5)(e) may be withdrawn by the board for any violation of this title or any rules adopted under this title.

(f) The board may adopt rules establishing the application and approval process under this section and such additional rules as may be necessary to implement this section.

(g) For the purposes of this subsection:

(i) "Qualifying farmers market" means an entity that sponsors a regular assembly of vendors at a defined location for the purpose of promoting the sale of agricultural products grown or produced in this state directly to the consumer under conditions that meet the following minimum requirements:

(A) There are at least five participating vendors who are farmers selling their own agricultural products;

(B) The total combined gross annual sales of vendors who are farmers exceeds the total combined gross annual sales of vendors who are processors or resellers. However, if a farmers market does not satisfy this subsection (5)(g)(i)(B), a farmers market is still considered a "qualifying farmers market" if the total combined gross annual sales of farmers and processors at the farmers market is one million dollars or more;

(C) The total combined gross annual sales of vendors who are farmers, processors, or resellers exceeds the total combined gross annual sales of vendors who are not farmers, processors, or resellers;

(D) The sale of imported items and secondhand items by any vendor is prohibited; and

(E) No vendor is a franchisee.

(ii) "Farmer" means a natural person who sells, with or without processing, agricultural products that he or she raises on land he or she owns or leases in this state or in another state's county that borders this state.

(iii) "Processor" means a natural person who sells processed food that he or she has personally prepared on land he or she owns or leases in this state or in another state's county that borders this state.

(iv) "Reseller" means a natural person who buys agricultural products from a farmer and resells the products directly to the consumer.

(5) Wine produced in Washington state by a domestic winery licensee may be shipped out-of-state for the purpose of making it into sparkling wine and then returned to such licensee for resale. Such wine ((shall be)) is deemed wine manufactured in the state of Washington for the purposes of RCW 66.24.206, and shall not require a special license.

(7) During an event held by a nonprofit holding a special occasion license issued under RCW 66.24.380, a domestic winery licensed under this section may take orders, either in writing or electronically, and accept payment for wines of its own production under the following conditions:

(a) Wine produced by the domestic winery may be served for on-premises consumption by the special occasion licensee;

(b) The domestic winery delivers wine to the consumer on a date after the conclusion of the special occasion event;

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(c) The domestic winery delivers wine to the consumer at a location different from the location at which the special occasion event is held;

(d) The domestic winery complies with all requirements in chapter 66.20 RCW for direct sale of wine to consumers;

(e) The wine is not sold for resale; and

(f) The domestic winery is entitled to all proceeds from the sale and delivery of its wine to a consumer after the conclusion of the special occasion event, but may enter into an agreement to share a portion of the proceeds of these sales with the special occasion licensee licensed under RCW 66.24.380.

Sec. 2. RCW 66.24.380 and 2012 c 2 s 112 are each amended to read as follows:

There is a retailer's license to be designated as a special occasion license to be issued to a not-for-profit society or organization to sell spirits, beer, and wine by the individual serving for on-premises consumption at a specified event, such as at picnics or other special occasions, at a specified date and place; fee sixty dollars per day.

(1) The not-for-profit society or organization is limited to sales of no more than twelve calendar days per year. For the purposes of this subsection, special occasion licensees that are "agricultural area fairs" or "agricultural county, district, and area fairs," as defined by RCW 15.76.120, that receive a special occasion license may, once per calendar year, count as one event fairs that last multiple days, so long as alcohol sales are at set dates, times, and locations, and the board receives prior notification of the dates, times, and locations. The special occasion license applicant will pay the sixty dollars per day for this event.

(2) The licensee may sell spirits, beer, and/or wine in original, unopened containers for off-premises consumption if permission is obtained from the board prior to the event.

(3) In addition to offering the sale of wine by the individual serving for on-premises consumption, the licensee may sell wine in original, unopened containers for on-premises consumption if permission is obtained from the board prior to the event.

(4) Sale, service, and consumption of spirits, beer, and wine is to be confined to specified premises or designated areas only.

((4)) (5) Liquor sold under this special occasion license must be purchased from a licensee of the board.

((5)) (6) Any violation of this section is a class 1 civil infraction having a maximum penalty of two hundred fifty dollars as provided for in chapter 7.80 RCW.

Sec. 3. RCW 66.12.110 and 2012 c 117 s 272 are each amended to read as follows:

A person twenty-one years of age or over may bring into the state from without the United States, free of tax and markup, for his or her personal or household use such alcoholic beverages as have been declared and permitted to enter the United States duty free under federal law.

Such entry of alcoholic beverages in excess of that herein provided may be authorized by the board upon payment of an equivalent ((markup and)) tax as would be applicable to the purchase of the same or similar liquor at retail ((from a Washington state liquor store)) in this state. The board ((shall)) must adopt appropriate regulations pursuant to chapter 34.05 RCW for the purpose of carrying out the provisions of this section. The board may issue a spirits, beer, and wine private club license to a charitable or nonprofit corporation of the state of Washington, the majority of the officers and directors of which are United States citizens and the minority of the officers and directors of which are citizens of the Dominion of Canada, and where the location of the premises for such spirits, beer, and wine

private club license is not more than ten miles south of the border between the United States and the province of British Columbia.

Sec. 4. RCW 66.12.120 and 1995 c 100 s 1 are each amended to read as follows:

Notwithstanding any other provision of this title ((66 RCW)), a person twenty-one years of age or over may, free of tax ((and markup)), for personal or household use, bring into the state of Washington from another state no more than once per calendar month up to two liters of spirits or wine or two hundred eighty-eight ounces of beer. Additionally, such person may be authorized by the board to bring into the state of Washington from another state a reasonable amount of alcoholic beverages in excess of that provided in this section for personal or household use only upon payment of an equivalent ((markup and)) tax as would be applicable to the purchase of the same or similar liquor at retail ((from a state liquor store)) in this state. The board ((shall)) must adopt appropriate regulations pursuant to chapter 34.05 RCW for the purpose of carrying into effect the provisions of this section.

Sec. 5. RCW 66.12.240 and 2009 c 361 s 1 are each amended to read as follows:

(1) Nothing in this title applies to or prevents a wedding boutique or art gallery from offering or supplying without charge wine or beer by the individual glass to a customer for consumption on the premises. However, the customer must be at least twenty-one years of age and may only be offered one glass of wine or beer, and wine or beer served or consumed ((shall)) must be purchased from a Washington state licensed retailer ((or a Washington state liquor store or agency)) at full retail price. A wedding boutique or art gallery offering wine or beer without charge may not advertise the service of complimentary wine or beer and may not sell wine or beer in any manner. Any employee involved in the service of wine or beer must complete a board-approved limited alcohol server training program.

(2) ((For the purposes of this section:)) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Art gallery" means a room or building devoted to the exhibition and/or sale of the works of art.

(b) "Wedding boutique" means a business primarily engaged in the sale of wedding merchandise.

Sec. 6. RCW 66.20.010 and 2015 c 195 s 1, 2015 c 194 s 3, and 2015 c 59 s 1 are each reenacted and amended to read as follows:

Upon application in the prescribed form being made to any employee authorized by the board to issue permits, accompanied by payment of the prescribed fee, and upon the employee being satisfied that the applicant should be granted a permit under this title, the employee must issue to the applicant under such regulations and at such fee as may be prescribed by the board a permit of the class applied for, as follows:

(1) Where the application is for a special permit by a physician or dentist, or by any person in charge of an institution regularly conducted as a hospital or sanatorium for the care of persons in ill health, or as a home devoted exclusively to the care of aged people, a special liquor purchase permit, except that the governor may waive the requirement for a special liquor purchase permit under this subsection pursuant to an order issued under RCW 43.06.220(2);

(2) Where the application is for a special permit by a person engaged within the state in mechanical or manufacturing business or in scientific pursuits requiring alcohol for use therein, or by any private individual, a special permit to purchase alcohol for the purpose named in the permit, except that the governor may waive the requirement for a special liquor purchase permit under this subsection pursuant to an order issued under RCW 43.06.220(2);

(3) Where the application is for a special permit to consume liquor at a banquet, at a specified date and place, a special permit to purchase liquor for consumption at such banquet, to such applicants as may be fixed by the board;

(4) Where the application is for a special permit to consume liquor on the premises of a business not licensed under this title, a special permit to purchase liquor for consumption thereon for such periods of time and to such applicants as may be fixed by the board;

(5) Where the application is for a special permit by a manufacturer to import or purchase within the state alcohol, malt, and other materials containing alcohol to be used in the manufacture of liquor, or other products, a special permit;

(6) Where the application is for a special permit by a person operating a drug store to purchase liquor at retail prices only, to be thereafter sold by such person on the prescription of a physician, a special liquor purchase permit, except that the governor may waive the requirement for a special liquor purchase permit under this subsection pursuant to an order issued under RCW 43.06.220(2);

(7) Where the application is for a special permit by an authorized representative of a military installation operated by or for any of the armed forces within the geographical boundaries of the state of Washington, a special permit to purchase liquor for use on such military installation;

(8) Where the application is for a special permit by a vendor that manufactures or sells a product which cannot be effectively presented to potential buyers without serving it with liquor or by a manufacturer, importer, or distributor, or representative thereof, to serve liquor without charge to delegates and guests at a convention of a trade association composed of licensees of the board, when the said liquor is served in a hospitality room or from a booth in a board-approved suppliers' display room at the convention, and when the liquor so served is for consumption in the said hospitality room or display room during the convention, anything in this title to the contrary notwithstanding. Any such spirituous liquor must be purchased from a spirits retailer or distributor, and any such liquor is subject to the taxes imposed by RCW 82.08.150, 66.24.290, and 66.24.210;

(9) Where the application is for a special permit by a manufacturer, importer, or distributor, or representative thereof, to donate liquor for a reception, breakfast, luncheon, or dinner for delegates and guests at a convention of a trade association composed of licensees of the board, when the liquor so donated is for consumption at the said reception, breakfast, luncheon, or dinner during the convention, anything in this title to the contrary notwithstanding. Any such spirituous liquor must be purchased from a spirits retailer or distributor, and any such liquor is subject to the taxes imposed by RCW 82.08.150, 66.24.290, and 66.24.210;

(10) Where the application is for a special permit by a manufacturer, importer, or distributor, or representative thereof, to donate and/or serve liquor without charge to delegates and guests at an international trade fair, show, or exposition held under the auspices of a federal, state, or local governmental entity or organized and promoted by a nonprofit organization, anything in this title to the contrary notwithstanding. Any such spirituous liquor must be purchased from a liquor spirits retailer or distributor, and any such liquor is subject to the taxes imposed by RCW 82.08.150, 66.24.290, and 66.24.210;

(11) Where the application is for an annual special permit by a person operating a bed and breakfast lodging facility to donate or serve wine or beer without charge to overnight guests of the facility if the wine or beer is for consumption on the premises of the facility. "Bed and breakfast lodging facility," as used in this

subsection, means a facility offering from one to eight lodging units and breakfast to travelers and guests;

(12) Where the application is for a special permit to allow tasting of alcohol by persons at least eighteen years of age under the following circumstances:

(a) The application is from a community or technical college as defined in RCW 28B.50.030, a regional university, or a state university;

(b) The person who is permitted to taste under this subsection is enrolled as a student in a required or elective class that is part of a culinary, sommelier, wine business, enology, viticulture, wine technology, beer technology, or spirituous technology-related degree program;

(c) The alcohol served to any person in the degree-related programs under (b) of this subsection is tasted but not consumed for the purposes of educational training as part of the class curriculum with the approval of the educational provider;

(d) The service and tasting of alcoholic beverages is supervised by a faculty or staff member of the educational provider who is twenty-one years of age or older. The supervising faculty or staff member shall possess a class 12 or 13 alcohol server permit under the provisions of RCW 66.20.310;

(e) The enrolled student permitted to taste the alcoholic beverages does not purchase the alcoholic beverages; and

(f) The permit fee for the special permit provided for in this subsection (12) must be waived by the board;

(13) Where the application is for a special permit by a distillery or craft distillery for an event not open to the general public to be held or conducted at a specific place, including at the licensed premise of the applying distillery or craft distillery, upon a specific date for the purpose of tasting and selling spirits of its own production. The distillery or craft distillery must obtain a permit for a fee of ten dollars per event. An application for the permit must be submitted for private banquet permits prior to the event and, once issued, must be posted in a conspicuous place at the premises for which the permit was issued during all times the permit is in use. No licensee may receive more than twelve permits under this subsection (13) each year;

(14) Where the application is for a special permit by a manufacturer of wine for an event not open to the general public to be held or conducted at a specific place upon a specific date for the purpose of tasting and selling wine of its own production. The winery must obtain a permit for a fee of ten dollars per event. An application for the permit must be submitted at least ten days before the event and once issued, must be posted in a conspicuous place at the premises for which the permit was issued during all times the permit is in use. No more than twelve events per year may be held by a single manufacturer under this subsection;

(15) Where the application is for a special permit by an individual or business to sell a private collection of wine or spirits to an individual or business. The seller must obtain a permit at least five business days before the sale, for a fee of twenty-five dollars per sale. The seller must provide an inventory of products sold and the agreed price on a form provided by the board. The seller shall submit the report and taxes due to the board no later than twenty calendar days after the sale. A permit may be issued under this section to allow the sale of a private collection to licensees, but may not be issued to a licensee to sell to a private individual or business which is not otherwise authorized under the license held by the seller. If the liquor is purchased by a licensee, all sales are subject to taxes assessed as on liquor acquired from any other source. The board may adopt rules to implement this section.

Sec. 7. RCW 66.20.170 and 1973 1st ex.s. c 209 s 5 are each amended to read as follows:

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

A card of identification may for the purpose of this title and for the purpose of procuring liquor, be accepted as an identification card by any licensee ((or store employee)) and as evidence of legal age of the person presenting such card, provided the licensee ((or store employee)) complies with the conditions and procedures prescribed herein and such regulations as may be made by the board.

Sec. 8. RCW 66.20.180 and 2005 c 151 s 9 are each amended to read as follows:

A card of identification ((shall)) must be presented by the holder thereof upon request of any licensee, ((store employee, contract liquor store manager, contract liquor store employee,)) peace officer, or enforcement officer of the board for the purpose of aiding the licensee, ((store employee, contract liquor store manager, contract liquor store employee,)) peace officer, or enforcement officer of the board to determine whether or not such person is of legal age to purchase liquor when such person desires to procure liquor from a licensed establishment ((or state liquor store or contract liquor store)).

Sec. 9. RCW 66.20.190 and 2012 c 117 s 280 are each amended to read as follows:

In addition to the presentation by the holder and verification by the licensee ((or store employee)) of such card of identification, the licensee ((or store employee)) who is still in doubt about the true age of the holder ((shall)) must require the person whose age may be in question to sign a certification card and record an accurate description and serial number of his or her card of identification thereon. Such statement ((shall)) must be upon a five-inch by eight-inch file card, which card ((shall)) must be filed alphabetically by the licensee ((or store employee)) at or before the close of business on the day on which the statement is executed, in the file box containing a suitable alphabetical index and the card ((shall)) must be subject to examination by any peace officer or agent or employee of the board at all times. The certification card ((shall)) must also contain in bold-face type a statement stating that the signer understands that conviction for unlawful purchase of alcoholic beverages or misuse of the certification card may result in criminal penalties including imprisonment or fine or both.

Sec. 10. RCW 66.20.200 and 2003 c 53 s 295 are each amended to read as follows:

(1) It ((shall be)) is unlawful for the owner of a card of identification to transfer the card to any other person for the purpose of aiding such person to procure alcoholic beverages from any licensee ((or store employee)). Any person who ((shall)) permits his or her card of identification to be used by another or transfer such card to another for the purpose of aiding such transferee to obtain alcoholic beverages from a licensee ((or store employee)) or gain admission to a premises or portion of a premises classified by the board as off-limits to persons under twenty-one years of age, ((shall be)) is guilty of a misdemeanor punishable as provided by RCW 9A.20.021, except that a minimum fine of two hundred fifty dollars ((shall)) must be imposed and any sentence requiring community restitution ((shall)) must require not fewer than twenty-five hours of community restitution.

(2) Any person not entitled thereto who unlawfully procures or has issued or transferred to him or her a card of identification, and any person who possesses a card of identification not issued to him or her, and any person who makes any false statement on any certification card required by RCW 66.20.190, to be signed by him or her, ((shall be)) is guilty of a misdemeanor punishable as provided by RCW 9A.20.021, except that a minimum fine of two hundred fifty dollars ((shall)) must be imposed and any

sentence requiring community restitution ((shall)) must require not fewer than twenty-five hours of community restitution.

Sec. 11. RCW 66.20.210 and 1973 1st ex.s. c 209 s 9 are each amended to read as follows:

(1) No licensee or the agent or employee of the licensee((, or store employee, shall)) may be prosecuted criminally or be sued in any civil action for serving liquor to a person under legal age to purchase liquor if such person has presented a card of identification in accordance with RCW 66.20.180, and has signed a certification card as provided in RCW 66.20.190.

(2) Such card in the possession of a licensee may be offered as a defense in any hearing held by the board for serving liquor to the person who signed the card and may be considered by the board as evidence that the licensee acted in good faith.

Sec. 12. RCW 66.24.210 and 2012 c 20 s 2 are each amended to read as follows:

(1) There is hereby imposed upon all wines except cider sold to wine distributors ((and the Washington state liquor control board,)) within the state a tax at the rate of twenty and one-fourth cents per liter. Any domestic winery or certificate of approval holder acting as a distributor of its own production ((shall)) must pay taxes imposed by this section. There is hereby imposed on all cider sold to wine distributors ((and the Washington state liquor control board)) within the state a tax at the rate of three and fifty-nine one-hundredths cents per liter. However, wine sold or shipped in bulk from one winery to another winery ((shall)) is not ((be)) subject to such tax.

(a) The tax provided for in this section shall be collected by direct payments based on wine purchased by wine distributors.

(b) Except as provided in subsection (7) of this section, every person purchasing wine under the provisions of this section ((shall)) must on or before the twentieth day of each month report to the board all purchases during the preceding calendar month in such manner and upon such forms as may be prescribed by the board, and with such report ((shall)) must pay the tax due from the purchases covered by such report unless the same has previously been paid. Any such purchaser of wine whose applicable tax payment is not postmarked by the twentieth day following the month of purchase will be assessed a penalty at the rate of two percent a month or fraction thereof. The board may require that every such person shall execute to and file with the board a bond to be approved by the board, in such amount as the board may fix, securing the payment of the tax. If any such person fails to pay the tax when due, the board may ((forthwith)) suspend or cancel the license until all taxes are paid.

(c) Any licensed retailer authorized to purchase wine from a certificate of approval holder with a direct shipment endorsement or a domestic winery ((shall)) must make monthly reports to the liquor ((control)) and cannabis board on wine purchased during the preceding calendar month in the manner and upon such forms as may be prescribed by the board.

(2) An additional tax is imposed equal to the rate specified in RCW 82.02.030 multiplied by the tax payable under subsection (1) of this section. All revenues collected during any month from this additional tax ((shall)) must be transferred to the state general fund by the twenty-fifth day of the following month.

(3) An additional tax is imposed on wines subject to tax under subsection (1) of this section, at the rate of one-fourth of one cent per liter for wine sold after June 30, 1987. After June 30, 1996, such additional tax does not apply to cider. An additional tax of five one-hundredths of one cent per liter is imposed on cider sold after June 30, 1996. All revenues collected under this subsection (3) shall be disbursed quarterly to the Washington wine commission for use in carrying out the purposes of chapter 15.88 RCW.

(4) An additional tax is imposed on all wine subject to tax under subsection (1) of this section. The additional tax is equal to twenty-three and forty-four one-hundredths cents per liter on fortified wine as defined in RCW 66.04.010 when bottled or packaged by the manufacturer, one cent per liter on all other wine except cider, and eighteen one-hundredths of one cent per liter on cider. All revenues collected during any month from this additional tax shall be deposited in the state general fund by the twenty-fifth day of the following month.

(5)(a) An additional tax is imposed on all cider subject to tax under subsection (1) of this section. The additional tax is equal to two and four one-hundredths cents per liter of cider sold after June 30, 1996, and before July 1, 1997, and is equal to four and seven one-hundredths cents per liter of cider sold after June 30, 1997.

(b) All revenues collected from the additional tax imposed under this subsection (5) ((shall)) must be deposited in the state general fund.

(6) For the purposes of this section, "cider" means table wine that contains not less than one-half of one percent of alcohol by volume and not more than seven percent of alcohol by volume and is made from the normal alcoholic fermentation of the juice of sound, ripe apples or pears. "Cider" includes, but is not limited to, flavored, sparkling, or carbonated cider and cider made from condensed apple or pear must.

(7) For the purposes of this section, out-of-state wineries ((shall)) must pay taxes under this section on wine sold and shipped directly to Washington state residents in a manner consistent with the requirements of a wine distributor under subsections (1) through (4) of this section, except wineries shall be responsible for the tax and not the resident purchaser.

(8) Notwithstanding any other provision of this section, any domestic winery or wine certificate of approval holder acting as a distributor of its own production that had total taxable sales of wine in Washington state of six thousand gallons or less during the calendar year preceding the date on which the tax would otherwise be due is not required to pay taxes under this section more often than annually.

Sec. 13. RCW 66.28.030 and 2012 c 2 s 113 are each amended to read as follows:

Every domestic distillery, brewery, and microbrewery, domestic winery, certificate of approval holder, licensed ((liquor)) spirits importer, licensed wine importer, and licensed beer importer is responsible for the conduct of any licensed spirits, beer, or wine distributor in selling, or contracting to sell, to retail licensees, spirits, beer, or wine manufactured by such domestic distillery, brewery, microbrewery, domestic winery, manufacturer holding a certificate of approval, sold by an authorized representative holding a certificate of approval, or imported by such ((liquor)) spirits, beer, or wine importer. Where the board finds that any licensed spirits, beer, or wine distributor has violated any of the provisions of this title or of the regulations of the board in selling or contracting to sell spirits, beer, or wine to retail licensees, the board may, in addition to any punishment inflicted or imposed upon such distributor, prohibit the sale of the brand or brands of spirits, beer, or wine involved in such violation to any or all retail licensees within the trade territory usually served by such distributor for such period of time as the board may fix, irrespective of whether the distiller manufacturing such spirits or the ((liquor)) spirits importer importing such spirits, brewer manufacturing such beer or the beer importer importing such beer, or the domestic winery manufacturing such wine or the wine importer importing such wine or the certificate of approval holder manufacturing such spirits, beer, or wine or acting as authorized representative actually participated in such violation.

Sec. 14. RCW 66.28.035 and 2012 c 39 s 7 are each amended to read as follows:

(1) By the ((15th)) 20th day of each month, all spirits certificate of approval holders must file with the board, in a form and manner required by the board, a report of all spirits delivered to purchasers in this state during the preceding month ((along with a copy)). Copies of the invoices for all such purchases or other information required by the board that would disclose the identity of the purchasers must be made available upon request.

(2) A spirits certificate of approval holder may not ship or cause to be transported into this state any spirits unless the purchaser to whom the spirits are to be delivered is:

(a) Licensed by the board to sell spirits in this state, and the license is in good standing; or

(b) Otherwise legally authorized to sell spirits in this state.

(3) The liquor ((control)) and cannabis board must maintain on its web site a list of all purchasers that meet the conditions of subsection (2) of this section.

(4) A violation of this section is grounds for suspension of a spirits certificate of approval license in accordance with RCW 66.08.150, in addition to any punishment as may be authorized by RCW 66.28.030.

Sec. 15. RCW 66.28.040 and 2014 c 92 s 2 are each amended to read as follows:

Except as permitted by the board under RCW 66.20.010, no domestic brewery, microbrewery, distributor, distiller, domestic winery, importer, rectifier, certificate of approval holder, or other manufacturer of liquor may, within the state of Washington, give to any person any liquor; but nothing in this section nor in RCW 66.28.305 prevents a domestic brewery, microbrewery, distributor, domestic winery, distiller, certificate of approval holder, or importer from furnishing samples of beer, wine, or spirituous liquor to authorized licensees for the purpose of negotiating a sale, in accordance with regulations adopted by the liquor ((control)) and cannabis board, provided that the samples are subject to taxes imposed by RCW 66.24.290 and 66.24.210; nothing in this section prevents a domestic brewery, microbrewery, domestic winery, distillery, certificate of approval holder, or distributor from furnishing beer, wine, or spirituous liquor for instructional purposes under RCW 66.28.150; nothing in this section prevents a domestic winery, certificate of approval holder, or distributor from furnishing wine without charge, subject to the taxes imposed by RCW 66.24.210, to a not-for-profit group organized and operated solely for the purpose of enology or the study of viticulture which has been in existence for at least six months and that uses wine so furnished solely for such educational purposes or a domestic winery, or an out-of-state certificate of approval holder, from furnishing wine without charge or a domestic brewery, or an out-of-state certificate of approval holder, from furnishing beer without charge, subject to the taxes imposed by RCW 66.24.210 or 66.24.290, or a domestic distiller licensed under RCW 66.24.140 or an accredited representative of a distiller, manufacturer, importer, or distributor of spirituous liquor licensed under RCW 66.24.310, from furnishing spirits without charge, to a nonprofit charitable corporation or association exempt from taxation under 26 U.S.C. Sec. 501(c)(3) or (6) of the internal revenue code of 1986 for use consistent with the purpose or purposes entitling it to such exemption; nothing in this section prevents a domestic brewery or microbrewery from serving beer without charge, on the brewery premises; nothing in this section prevents donations of wine for the purposes of RCW 66.12.180; nothing in this section prevents a domestic winery from serving wine without charge, on the winery premises; and nothing in this section prevents a craft distillery from serving spirits, on the distillery premises subject to RCW 66.24.145.

Sec. 16. RCW 66.44.350 and 2014 c 29 s 4 are each amended to read as follows:

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

Notwithstanding provisions of RCW 66.44.310, employees of businesses holding beer and/or wine restaurant; beer and/or wine private club; snack bar; spirits, beer, and wine restaurant; spirits, beer, and wine private club; catering; and sports entertainment facility licenses who are ((licensees)) between eighteen and twenty-one years of age ((and over)) may take orders for, serve, and sell liquor in any part of the licensed premises except cocktail lounges, bars, or other areas classified by the Washington state liquor ((control)) and cannabis board as off-limits to persons under twenty-one years of age: PROVIDED, That such employees may enter such restricted areas to perform work assignments including picking up liquor for service in other parts of the licensed premises, performing clean up work, setting up and arranging tables, delivering supplies, delivering messages, serving food, and seating patrons: PROVIDED FURTHER, That such employees ((shall)) remain in the areas off-limits to minors no longer than is necessary to carry out their aforementioned duties: PROVIDED FURTHER, That such employees ((shall)) are not be permitted to perform activities or functions of a bartender.

NEW SECTION. Sec. 17. RCW 66.24.440 (Liquor by the drink, spirits, beer, and wine restaurant, spirits, beer, and wine private club, hotel, spirits, beer, and wine nightclub, sports entertainment facility, and VIP airport lounge license—Purchase of liquor by licensees—Discount) and 2011 c 325 s 3, 2009 c 271 s 8, 2007 c 370 s 20, 1998 c 126 s 8, 1997 c 321 s 29, & 1949 c 5 s 5 are each repealed.

NEW SECTION. Sec. 18. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the supplemental omnibus operating appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Baumgartner moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6470.

Senator Baumgartner spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Baumgartner that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6470.

The motion by Senator Baumgartner carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6470 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6470, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6470, as amended by the House, and the bill passed the Senate by the following vote:

Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Pedersen, Ranker, Rivers, Rolfes, Schoesler, Sheldon, Takko and Warnick

Padden, Parlette, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Hasegawa, Liias, Nelson and Pearson
Excused: Senator Hargrove

ENGROSSED SUBSTITUTE SENATE BILL NO. 6470, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 1, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6337 with the following amendment(s): 6337-S AMH CDHT RUBE 127

On page 1, line 19 after "(2)" strike "The" and insert "Except when a county legislative authority purchases the tax-foreclosed property for public purposes, the"

On page 2, line 4 after "84.64.080," strike "under the following conditions" and insert "together with any direct costs incurred by the county in the sale. If the city chooses to purchase the property, the following conditions apply"

On page 2, beginning on line 13 after "reimbursed" strike all material through "entity" on line 14 and insert "by the housing authority or other nonprofit entity for the amount the city paid to purchase the property together with any direct costs incurred by the city in the transfer to the housing authority or other nonprofit entity"

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator O'Ban moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6337.

Senator O'Ban spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator O'Ban that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6337.

The motion by Senator O'Ban carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6337 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6337, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6337, as amended by the House, and the bill passed the Senate by the following vote:

Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Billig, Braun, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Pedersen, Ranker, Rivers, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Angel, Bailey, Benton, Brown, Dansel, Ericksen, Honeyford, Padden, Parlette, Pearson and Roach

Excused: Senator Hargrove

SUBSTITUTE SENATE BILL NO. 6337, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6329 with the following amendment(s): 6329-S AMH APP H4642.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. For over thirty years, parent to parent programs for individuals with either developmental disabilities, or special health care needs, or both, have been providing emotional and informational support by matching parents seeking support with an experienced and trained support parent.

The parent to parent program currently exists in thirty-one counties: Adams, Asotin, Benton, Chelan, Clallam, Clark, Columbia, Cowlitz, Douglas, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, King, Kitsap, Kittitas, Lewis, Lincoln, Mason, Pacific, Pierce, Skagit, Snohomish, Spokane, Thurston, Walla Walla, Whatcom, Whitman, and Yakima. It is the legislature's goal to continue, support, and enhance the programs in these counties and expand these programs statewide by 2021.

NEW SECTION. Sec. 2. A new section is added to chapter 71A.14 RCW to read as follows:

The goals of the parent to parent program are to:

- (1) Provide early outreach, support, and education to parents who have a child with special health care needs;
- (2) Match a trained volunteer support parent with a new parent who has a child with similar needs to the child of the support parent; and
- (3) Provide parents with tools and resources to be successful as they learn to understand the support and advocacy needs of their children.

NEW SECTION. Sec. 3. A new section is added to chapter 71A.14 RCW to read as follows:

Subject to the availability of funds appropriated for this specific purpose, activities of the parent to parent program may include:

- (1) Outreach and support to newly identified parents of children with special health care needs;
- (2) Trainings that educate parents in ways to support their child and navigate the complex health, educational, and social systems;
- (3) Ongoing peer support from a trained volunteer support parent; and
- (4) Regular communication with other local programs to ensure consistent practices.

NEW SECTION. Sec. 4. A new section is added to chapter 71A.14 RCW to read as follows:

- (1) Subject to the availability of funds appropriated for this specific purpose, the parent to parent program must be funded through the department and centrally administered through a pass-through to a Washington state lead organization that has extensive experience supporting and training support parents.
- (2) Through the contract with the lead organization, each local program must be locally administered by an organization that shall serve as the host organization.
- (3) Parents shall serve as advisors to the host organizations.

(4) A parent or grandparent of a child with developmental disabilities or special health care needs shall provide program coordination and local program information.

(5) The lead organization shall provide ongoing training to the host organizations and statewide program oversight and maintain statewide program information.

(6) For the purpose of this act, "special health care needs" means disabilities, chronic illnesses or conditions, health related educational or behavioral problems, or the risk of developing such disabilities, conditions, illnesses or problems.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing the act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator O'Ban moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6329.

Senator O'Ban spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator O'Ban that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6329.

The motion by Senator O'Ban carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6329 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6329, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6329, as amended by the House, and the bill passed the Senate by the following vote:

Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hargrove

SUBSTITUTE SENATE BILL NO. 6329, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6293 with the following amendment(s): 6293-S.E AMH MANW TANG 129

Strike everything after the enacting clause and insert the following:

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

"NEW SECTION. Sec. 1. The legislature finds that: (1) School-sponsored, unpaid work-based learning, including cooperative education, clinical experiences, and internship programs are a valuable component of many college certifications and degrees; (2) the opportunity to provide labor and industries' medical aid coverage to students in these programs will encourage employers to participate in school-sponsored, unpaid work-based learning, potentially improving employment opportunities for students; and (3) education improves economic viability in communities and in the state of Washington.

Sec. 2. RCW 51.12.170 and 1994 c 246 s 1 are each amended to read as follows:

(1) An employer covered under this title may elect to include student volunteers or unpaid students as employees or workers for all purposes relating to medical aid benefits under chapter 51.36 RCW. The employer shall give notice of its intent to cover all of its student volunteers or unpaid students to the director prior to the occurrence of the injury or contraction of an occupational disease.

(2) A student volunteer is an enrolled student in a public school as defined in RCW 28A.150.010, a private school governed under chapter 28A.195 RCW, or a state public or private institution of higher education, who is participating as a volunteer under a program authorized by the ((public)) school. The student volunteer shall perform duties for the employer without wages. The student volunteer shall be deemed to be a volunteer even if the student is granted maintenance and reimbursement for actual expenses necessarily incurred in performing his or her assigned or authorized duties. A person who earns wages for the services performed is not a student volunteer.

(3) An unpaid student is an enrolled student in a state public or private institution of higher education who is participating in an unpaid work-based learning program authorized by the school. The unpaid student shall perform duties for the employer without wages but receives credit towards completing the school program, certification, or degree in return for the services provided.

(4) Any and all premiums or assessments due under this title on account of service by a student volunteer or unpaid student shall be paid by the employer who has registered and accepted the services of student volunteers or engaged in an approved student work-based learning program authorized by the school and has exercised its option to secure the medical aid benefits under chapter 51.36 RCW for the student volunteers or unpaid students.

(5) For the purposes of this section, "unpaid student" includes a student in school-sponsored, unpaid work-based learning, including cooperative education, clinical experiences, and internship programs.

NEW SECTION. Sec. 3. A new section is added to chapter 51.12 RCW to read as follows:

An employer who has registered and accepted the services of volunteers, student volunteers, or unpaid students, who are eligible for medical aid benefits under this chapter, may annually elect to pay the premiums and assessments due under this title at the rate due for one hundred hours of volunteer service for each volunteer, student volunteer, or unpaid student instead of tracking the actual number of hours for each volunteer, student volunteer, or unpaid student. An employer selecting this option must use the method to cover all their volunteers, student volunteers, or unpaid students for the calendar year."

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Braun moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6293.

Senator Braun spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Braun that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 6293.

The motion by Senator Braun carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 6293 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6293, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6293, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Erickson, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hargrove

ENGROSSED SUBSTITUTE SENATE BILL NO. 6293, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6264 with the following amendment(s): 6264-S AMH APP H4641.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.43 RCW to read as follows, but because of its temporary nature is not codified:

(1) A retiree whose retirement was effective before July 24, 2015, may purchase an annuity under subsection (2) of this section between January 1, 2017, and June 1, 2017.

(2) Retirees who meet the requirements of subsection (1) of this section may purchase an optional actuarially equivalent life annuity benefit from the Washington state patrol retirement fund established in RCW 43.43.130. A minimum payment of twenty-five thousand dollars is required.

(a) Subject to rules adopted by the department, a member purchasing an annuity under this section must pay all of the cost with an eligible rollover, direct rollover, or trustee-to-trustee transfer from an eligible retirement plan.

(b) The department shall adopt rules to ensure that all eligible rollovers and transfers comply with the requirements of the internal revenue code and regulations adopted by the internal revenue service. The rules adopted by the department may condition the acceptance of a rollover or transfer from another

plan on the receipt of information necessary to enable the department to determine the eligibility of any transferred funds for tax-free rollover treatment or other treatment under federal income tax law.

(c) "Eligible retirement plan" means a tax qualified plan offered by a governmental employer.

NEW SECTION. Sec. 2. A new section is added to chapter 41.26 RCW under the subchapter heading "plan 1" to read as follows:

(1) At the time of retirement, plan 1 members may purchase an optional actuarially equivalent life annuity benefit from the Washington law enforcement officers' and firefighters' retirement system plan 1 retirement fund established in RCW 41.50.075. A minimum payment of twenty-five thousand dollars is required.

(2) Subject to rules adopted by the department, a member purchasing an annuity under this section must pay all of the cost with an eligible rollover, direct rollover, or trustee-to-trustee transfer from an eligible retirement plan.

(a) The department shall adopt rules to ensure that all eligible rollovers and transfers comply with the requirements of the internal revenue code and regulations adopted by the internal revenue service. The rules adopted by the department may condition the acceptance of a rollover or transfer from another plan on the receipt of information necessary to enable the department to determine the eligibility of any transferred funds for tax-free rollover treatment or other treatment under federal income tax law.

(b) "Eligible retirement plan" means a tax qualified plan offered by a governmental employer.

(3) Plan 1 members whose retirement was effective prior to the effective date of this section may purchase an annuity under this section between January 1, 2017, and June 1, 2017.

NEW SECTION. Sec. 3. A new section is added to chapter 41.26 RCW under the subchapter heading "plan 2" to read as follows, but because of its temporary nature is not codified:

(1) A plan 2 retiree whose retirement was effective before June 1, 2014, may purchase an annuity under this section between January 1, 2017, and June 1, 2017.

(2) Plan 2 retirees who meet the requirements of subsection (1) of this section may purchase an optional actuarially equivalent life annuity benefit from the Washington law enforcement officers' and firefighters' retirement system plan 2 retirement fund established in RCW 41.50.075. A minimum payment of twenty-five thousand dollars is required.

(a) Subject to rules adopted by the department, a retiree purchasing an annuity under this section must pay all of the cost with an eligible rollover, direct rollover, or trustee-to-trustee transfer from an eligible retirement plan.

(b) The department shall adopt rules to ensure that all eligible rollovers and transfers comply with the requirements of the internal revenue code and regulations adopted by the internal revenue service. The rules adopted by the department may condition the acceptance of a rollover or transfer from another plan on the receipt of information necessary to enable the department to determine the eligibility of any transferred funds for tax-free rollover treatment or other treatment under federal income tax law.

(c) "Eligible retirement plan" means a tax qualified plan offered by a governmental employer.

NEW SECTION. Sec. 4. If specific funding for purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Fain moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6264.

Senator Fain spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Fain that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6264.

The motion by Senator Fain carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6264 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6264, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6264, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hargrove

SUBSTITUTE SENATE BILL NO. 6264, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6160 with the following amendment(s): 6160-S AMH GGIT H4626.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 46.37.640 and 2003 c 33 s 1 are each amended to read as follows:

(1) "Air bag" means an inflatable restraint system or portion of an inflatable restraint system ((installed in a motor vehicle)) including, but not limited to, the cushion material, cover, sensors, controllers, inflators, and wiring that (a) operates in the event of a crash and (b) is designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is or will be installed.

(2) "Previously deployed air bag" means an inflatable restraint system or portion of the system that has been activated or inflated as a result of a collision or other incident involving the vehicle.

(3) "Nondeployed salvage air bag" means an inflatable restraint system or portion of an inflatable restraint system that has not been previously activated or inflated as a result of a collision or other incident involving the vehicle.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(4) "Counterfeit air bag" means a replacement motor vehicle inflatable occupant restraint system, including all component parts including, but not limited to, the cushion material, cover, sensors, controllers, inflators, and wiring, displaying a mark identical or similar to the genuine mark of a motor vehicle manufacturer without authorization from the manufacturer.

(5) "Nonfunctional air bag" means a replacement motor vehicle inflatable occupant restraint system, including all component parts including, but not limited to, the cushion material, cover, sensors, controllers, inflators, and wiring, which: (a) Was previously deployed or damaged; (b) has an electric fault that is detected by the vehicle air bag diagnostic system after the installation procedure is completed; or (c) includes any part or object including, but not limited to, a counterfeit or repaired air bag cover, installed in a motor vehicle to mislead the owner or operator of the motor vehicle into believing that a functional air bag has been installed.

Sec. 2. RCW 46.37.650 and 2011 c 96 s 33 are each amended to read as follows:

(1)(a) It is unlawful for a person ((is guilty of a gross misdemeanor if he or she knew or reasonably should have known that an air bag he or she installs or reinstalls in a vehicle for compensation, or distributes as an auto part)), with criminal negligence, to manufacture or import a motor vehicle air bag, that: (i) Is a counterfeit air bag, (ii) is a nonfunctional air bag, (iii) is a previously deployed or damaged air bag that is part of an inflatable restraint system, or (iv) otherwise does not meet all applicable federal safety standards for an air bag. This subsection does not apply to nondeployed salvage air bags that meet the requirements of RCW 46.37.660(1).

((2)) (b) A person ((found guilty under subsection (1) of this section shall be punished by a fine of not more than five thousand dollars or by confinement in the county jail for up to three hundred sixty-four days, or both)) in violation of this subsection is guilty of a class C felony if the criminal negligence caused bodily injury as defined in RCW 9A.04.110 or death to another person.

(c) A person in violation of this subsection is guilty of a class C felony, regardless if the criminal negligence caused harm to another.

(2)(a) It is unlawful for a person, in a reckless manner, to sell, offer for sale, install, or reinstall a device in a vehicle for compensation, or distribute as an auto part, or replace a motor vehicle air bag, that: (i) Is a counterfeit air bag, (ii) is a nonfunctional air bag, (iii) is a previously deployed or damaged air bag that is part of an inflatable restraint system, or (iv) otherwise does not meet all applicable federal safety standards for an air bag. This subsection does not apply to nondeployed salvage air bags that meet the requirements of RCW 46.37.660(1).

(b) A person in violation of this subsection is guilty of a class C felony if the reckless manner caused bodily injury as defined in RCW 9A.04.110 or death to another person.

(c) A person in violation of this subsection is guilty of a class C felony, regardless if the reckless manner caused harm to another.

Sec. 3. RCW 46.37.660 and 2003 c 33 s 3 are each amended to read as follows:

(1)(a) Whenever an air bag that is part of a previously deployed inflatable restraint system is replaced by either a new air bag that is part of an inflatable restraint system or a nondeployed salvage air bag that is part of an inflatable restraint system, the air bag must conform to the original equipment manufacturer requirements and the installer must verify that the self-diagnostic system for the inflatable restraint system indicates that the entire inflatable restraint system is operating properly.

(b) A person in violation of this subsection (1) is guilty of a class C felony if the violation caused bodily injury as defined in RCW 9A.04.110 or death to another person.

(c) A person in violation of this subsection (1) is guilty of a class C felony, regardless if the violation caused harm to another.

(2)(a) No person may sell, install, or reinstall in any motor vehicle any device that causes the vehicle's diagnostic system to inaccurately indicate that the vehicle is equipped with a functional air bag when a counterfeit air bag, a nonfunctional air bag, or no air bag is installed. This subsection does not apply to nondeployed salvage air bags that meet the requirements of subsection (1) of this section.

(b) A person in violation of this subsection (2) is guilty of a class C felony if the violation caused bodily injury as defined in RCW 9A.04.110 or death to another person.

(c) A person in violation of this subsection (2) is guilty of a class C felony, regardless if the violation caused harm to another.

Sec. 4. RCW 46.63.020 and 2014 c 124 s 9 are each amended to read as follows:

Failure to perform any act required or the performance of any act prohibited by this title or an equivalent administrative regulation or local law, ordinance, regulation, or resolution relating to traffic including parking, standing, stopping, and pedestrian offenses, is designated as a traffic infraction and may not be classified as a criminal offense, except for an offense contained in the following provisions of this title or a violation of an equivalent administrative regulation or local law, ordinance, regulation, or resolution:

(1) RCW 46.09.457(1)(b)(i) relating to a false statement regarding the inspection of and installation of equipment on wheeled all-terrain vehicles;

(2) RCW 46.09.470(2) relating to the operation of a nonhighway vehicle while under the influence of intoxicating liquor or a controlled substance;

(3) RCW 46.09.480 relating to operation of nonhighway vehicles;

(4) RCW 46.10.490(2) relating to the operation of a snowmobile while under the influence of intoxicating liquor or narcotics or habit-forming drugs or in a manner endangering the person of another;

(5) RCW 46.10.495 relating to the operation of snowmobiles;

(6) Chapter 46.12 RCW relating to certificates of title, registration certificates, and markings indicating that a vehicle has been destroyed or declared a total loss;

(7) RCW 46.16A.030 and 46.16A.050(3) relating to the nonpayment of taxes and fees by failure to register a vehicle and falsifying residency when registering a motor vehicle;

(8) RCW 46.16A.520 relating to permitting unauthorized persons to drive;

(9) RCW 46.16A.320 relating to vehicle trip permits;

(10) RCW 46.19.050(1) relating to knowingly providing false information in conjunction with an application for a special placard or license plate for disabled persons' parking;

(11) RCW 46.19.050(8) relating to illegally obtaining a parking placard, special license plate, special year tab, or identification card;

(12) RCW 46.19.050(9) relating to sale of a parking placard, special license plate, special year tab, or identification card;

(13) RCW 46.20.005 relating to driving without a valid driver's license;

(14) RCW 46.20.091 relating to false statements regarding a driver's license or instruction permit;

(15) RCW 46.20.0921 relating to the unlawful possession and use of a driver's license;

(16) RCW 46.20.342 relating to driving with a suspended or revoked license or status;

(17) RCW 46.20.345 relating to the operation of a motor vehicle with a suspended or revoked license;

(18) RCW 46.20.410 relating to the violation of restrictions of an occupational driver's license, temporary restricted driver's license, or ignition interlock driver's license;

(19) RCW 46.20.740 relating to operation of a motor vehicle without an ignition interlock device in violation of a license notation that the device is required;

(20) RCW 46.20.750 relating to circumventing an ignition interlock device;

(21) RCW 46.25.170 relating to commercial driver's licenses;

(22) Chapter 46.29 RCW relating to financial responsibility;

(23) RCW 46.30.040 relating to providing false evidence of financial responsibility;

(24) RCW 46.35.030 relating to recording device information;

(25) RCW 46.37.435 relating to wrongful installation of sunscreening material;

(26) RCW 46.37.650 relating to the manufacture, importation, sale, ((resale,)) distribution, or installation of a counterfeit air bag, nonfunctional air bag, or previously deployed or damaged air bag;

(27) RCW 46.37.660 relating to the sale or installation of a device that causes a vehicle's diagnostic system to inaccurately indicate that the vehicle has a functional air bag when a counterfeit air bag, nonfunctional air bag, or no air bag is installed;

(28) RCW 46.37.671 through 46.37.675 relating to signal preemption devices;

((28)) (29) RCW 46.37.685 relating to switching or flipping license plates, utilizing technology to flip or change the appearance of a license plate, selling a license plate flipping device or technology used to change the appearance of a license plate, or falsifying a vehicle registration;

((29)) (30) RCW 46.44.180 relating to operation of mobile home pilot vehicles;

((30)) (31) RCW 46.48.175 relating to the transportation of dangerous articles;

((31)) (32) RCW 46.52.010 relating to duty on striking an unattended car or other property;

((32)) (33) RCW 46.52.020 relating to duty in case of injury to or death of a person or damage to an attended vehicle;

((33)) (34) RCW 46.52.090 relating to reports by repairers, storage persons, and appraisers;

((34)) (35) RCW 46.52.130 relating to confidentiality of the driving record to be furnished to an insurance company, an employer, and an alcohol/drug assessment or treatment agency;

((35)) (36) RCW 46.55.020 relating to engaging in the activities of a registered tow truck operator without a registration certificate;

((36)) (37) RCW 46.55.035 relating to prohibited practices by tow truck operators;

((37)) (38) RCW 46.55.300 relating to vehicle immobilization;

((38)) (39) RCW 46.61.015 relating to obedience to police officers, flaggers, or firefighters;

((39)) (40) RCW 46.61.020 relating to refusal to give information to or cooperate with an officer;

((40)) (41) RCW 46.61.022 relating to failure to stop and give identification to an officer;

((41)) (42) RCW 46.61.024 relating to attempting to elude pursuing police vehicles;

((42)) (43) RCW 46.61.212(4) relating to reckless endangerment of emergency zone workers;

((43)) (44) RCW 46.61.500 relating to reckless driving;

((44)) (45) RCW 46.61.502 and 46.61.504 relating to persons under the influence of intoxicating liquor or drugs;

((45)) (46) RCW 46.61.503 relating to a person under age twenty-one driving a motor vehicle after consuming alcohol;

((46)) (47) RCW 46.61.520 relating to vehicular homicide by motor vehicle;

((47)) (48) RCW 46.61.522 relating to vehicular assault;

((48)) (49) RCW 46.61.5249 relating to first degree negligent driving;

((49)) (50) RCW 46.61.527(4) relating to reckless endangerment of roadway workers;

((50)) (51) RCW 46.61.530 relating to racing of vehicles on highways;

((51)) (52) RCW 46.61.655(7) (a) and (b) relating to failure to secure a load;

((52)) (53) RCW 46.61.685 relating to leaving children in an unattended vehicle with the motor running;

((53)) (54) RCW 46.61.740 relating to theft of motor vehicle fuel;

((54)) (55) RCW 46.64.010 relating to unlawful cancellation of or attempt to cancel a traffic citation;

((55)) (56) RCW 46.64.048 relating to attempting, aiding, abetting, coercing, and committing crimes;

((56)) (57) Chapter 46.65 RCW relating to habitual traffic offenders;

((57)) (58) RCW 46.68.010 relating to false statements made to obtain a refund;

((58)) (59) Chapter 46.70 RCW relating to unfair motor vehicle business practices, except where that chapter provides for the assessment of monetary penalties of a civil nature;

((59)) (60) Chapter 46.72 RCW relating to the transportation of passengers in for hire vehicles;

((60)) (61) RCW 46.72A.060 relating to limousine carrier insurance;

((61)) (62) RCW 46.72A.070 relating to operation of a limousine without a vehicle certificate;

((62)) (63) RCW 46.72A.080 relating to false advertising by a limousine carrier;

((63)) (64) Chapter 46.80 RCW relating to motor vehicle wreckers;

((64)) (65) Chapter 46.82 RCW relating to driver's training schools;

((65)) (66) RCW 46.87.260 relating to alteration or forgery of a cab card, letter of authority, or other temporary authority issued under chapter 46.87 RCW;

((66)) (67) RCW 46.87.290 relating to operation of an unregistered or unlicensed vehicle under chapter 46.87 RCW.

Sec. 5. RCW 9.94A.515 and 2015 c 261 s 11 are each amended to read as follows:

TABLE 2				
CRIMES INCLUDED WITHIN				
EACH SERIOUSNESS LEVEL				
XVI	Aggravated Murder	1	(RCW 10.95.020)	
XV	Homicide by abuse (RCW 9A.32.055)	1	(RCW 70.74.280(1))	
	Malicious explosion	1	(RCW 70.74.280(1))	
	Murder 1	1	(RCW 9A.32.030)	
XIV	Murder 2	1	(RCW 9A.32.050)	
	Trafficking 1	1	(RCW 9A.40.100(1))	
XIII	Malicious explosion	2	(RCW 70.74.280(2))	
	Malicious placement of an explosive	1	(RCW 70.74.270(1))	
XII	Assault 1	1	(RCW 9A.36.011)	

- Assault of a Child 1 (RCW 9A.36.120)
- Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
- Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
- Rape 1 (RCW 9A.44.040)
- Rape of a Child 1 (RCW 9A.44.073)
- Trafficking 2 (RCW 9A.40.100(3))
- XI Manslaughter 1 (RCW 9A.32.060)
- Rape 2 (RCW 9A.44.050)
- Rape of a Child 2 (RCW 9A.44.076)
- Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
- X Child Molestation 1 (RCW 9A.44.083)
- Criminal Mistreatment 1 (RCW 9A.42.020)
- Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
- Kidnapping 1 (RCW 9A.40.020)
- Leading Organized Crime (RCW 9A.82.060(1)(a))
- Malicious explosion 3 (RCW 70.74.280(3))
- Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
- Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run—Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- VIII Arson 1 (RCW 9A.48.020)
- Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- VII Air bag diagnostic systems (causing bodily injury or death) (RCW 46.37.660(2)(b))
- Air bag replacement requirements (causing bodily injury or death) (RCW 46.37.660(1)(b))
- Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (causing bodily injury or death) (RCW 46.37.650(1)(b))
- Sale, install, reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(b))
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
- Bribery (RCW 9A.68.010)
- Incest 1 (RCW 9A.64.020(1))
- Intimidating a Judge (RCW 9A.72.160)
- Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
- Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
- Rape of a Child 3 (RCW 9A.44.079)
- Theft of a Firearm (RCW 9A.56.300)
- Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
- Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
- Air bag diagnostic systems (RCW 46.37.660(2)(c))
- Air bag replacement requirements (RCW 46.37.660(1)(c))
- Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
- Child Molestation 3 (RCW 9A.44.089)
- Manufacture or import counterfeit, nonfunctional, damaged, or previously deployed air bag (RCW 46.37.650(1)(c))

- Sale, install, reinstall counterfeit, nonfunctional, damaged, or previously deployed airbag (RCW 46.37.650(2)(c))
- Criminal Mistreatment 2 (RCW 9A.42.030)
- Custodial Sexual Misconduct 1 (RCW 9A.44.160)
- Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
- Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
- Driving While Under the Influence (RCW 46.61.502(6))
- Extortion 1 (RCW 9A.56.120)
- Extortionate Extension of Credit (RCW 9A.82.020)
- Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
- Incest 2 (RCW 9A.64.020(2))
- Kidnapping 2 (RCW 9A.40.030)
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW 9.94.070)
- Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
- Possession of a Stolen Firearm (RCW 9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1 (RCW 9A.76.070)
- Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
- Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
- Sexually Violating Human Remains (RCW 9A.44.105)
- Stalking (RCW 9A.46.110)
- Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
- IV Arson 2 (RCW 9A.48.030)
- Assault 2 (RCW 9A.36.021)
- Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
- Assault by Watercraft (RCW 79A.60.060)
- Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
- Cheating 1 (RCW 9.46.1961)
- Commercial Bribery (RCW 9A.68.060)
- Counterfeiting (RCW 9.16.035(4))
- Endangerment with a Controlled Substance (RCW 9A.42.100)
- Escape 1 (RCW 9A.76.110)
- Hit and Run—Injury (RCW 46.52.020(4)(b))
- Hit and Run with Vessel—Injury Accident (RCW 79A.60.200(3))
- Identity Theft 1 (RCW 9.35.020(2))
- Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
- Influencing Outcome of Sporting Event (RCW 9A.82.070)
- Malicious Harassment (RCW 9A.36.080)
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.070(2))
- Residential Burglary (RCW 9A.52.025)
- Robbery 2 (RCW 9A.56.210)
- Theft of Livestock 1 (RCW 9A.56.080)
- Threats to Bomb (RCW 9.61.160)
- Trafficking in Stolen Property 1 (RCW 9A.82.050)
- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
- Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
- Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
- Unlawful transaction of insurance business (RCW 48.15.023(3))
- Unlicensed practice as an insurance professional (RCW 48.17.063(2))
- Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
- Vehicle Prowling 2 (third or subsequent offense) (RCW 9A.52.100(3))
- Vehicle Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
- Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
- Willful Failure to Return from Furlough (RCW 72.66.060)
- III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
- Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
- Assault of a Child 3 (RCW 9A.36.140)
- Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
- Burglary 2 (RCW 9A.52.030)
- Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
- Criminal Gang Intimidation (RCW 9A.46.120)
- Custodial Assault (RCW 9A.36.100)
- Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
- Escape 2 (RCW 9A.76.120)
- Extortion 2 (RCW 9A.56.130)
- Harassment (RCW 9A.46.020)
- Intimidating a Public Servant (RCW 9A.76.180)
- Introducing Contraband 2 (RCW 9A.76.150)
- Malicious Injury to Railroad Property (RCW 81.60.070)
- Mortgage Fraud (RCW 19.144.080)

Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)

Organized Retail Theft 1 (RCW 9A.56.350(2))

Perjury 2 (RCW 9A.72.030)

Possession of Incendiary Device (RCW 9.40.120)

Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)

Promoting Prostitution 2 (RCW 9A.88.080)

Retail Theft with Special Circumstances 1 (RCW 9A.56.360(2))

Securities Act violation (RCW 21.20.400)

Tampering with a Witness (RCW 9A.72.120)

Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))

Theft of Livestock 2 (RCW 9A.56.083)

Theft with the Intent to Resell 1 (RCW 9A.56.340(2))

Trafficking in Stolen Property 2 (RCW 9A.82.055)

Unlawful Hunting of Big Game 1 (RCW 77.15.410(3)(b))

Unlawful Imprisonment (RCW 9A.40.040)

Unlawful Misbranding of Food Fish or Shellfish 1 (RCW 69.04.938(3))

Unlawful possession of firearm in the second degree (RCW 9.41.040(2))

Unlawful Taking of Endangered Fish or Wildlife 1 (RCW 77.15.120(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 1 (RCW 77.15.260(3)(b))

Unlawful Use of a Nondesignated Vessel (RCW 77.15.530(4))

Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)

Willful Failure to Return from Work Release (RCW 72.65.070)

II Commercial Fishing Without a License 1 (RCW 77.15.500(3)(b))

Computer Trespass 1 (RCW 9A.52.110)

Counterfeiting (RCW 9.16.035(3))

Engaging in Fish Dealing Activity Unlicensed 1 (RCW 77.15.620(3))

Escape from Community Custody (RCW 72.09.310)

Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130 prior to June 10, 2010, and RCW 9A.44.132)

Health Care False Claims (RCW 48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial Information (RCW 9.35.010)

Malicious Mischief 1 (RCW 9A.48.070)

Organized Retail Theft 2 (RCW 9A.56.350(3))

Possession of Stolen Property 1 (RCW 9A.56.150)

Possession of a Stolen Vehicle (RCW 9A.56.068)

Retail Theft with Special Circumstances 2 (RCW 9A.56.360(3))

Scrap Processing, Recycling, or Supplying Without a License (second or subsequent offense) (RCW 19.290.100)

Theft 1 (RCW 9A.56.030)

Theft of a Motor Vehicle (RCW 9A.56.065)

Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))

Theft with the Intent to Resell 2 (RCW 9A.56.340(3))

Trafficking in Insurance Claims (RCW 48.30A.015)

Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))

Unlawful Participation of Non-Indians in Indian Fishery (RCW 77.15.570(2))

Unlawful Practice of Law (RCW 2.48.180)

Unlawful Purchase or Use of a License (RCW 77.15.650(3)(b))

Unlawful Trafficking in Fish, Shellfish, or Wildlife 2 (RCW 77.15.260(3)(a))

Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))

Voyeurism (RCW 9A.44.115)

I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)

False Verification for Welfare (RCW 74.08.055)

Forgery (RCW 9A.60.020)

Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)

Malicious Mischief 2 (RCW 9A.48.080)

Mineral Trespass (RCW 78.44.330)

Possession of Stolen Property 2 (RCW 9A.56.160)

Reckless Burning 1 (RCW 9A.48.040)

Spotlighting Big Game 1 (RCW 77.15.450(3)(b))

Suspension of Department Privileges 1 (RCW 77.15.670(3)(b))

Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)

Theft 2 (RCW 9A.56.040)

Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))

Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)

Unlawful Fish and Shellfish Catch Accounting (RCW 77.15.630(3)(b))

Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)

Unlawful Possession of Fictitious Identification (RCW 9A.56.320)

Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)

Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)

Unlawful Production of Payment Instruments (RCW 9A.56.320)

Unlawful Releasing, Planting, Possessing, or Placing Deleterious Exotic Wildlife (RCW 77.15.250(2)(b))

Unlawful Trafficking in Food Stamps (RCW 9.91.142)

Unlawful Use of Food Stamps (RCW 9.91.144)

Unlawful Use of Net to Take Fish 1 (RCW 77.15.580(3)(b))

Unlawful Use of Prohibited Aquatic Animal Species (RCW 77.15.253(3))

Vehicle Prowl 1 (RCW 9A.52.095)

Violating Commercial Fishing Area or Time 1 (RCW 77.15.550(3)(b))

NEW SECTION. Sec. 6. The legislature finds that the practices covered by this act are matters vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. A violation of this act is not reasonable in relation to the development and preservation of business and is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the supplemental omnibus operating appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Padden moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6160.

Senator Padden spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Padden that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6160.

The motion by Senator Padden carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6160 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6160, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6160, as amended by the House, and the bill

passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yeas: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senator Hargrove

SUBSTITUTE SENATE BILL NO. 6160, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed ENGROSSED SENATE BILL NO. 6100 with the following amendment(s): 6100.E AMH GGIT H4625.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Washington's unemployment rate during the recent recession created economic and social hardships for the people of the state;

(b) Local start-up companies and small businesses are likely, as they grow, to remain in their communities of origin, thereby creating local jobs and an economic multiplier effect with their payrolls and taxes while providing local economic stimuli, which increases the local tax base;

(c) Statewide economic prosperity and job creation are advanced significantly by creating, promoting, and retaining local start-up companies and small businesses with high growth potential;

(d) Entrepreneurs and small business owners of second-stage companies, which are those companies that are beyond the start-up stage but have not yet fully matured, with innovative products or services that satisfy market needs, have particular potential for expansion and job creation;

(e) Such entrepreneurs and owners can benefit from specialized business assistance to refine core strategies and from access to in-depth market research, competitor analyses, geographic information systems, search engine optimization, and other strategic information, as well as from relationships with mentors and advisers;

(f) The aspects of economic gardening that incorporate these principles have proven successful in improving the entrepreneurial process and promoting economically sustainable local businesses; and

(g) It is important to the overall health and growth of the state's economy to promote favorable conditions for those expanding Washington businesses that demonstrate the ability to grow.

(2) In recognition of the foregoing findings and principles, it is the intent of the legislature to create a Washington economic gardening pilot project in the department of commerce.

NEW SECTION. Sec. 2. A new section is added to chapter 43.31 RCW to read as follows:

(1) There is hereby created within the department the economic gardening pilot project. The purpose of the pilot project is to stimulate Washington's economy and create good-paying,

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

sustainable jobs by providing economic gardening strategic assistance services to second-stage companies in accordance with this section.

(2) The department must oversee and direct all resources for the execution of the pilot project. The department must work with chambers of commerce, associate development organizations, and other economic development organizations to implement the pilot project. The pilot project includes developing the processes for qualifying and selecting second-stage companies, identifying training components for economic development organizations implementing the pilot project, engaging private contractors as necessary to obtain strategic assistance from nationally recognized industry experts, and providing economic gardening strategic assistance to companies participating in the pilot project.

(3)(a) On or before January 1, 2017, the department must initiate a program to provide or obtain all necessary credentials for high-impact strategic assistance for the economic development organizations participating in the pilot project.

(b) Economic development organizations participating in the pilot project must be certified in economic gardening by an entity with relevant expertise in providing strategic assistance to second-stage companies.

(i) Prior to December 1, 2016, the department must issue a request for expression of interest in offering an economic gardening strategic assistance program. The department must compile a list of interested parties identified through the request for expression of interest process.

(ii) By December 1, 2016, the department must provide the list to the legislature. The department must select from the list of interested parties the entity it deems best able to deliver the training and strategic assistance services to second-stage companies described in this section and achieve the deliverables identified in subsection (6) of this section.

(c) The department or economic development organizations participating in the pilot project may, as necessary, contract with national specialists in the industries of the second-stage companies selected for the pilot program.

(d) The department must use the existing infrastructure of economic development organizations in the state to promote the pilot project to second-stage companies and to those clients and referrals that show growth potential in jobs, sales, or export potential.

(4)(a) On or before January 1, 2017, the department and participating economic development organizations must publish criteria for a second-stage company to be selected to participate in the pilot project. The criteria must include job growth potential, sustainability, export potential, and a workforce comprised of at least fifty percent Washington residents. Application criteria must also include requirements for data collection, as specified by the department, to show the impacts of services provided through the pilot project. The department and participating economic development organizations must utilize existing strategic infrastructure and consult with local and regional economic development partners, such as chambers of commerce, associate development organizations, and other local or regional economic development entities, to identify eligible second-stage companies.

(b) In order to participate in the pilot project, a company selected for participation must pay a one-time fee of seven hundred fifty dollars, which moneys must be deposited into the economic gardening pilot project fund, created in subsection (5) of this section, for reinvestment in the pilot project.

(c) On or before March 1, 2017, the department and participating economic development organizations must select a minimum of twenty companies to participate in the pilot project.

(d) The department must oversee staff members certified pursuant to subsection (3)(b) of this section and private contractors selected pursuant to subsection (3)(c) of this section to deploy strategic assistance to all pilot project participants. The department and participating economic development organizations must acquire any tools necessary to provide the strategic assistance, including database licenses, permits, and economic gardening certification.

(e) A participating company has twelve months from the date that the department and participating economic development organizations select the company to participate in the pilot project to use the strategic assistance and other economic gardening services offered pursuant to the pilot project.

(5) There is hereby created in the state treasury the economic gardening pilot project fund, to be administered by the department. The fund consists of all fees received under subsection (4)(b) of this section and any moneys appropriated by the legislature for the purposes of this section. The legislature must make annual appropriations of the moneys in the fund to the department for administering the pilot project. Any moneys in the fund not appropriated must remain in the fund and may not be transferred or revert to the general fund at the end of any fiscal year.

(6) On or before November 1, 2017, and on or before November 1st each year thereafter through November 1, 2019, and in compliance with RCW 43.01.036 the department must submit a report to the economic development and workforce development committees of the legislature. The report must include, at a minimum:

(a) The services offered through the pilot project's strategic assistance;

(b) The department's expenditures on strategic assistance provided to pilot project participants;

(c) The number and types of jobs created as a result of the pilot project;

(d) The increased sales as a result of the pilot project; and

(e) The value of goods or services sold outside the company's local area or state.

(7) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Department" means the department of commerce.

(b) "Economic gardening" means an approach to economic growth and development that emphasizes nurturing and cultivating local small businesses by providing strategic assistance to second-stage companies.

(c) "Key industry" means an industry critical to the Washington economy, as identified by the department.

(d) "Pilot project" means the economic gardening pilot project created in this section.

(e) "Second-stage company" means a privately held business that:

(i) Employs full-time at least six persons but not more than ninety-nine persons;

(ii) Has maintained its principal place of business and a majority of its employees in Washington for at least the previous two years;

(iii) Claims at least five hundred thousand dollars but not more than fifty million dollars as annual gross revenue or working capital; and

(iv) Has a product or service that is, or has the potential to be, sold outside the company's local area or state.

(f) "Strategic assistance" or "economic gardening strategic assistance" means performing high-level database research and analysis or deploying staff members certified under subsection (4) of this section or possessing national expertise in the relevant

industry to perform market research, develop core strategies, conduct business modeling, identify qualified sales leads, provide growth financing referrals, perform search engine optimization, utilize geographic information systems, advise on new media marketing, or assist with network analyses and innovation strategies.

(8) The pilot project created in this section terminates July 1, 2019.

(9) This section expires July 1, 2020.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Brown moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6100.

Senators Brown and Chase spoke in favor of the motion.

MOTION

On motion of Senator Mullet, and without objection, Senator Pedersen was excused.

The President declared the question before the Senate to be the motion by Senator Brown that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6100.

The motion by Senator Brown carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 6100 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6100, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6100, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Jayapal, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Pearson, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Takko

Voting nay: Senators Honeyford, Lias, Parlette and Warnick
Excused: Senator Pedersen

ENGROSSED SENATE BILL NO. 6100, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5435 with the following amendment(s): 5435-S.E AMH VAND PRIN 517

On page 12, after line 3, insert the following:

"NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Bailey moved that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5435.

Senator Bailey spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Bailey that the Senate concur in the House amendment(s) to Engrossed Substitute Senate Bill No. 5435.

The motion by Senator Bailey carried and the Senate concurred in the House amendment(s) to Engrossed Substitute Senate Bill No. 5435 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5435, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5435, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SUBSTITUTE SENATE BILL NO. 5435, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857 with the following amendment(s): 5857-S.E5 AMH ENGR H4627.E

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.340.030 and 2014 c 213 s 2 are each amended to read as follows:

(1) To conduct business in this state, a pharmacy benefit manager must register with the ((department of revenue's business licensing service)) office of the insurance commissioner and annually renew the registration.

(2) To register under this section, a pharmacy benefit manager must:

(a) Submit an application requiring the following information:

- (i) The identity of the pharmacy benefit manager;
- (ii) The name, business address, phone number, and contact person for the pharmacy benefit manager; and
- (iii) Where applicable, the federal tax employer identification number for the entity; and

(b) Pay a registration fee ((of two hundred dollars)) established in rule by the commissioner. The registration fee must be set to allow the registration and oversight activities to be self-supporting.

(3) To renew a registration under this section, a pharmacy benefit manager must pay a renewal fee ((of two hundred dollars)) established in rule by the commissioner. The renewal fee must be set to allow the renewal and oversight activities to be self-supporting.

(4) All receipts from registrations and renewals collected by the ((department)) commissioner must be deposited into the ((business license account created in RCW 19.02.210)) insurance commissioner's regulatory account created in RCW 48.02.190.

NEW SECTION. **Sec. 2.** A new section is added to chapter 19.340 RCW to read as follows:

(1) The commissioner shall have enforcement authority over this chapter and shall have authority to render a binding decision in any dispute between a pharmacy benefit manager, or third-party administrator of prescription drug benefits, and a pharmacy arising out of an appeal under RCW 19.340.100(6) regarding drug pricing and reimbursement.

(2) Any person, corporation, third-party administrator of prescription drug benefits, pharmacy benefit manager, or business entity which violates any provision of this chapter shall be subject to a civil penalty in the amount of one thousand dollars for each act in violation of this chapter or, if the violation was knowing and willful, a civil penalty of five thousand dollars for each violation of this chapter.

Sec. 3. RCW 19.340.010 and 2014 c 213 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Claim" means a request from a pharmacy or pharmacist to be reimbursed for the cost of filling or refilling a prescription for a drug or for providing a medical supply or service.

(2) "Commissioner" means the insurance commissioner established in chapter 48.02 RCW.

(3) "Insurer" has the same meaning as in RCW 48.01.050.

((3)) (4) "Pharmacist" has the same meaning as in RCW 18.64.011.

((4)) (5) "Pharmacy" has the same meaning as in RCW 18.64.011.

((5)) (6)(a) "Pharmacy benefit manager" means a person that contracts with pharmacies on behalf of an insurer, a third-party payor, or the prescription drug purchasing consortium established under RCW 70.14.060 to:

(i) Process claims for prescription drugs or medical supplies or provide retail network management for pharmacies or pharmacists;

(ii) Pay pharmacies or pharmacists for prescription drugs or medical supplies; or

(iii) Negotiate rebates with manufacturers for drugs paid for or procured as described in this subsection.

(b) "Pharmacy benefit manager" does not include a health care service contractor as defined in RCW 48.44.010.

((6)) (7) "Third-party payor" means a person licensed under RCW 48.39.005.

Sec. 4. RCW 19.340.100 and 2014 c 213 s 10 are each amended to read as follows:

(1) As used in this section:

(a) "List" means the list of drugs for which ((maximum allowable costs have been established.

(b) "Maximum allowable cost" means the maximum amount that a pharmacy benefit manager will reimburse a pharmacy for the cost of a drug.

(c)) predetermined reimbursement costs have been established, such as a maximum allowable cost or maximum allowable cost list or any other benchmark prices utilized by the pharmacy benefit manager and must include the basis of the methodology and sources utilized to determine multisource generic drug reimbursement amounts.

(b) "Multiple source drug" means a therapeutically equivalent drug that is available from at least two manufacturers.

(c) "Multisource generic drug" means any covered outpatient prescription drug for which there is at least one other drug product that is rated as therapeutically equivalent under the food and drug administration's most recent publication of "Approved Drug Products with Therapeutic Equivalence Evaluations;" is pharmaceutically equivalent or bioequivalent, as determined by the food and drug administration; and is sold or marketed in the state during the period.

(d) "Network pharmacy" means a retail drug outlet licensed as a pharmacy under RCW 18.64.043 that contracts with a pharmacy benefit manager.

(e) "Therapeutically equivalent" has the same meaning as in RCW 69.41.110.

(2) A pharmacy benefit manager:

(a) May not place a drug on a list unless ((are is)) there are at least two therapeutically equivalent multiple source drugs, or at least one generic drug available from only one manufacturer, generally available for purchase by network pharmacies from national or regional wholesalers;

(b) Shall ensure that all drugs on a list are ((generally)) readily available for purchase by pharmacies in this state from national or regional wholesalers that serve pharmacies in Washington;

(c) Shall ensure that all drugs on a list are not obsolete;

(d) Shall make available to each network pharmacy at the beginning of the term of a contract, and upon renewal of a contract, the sources utilized to determine the ((maximum allowable cost pricing)) predetermined reimbursement costs for multisource generic drugs of the pharmacy benefit manager;

(e) Shall make a list available to a network pharmacy upon request in a format that is readily accessible to and usable by the network pharmacy;

(f) Shall update each list maintained by the pharmacy benefit manager every seven business days and make the updated lists, including all changes in the price of drugs, available to network pharmacies in a readily accessible and usable format;

(g) Shall ensure that dispensing fees are not included in the calculation of ((maximum allowable cost)) the predetermined reimbursement costs for multisource generic drugs.

(3) A pharmacy benefit manager must establish a process by which a network pharmacy may appeal its reimbursement for a drug subject to ((maximum allowable cost pricing)) predetermined reimbursement costs for multisource generic drugs. A network pharmacy may appeal a ((maximum allowable cost)) predetermined reimbursement cost for a multisource generic drug if the reimbursement for the drug is less than the net amount that the network pharmacy paid to the supplier of the drug. ((An appeal requested under this section must be completed

within thirty calendar days of the pharmacy making the claim for which an appeal has been requested.) An appeal requested under this section must be completed within thirty calendar days of the pharmacy submitting the appeal. If after thirty days the network pharmacy has not received the decision on the appeal from the pharmacy benefit manager, then the appeal is considered denied.

The pharmacy benefit manager shall uphold the appeal of a pharmacy with fewer than fifteen retail outlets, within the state of Washington, under its corporate umbrella if the pharmacy or pharmacist can demonstrate that it is unable to purchase a therapeutically equivalent interchangeable product from a supplier doing business in Washington at the pharmacy benefit manager's list price.

(4) A pharmacy benefit manager must provide as part of the appeals process established under subsection (3) of this section:

(a) A telephone number at which a network pharmacy may contact the pharmacy benefit manager and speak with an individual who is responsible for processing appeals; and

(b) ((A final response to an appeal of a maximum allowable cost within seven business days; and

(c)) If the appeal is denied, the reason for the denial and the national drug code of a drug that ((may be)) has been purchased by ((similarly situated)) other network pharmacies located in Washington at a price that is equal to or less than the ((maximum allowable cost)) predetermined reimbursement cost for the multisource generic drug. A pharmacy with fifteen or more retail outlets, within the state of Washington, under its corporate umbrella may submit information to the commissioner about an appeal under subsection (3) of this section for purposes of information collection and analysis.

(5)(a) If an appeal is upheld under this section, the pharmacy benefit manager shall make ((an)) a reasonable adjustment on a date no later than one day after the date of determination. ((The pharmacy benefit manager shall make the adjustment effective for all similarly situated pharmacies in this state that are within the network.))

(b) If the request for an adjustment has come from a critical access pharmacy, as defined by the state health care authority by rule for purposes related to the prescription drug purchasing consortium established under RCW 70.14.060, the adjustment approved under (a) of this subsection shall apply only to critical access pharmacies.

(6) Beginning July 1, 2017, if a network pharmacy appeal to the pharmacy benefit manager is denied, or if the network pharmacy is unsatisfied with the outcome of the appeal, the pharmacy or pharmacist may dispute the decision and request review by the commissioner within thirty calendar days of receiving the decision.

(a) All relevant information from the parties may be presented to the commissioner, and the commissioner may enter an order directing the pharmacy benefit manager to make an adjustment to the disputed claim, deny the pharmacy appeal, or take other actions deemed fair and equitable. An appeal requested under this section must be completed within thirty calendar days of the request.

(b) Upon resolution of the dispute, the commissioner shall provide a copy of the decision to both parties within seven calendar days.

(c) The commissioner may authorize the office of administrative hearings, as provided in chapter 34.12 RCW, to conduct appeals under this subsection (6).

(d) A pharmacy benefit manager may not retaliate against a pharmacy for pursuing an appeal under this subsection (6).

(e) This subsection (6) applies only to a pharmacy with fewer than fifteen retail outlets, within the state of Washington, under its corporate umbrella.

(7) This section does not apply to the state medical assistance program.

(8) A pharmacy benefit manager shall comply with any requests for information from the commissioner for purposes of the study of the pharmacy chain of supply conducted under section 7 of this act.

NEW SECTION. Sec. 5. A new section is added to chapter 48.02 RCW to read as follows:

(1) The commissioner shall accept registration of pharmacy benefit managers as established in RCW 19.340.030 and receipts shall be deposited in the insurance commissioner's regulatory account.

(2) The commissioner shall have enforcement authority over chapter 19.340 RCW consistent with requirements established in section 2 of this act.

(3) The commissioner may adopt rules to implement chapter 19.340 RCW and to establish registration and renewal fees that ensure the registration, renewal, and oversight activities are self-supporting.

NEW SECTION. Sec. 6. The insurance commissioner, in collaboration with the department of health, must review the potential to use the independent review organizations, established in RCW 48.43.535, as an alternative to the appeal process for pharmacy and pharmacy benefit manager disputes. By December 1, 2016, the agencies must submit recommendations for use of the independent review organizations including detailed suggestions for modifications to the process, and the possible transition of the process from the department of health, established in RCW 43.70.235, to the office of the insurance commissioner.

NEW SECTION. Sec. 7. (1) The office of the insurance commissioner shall conduct a study of the pharmacy chain of supply. The commissioner or his or her designee may convene one or more stakeholder work groups to address the components of the study, which must include but are not limited to the following:

(a) Review the entire drug supply chain including plan and pharmacy benefit manager reimbursements to network pharmacies, wholesaler or pharmacy service administrative organization prices to network pharmacies, and drug manufacturer prices to network pharmacies;

(b) Discuss suggestions that recognize the unique nature of small and rural pharmacies and possible options that support a viable business model that do not increase the cost of pharmacy products;

(c) Review the availability of all drugs on the maximum allowable cost list or any similar list for pharmacies;

(d) Review data submitted under RCW 19.340.100(4)(b) for patterns and trends in the denials of internal pharmacy benefit manager appeals involving pharmacies with fifteen or more retail outlets, within the state of Washington, under their corporate umbrellas;

(e) Review the telephone contacts and standards for response times and availability; and

(f) Review the pharmacy acquisition cost from national or regional wholesalers that serve pharmacies in Washington, and consider when or whether to make an adjustment and under what standards. The review may assess the timing of pharmacy purchases of products and the relative risk of list price changes related to the timing of dispensing the products.

(2) The study must be delivered to the legislature by November 1, 2016.

NEW SECTION. Sec. 8. Section 1 of this act takes effect January 1, 2017."

Correct the title.

MOTION

Senator Parlette moved that the Senate concur in the House amendment(s) to Fifth Engrossed Substitute Senate Bill No. 5857.

Senators Parlette, Cleveland and Conway spoke in favor of the motion.

POINT OF INQUIRY

Senator Cleveland: "Thank you. There's language in this bill that indicates that the pharmacy benefit managers cannot retaliate against a pharmacy that files an appeal, and so my question is, do we have any assurance that the pharmacy benefit managers will not drop a pharmacy who's appealed from their networks in retaliation?"

Senator Parlette: "Thank you Senator Cleveland for asking the question. As you know the health plans have legal network obligations regarding distance to a pharmacy. And the number of pharmacies needed to ensure adequacy and access under the current network adequacy requirements. The Office of the Insurance Commissioner will be able to monitor that adequacy and monitor for any nexus of small pharmacies that have filed appeals and were subsequently dropped from the networks. Thank you for asking the question."

The President declared the question before the Senate to be the motion by Senator Parlette that the Senate concur in the House amendment(s) to Fifth Engrossed Substitute Senate Bill No. 5857.

The motion by Senator Parlette carried and the Senate concurred in the House amendment(s) to Fifth Engrossed Substitute Senate Bill No. 5857 by voice vote.

The President declared the question before the Senate to be the final passage of Fifth Engrossed Substitute Senate Bill No. 5857, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Fifth Engrossed Substitute Senate Bill No. 5857, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SENATE BILL NO. 5689 with the following amendment(s): 5689 AMH APP H4636.1

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The health care authority, department of social and health services, and department of health shall collaborate to identify goals and benchmarks while also developing individual agency plans to reduce the incidence of diabetes in Washington, improve diabetes care, and control complications associated with diabetes.

NEW SECTION. Sec. 2. The health care authority, department of social and health services, and department of health shall each submit a report to the governor and the legislature by December 31, 2019, and every second year thereafter, on the following:

(1) The financial impact and reach diabetes of all types is having on programs administered by each agency and individuals enrolled in those programs. Items included in this assessment must include the number of lives with diabetes impacted or covered by programs administered by the agency, the number of lives with diabetes and family members impacted by prevention and diabetes control programs implemented by the agency, the financial toll or impact diabetes and its complications places on these programs, and the financial toll or impact diabetes and its complications places on these programs in comparison to other chronic diseases and conditions;

(2) An assessment of the benefits of implemented programs and activities aimed at controlling diabetes and preventing the disease. This assessment must also document the amount and source for any funding directed to the agency for programs and activities aimed at reaching those with diabetes;

(3) A description of the level of coordination existing between the agencies on activities, programmatic activities, and messaging on managing, treating, or preventing all forms of diabetes and its complications;

(4) A development or revision of detailed action plans for battling diabetes with a range of actionable items for consideration by the legislature. The plans must identify proposed action steps to reduce the impact of diabetes, prediabetes, and related diabetes complications. The plan must also identify expected outcomes of the action steps proposed in the following biennium while also establishing benchmarks for controlling and preventing relevant forms of diabetes; and

(5) An estimate of costs and resources required to implement the plan identified in subsection (4) of this section.

NEW SECTION. Sec. 3. Sections 1 and 2 of this act constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Becker moved that the Senate concur in the House amendment(s) to Senate Bill No. 5689.

Senator Becker spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate concur in the House amendment(s) to Senate Bill No. 5689.

The motion by Senator Becker carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5689 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5689, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5689, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yeas: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dinsel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SENATE BILL NO. 5689, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 5778 with the following amendment(s): 5778-S AMH APP H4635.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.70.250 and 2013 c 77 s 2 are each amended to read as follows:

(1) It shall be the policy of the state of Washington that the cost of each professional, occupational, or business licensing program be fully borne by the members of that profession, occupation, or business.

(2) The secretary shall from time to time establish the amount of all application fees, license fees, registration fees, examination fees, permit fees, renewal fees, and any other fee associated with licensing or regulation of professions, occupations, or businesses administered by the department. In fixing said fees, the secretary shall set the fees for each program at a sufficient level to defray the costs of administering that program and the cost of regulating licensed volunteer medical workers in accordance with RCW 18.130.360, except as provided in RCW 18.79.202. In no case may the secretary increase a licensing fee for an ambulatory surgical facility licensed under chapter 70.230 RCW prior to July 1, 2018, nor may he or she commence the adoption of rules to increase a licensing fee prior to July 1, 2018.

(3) All such fees shall be fixed by rule adopted by the secretary in accordance with the provisions of the administrative procedure act, chapter 34.05 RCW.

Sec. 2. RCW 70.230.020 and 2007 c 273 s 2 are each amended to read as follows:

The secretary shall:

(1) Issue a license to any ambulatory surgical facility that:

(a) Submits payment of the fee established in ((section 7, chapter 273, Laws of 2007)) RCW 43.70.110 and 43.70.250;

(b) Submits a completed application that demonstrates the ability to comply with the standards established for operating and maintaining an ambulatory surgical facility in statute and rule. An ambulatory surgical facility shall be deemed to have met the standards if it submits proof of certification as a medicare ambulatory surgical facility or accreditation by an organization that the secretary has determined to have substantially equivalent standards to those of the department; and

(c) Successfully completes the survey requirements established in RCW 70.230.100;

(2) Develop an application form for applicants for a license to operate an ambulatory surgical facility;

(3) Initiate investigations and enforcement actions for complaints or other information regarding failure to comply with this chapter or the standards and rules adopted under this chapter;

(4) Conduct surveys of facilities, including reviews of medical records and documents required to be maintained under this chapter or rules adopted under this chapter;

(5) By March 1, 2008, determine which accreditation organizations have substantially equivalent standards for purposes of deeming specific licensing requirements required in statute and rule as having met the state's standards; and

(6) Adopt any rules necessary to implement this chapter.

Sec. 3. RCW 70.230.050 and 2007 c 273 s 5 are each amended to read as follows:

(1) An applicant for a license to operate an ambulatory surgical facility must demonstrate the ability to comply with the standards established for operating and maintaining an ambulatory surgical facility in statute and rule, including:

(a) Submitting a written application to the department providing all necessary information on a form provided by the department, including a list of surgical specialties offered;

(b) Submitting building plans for review and approval by the department for new construction, alterations other than minor alterations, and additions to existing facilities, prior to obtaining a license and occupying the building;

(c) Demonstrating the ability to comply with this chapter and any rules adopted under this chapter;

(d) Cooperating with the department during on-site surveys prior to obtaining an initial license or renewing an existing license;

(e) Providing such proof as the department may require concerning the ownership and management of the ambulatory surgical facility, including information about the organization and governance of the facility and the identity of the applicant, officers, directors, partners, managing employees, or owners of ten percent or more of the applicant's assets;

(f) Submitting proof of operation of a coordinated quality improvement program in accordance with RCW 70.230.080;

(g) Submitting a copy of the facility safety and emergency training program established under RCW 70.230.060;

(h) Paying any fees established by the secretary under ((section 7, chapter 273, Laws of 2007)) RCW 43.70.110 and 43.70.250; and

(i) Providing any other information that the department may reasonably require.

(2) A license is valid for three years, after which an ambulatory surgical facility must submit an application for renewal of license upon forms provided by the department and the renewal fee as established in ((section 7, chapter 273, Laws of 2007)) RCW 43.70.110 and 43.70.250. The applicant must demonstrate the ability to comply with the standards established for operating and maintaining an ambulatory surgical facility in statutes, standards, and rules. The applicant must submit the license renewal document no later than thirty days prior to the date of expiration of the license.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(3) The applicant may demonstrate compliance with any of the requirements of subsection (1) of this section by providing satisfactory documentation to the secretary that it has met the standards of an accreditation organization or federal agency that the secretary has determined to have substantially equivalent standards as the statutes and rules of this state.

Sec. 4. RCW 70.230.100 and 2007 c 273 s 11 are each amended to read as follows:

(1) The department shall make or cause to be made a survey of all ambulatory surgical facilities according to the following frequency:

(a) Except as provided in (b) of this subsection, an ambulatory surgical facility must be surveyed by the department no more than once every eighteen months.

(b) An ambulatory surgical facility must be surveyed by the department no more than once every thirty-six months if the ambulatory surgical facility:

(i) Has had, within eighteen months of a department survey, a survey in connection with its certification by the centers for medicare and medicaid services or accreditation by an accreditation organization approved by the department under RCW 70.230.020(5);

(ii) Has maintained certification by the centers for medicare and medicaid services or accreditation by an accreditation organization approved by the department under RCW 70.230.020(5) since the survey in connection with its certification or accreditation pursuant to (b)(i) of this subsection; and

(iii) As soon as practicable after a survey in connection with its certification or accreditation pursuant to (b)(i) of this subsection, provides the department with documentary evidence that the ambulatory surgical facility is certified or accredited and that the survey has occurred, including the date that the survey occurred.

(2) Every survey of an ambulatory surgical facility may include an inspection of every part of the surgical facility. The department may make an examination of all phases of the ambulatory surgical facility operation necessary to determine compliance with all applicable statutes, rules, and regulations. In the event that the department is unable to make a survey or cause a survey to be made during the three years of the term of the license, the license of the ambulatory surgical facility shall remain in effect until the state conducts a survey or a substitute survey is performed if the ambulatory surgical facility is in compliance with all other licensing requirements.

((2) An ambulatory surgical facility shall be deemed to have met the survey standards of this section if it submits proof of certification as a medicare ambulatory surgical facility or accreditation by an organization that the secretary has determined to have substantially equivalent survey standards to those of the department. A survey performed pursuant to medicare certification or by an approved accrediting organization may substitute for a survey by the department if:

(a) The ambulatory surgical facility has satisfactorily completed a survey by the department in the previous eighteen months; and

(b) Within thirty days of learning the result of a survey, the ambulatory surgical facility provides the department with documentary evidence that the ambulatory surgical facility has been certified or accredited as a result of a survey and the date of the survey.))

(3) Ambulatory surgical facilities shall make the written reports of surveys conducted pursuant to medicare certification procedures or by an approved accrediting organization available to department surveyors during any department surveys(,) or upon request.

NEW SECTION. Sec. 5. A new section is added to chapter 48.39 RCW to read as follows:

If a payor that contracts with an ambulatory surgical facility licensed under chapter 70.230 RCW requires successful completion of a survey as part of the contract, the ambulatory surgical facility is deemed to have met survey requirements if it has successfully completed a survey performed pursuant to medicare certification or by an accrediting organization that has been determined by the secretary of the department of health to have substantially equivalent survey standards to those of the centers for medicare and medicaid services. The payor may not impose additional survey requirements on the ambulatory surgical facility.

NEW SECTION. Sec. 6. A new section is added to chapter 70.230 RCW to read as follows:

(1) The department shall report to the fiscal committees of the legislature by December 1, 2016, and December 1, 2017, if it anticipates that the amounts raised by ambulatory surgical facility licensing fees will not be sufficient to defray the costs of regulating ambulatory surgical facilities. The report shall identify the amount of state general fund money necessary to compensate for the insufficiency.

(2) The department shall conduct a benchmark survey to compare Washington's system for licensing ambulatory surgical facilities with the ambulatory surgical facility licensing systems of other states with a similar number of licensed ambulatory surgical facilities. The survey must review the licensing standards, staffing levels, training of surveyors and inspectors, and expenditures of the selected states. The survey must examine the total cost of the other states' regulatory structures and analyze the reasons for any differences in cost. The survey must assess the extent to which total program costs in other states are supported through licensing fees compared with state general fund money or other resources. The findings of the survey must be submitted to the committees of the legislature with jurisdiction over health care issues by December 1, 2016. The findings must include recommendations for statutory, regulatory, and administrative changes to reduce ambulatory surgical facility licensing fees.

(3) This section expires July 1, 2018.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 8. RCW 70.230.180 (Ambulatory surgical facility account) and 2007 c 273 s 19 are each repealed." Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Becker moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5778.

Senator Becker spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Becker that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 5778.

The motion by Senator Becker carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 5778 by voice vote.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5778, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5778, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE SENATE BILL NO. 5778, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 4:10 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

 EVENING SESSION

The Senate was called to order at 5:19 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872, by Representatives Fey, Hayes, Clibborn, Moscoso, Rodne, Tarleton, Kilduff, Muri, Fitzgibbon, Appleton, Stokesbary, Stanford, Griffey, Senn, Bergquist, S. Hunt, Ortiz-Self, Gregerson and Ormsby

Concerning the recruitment and retention of Washington state patrol commissioned officers.

The measure was read the second time.

MOTION

Senator King moved that the following striking amendment no. 741 by Senators King and Hobbs be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. It is the intent of the legislature to recruit and retain the highest qualified commissioned officers of the Washington state patrol appointed under RCW 43.43.020. The "Joint Transportation Committee Recruitment and Retention

Study" dated January 7, 2016, outlines several recommendations to fulfill this intent. The study recommendations were broken down into several areas, with the Washington state patrol, office of financial management, select committee on pension policy, and the legislature all supporting their respective authorizations and control over their respective areas of responsibility and accountability. It is also the intent of the legislature in the 2017-2019 fiscal biennium to increase the thirty dollar vehicle license fee distribution to the state patrol for the salaries and benefits of state patrol officers, including troopers, sergeants, lieutenants, and captains, and make adjustments as needed in the 2019-2021 fiscal biennium.

Sec. 2. RCW 46.68.030 and 2015 3rd sp.s. c 43 s 601 are each amended to read as follows:

(1) The director shall forward all fees for vehicle registrations under chapters 46.16A and 46.17 RCW, unless otherwise specified by law, to the state treasurer with a proper identifying detailed report. The state treasurer shall credit these moneys to the motor vehicle fund created in RCW 46.68.070.

(2) Proceeds from vehicle license fees and renewal vehicle license fees must be deposited by the state treasurer as follows:

(a) ((\$20.35)) \$23.60 of each initial or renewal vehicle license fee must be deposited in the state patrol highway account in the motor vehicle fund, hereby created. Vehicle license fees, renewal vehicle license fees, and all other funds in the state patrol highway account must be for the sole use of the Washington state patrol for highway activities of the Washington state patrol, subject to proper appropriations and reappropriations.

(b) \$2.02 of each initial vehicle license fee and \$0.93 of each renewal vehicle license fee must be deposited each biennium in the Puget Sound ferry operations account.

(c) Any remaining amounts of vehicle license fees and renewal vehicle license fees that are not distributed otherwise under this section must be deposited in the motor vehicle fund.

(3) During the 2015-2017 fiscal biennium, the legislature may transfer from the state patrol highway account to the connecting Washington account such amounts as reflect the excess fund balance of the state patrol highway account.

NEW SECTION. Sec. 3. (1) The office of financial management must perform an organization study through a third-party independent consultant to implement the changes in the "Joint Transportation Committee Recruitment and Retention Study" dated January 7, 2016, affecting each organization in the study. Washington state patrol management must work actively with the independent consultant to implement the recommended changes. An implementation report must be delivered to the transportation committees of the house of representatives and senate by September 1, 2016.

(2) The Washington state patrol must develop an action plan and implementation strategy for each of the recommendations that are outlined in the study with a report due to the transportation committees of the house of representatives and senate by November 15, 2016.

(3) The select committee on pension policy must review the pension-related items in the study and make recommendations to the governor's office and the legislature by November 1, 2016, on pension policy that will assist in recruiting and retaining state patrol commissioned officers.

NEW SECTION. Sec. 4. Effective July 1, 2016, Washington state patrol troopers, sergeants, lieutenants, and captains must receive a one-time five percent compensation increase. The pay increase must be based on the commissioned salary schedule that is effective July 1, 2016.

Sec. 5. RCW 43.43.380 and 1965 c 8 s 43.43.380 are each amended to read as follows:

The minimum monthly salary paid to state patrol ((officers shall be as follows: Officers, three hundred dollars; staff or technical sergeants, three hundred twenty-five dollars; line sergeants, three hundred fifty dollars; lieutenants, three hundred seventy-five dollars; captains, four hundred twenty-five dollars)) troopers and sergeants on July 1, 2017, must be competitive with law enforcement agencies within the boundaries of the state of Washington, guided by the results of a survey undertaken in the collective bargaining process during 2016. The salary levels on July 1, 2017, must be guided by the average of compensation paid to the corresponding rank from the Seattle police department, King county sheriff's office, Tacoma police department, Snohomish county sheriff's office, Spokane police department, and Vancouver police department. Compensation must be calculated using base salary, premium pay (a pay received by more than a majority of employees), education pay, and longevity pay. The compensation comparison data is based on the Washington state patrol and the law enforcement agencies listed in this section as of July 1, 2016. Increases in salary levels for captains and lieutenants that are collectively bargained must be proportionate to the increases in salaries for troopers and sergeants as a result of the survey described in this section.

NEW SECTION. Sec. 6. A new section is added to chapter 43.43 RCW to read as follows:

During the 2017-2019 collective bargaining process, the office of financial management, the Washington state patrol troopers association, and the Washington state patrol lieutenants association must evaluate regional differences in the cost of living to determine areas of the state where geographic pay may be needed. The negotiators must implement regional compensation adjustments, as appropriate.

NEW SECTION. Sec. 7. A new section is added to chapter 43.43 RCW to read as follows:

To ensure that it is adequately and thoroughly reaching potential recruits, the Washington state patrol must develop a comprehensive outreach and marketing strategic plan that expands on the success of current strategies and looks for ways to tap into groups or individuals that do not currently show an interest in the state patrol or law enforcement as a career. The plan must include, but is not limited to, expanding marketing and outreach efforts online and through other media outlets and expanding recruitment relationships in respective communities. The plan must also include polling applicants about their application. Results from the polling must be tracked to determine the success of each outreach method.

NEW SECTION. Sec. 8. Section 2 of this act takes effect July 1, 2017."

On page 1, line 2 of the title, after "officers;" strike the remainder of the title and insert "amending RCW 46.68.030 and 43.43.380; adding new sections to chapter 43.43 RCW; creating new sections; and providing an effective date."

MOTION

Senator Benton moved that the following amendment no. 747 by Senator Benton and others to the striking amendment be adopted:

On page 4, after line 7 of the amendment, insert the following:

"**Sec. 8.** RCW 43.43.050 and 1965 c 8 s 43.43.050 are each amended to read as follows:

(1) Washington state patrol officers ((shall be)) are entitled to retain their ranks and positions until death or resignation, or until suspended, demoted, or discharged in the manner hereinafter provided.

(2) Any Washington state local law enforcement agency that employs a current or former state patrol officer within thirty-six months of the officer's initial appointment as a state patrol officer must incur the costs of training the officer. The state treasurer must withhold from distribution to individual cities and counties under RCW 82.14.310 and 82.14.320 an amount equal to the costs incurred by the state patrol in recruiting and training the state patrol officer, as determined jointly by the state treasurer and the chief of the Washington state patrol. The amount withheld must be deposited into the state patrol highway account to be used solely for the Washington state patrol academy.

Sec. 9. RCW 82.14.310 and 2013 2nd sp.s. c 4 s 1004 are each amended to read as follows:

(1) The county criminal justice assistance account is created in the state treasury. Beginning in fiscal year 2000, the state treasurer must transfer into the county criminal justice assistance account from the general fund the sum of twenty-three million two hundred thousand dollars divided into four equal deposits occurring on July 1, October 1, January 1, and April 1. For each fiscal year thereafter, the state treasurer must increase the total transfer by the fiscal growth factor, as defined in RCW 43.135.025, forecast for that fiscal year by the office of financial management in November of the preceding year.

(2) The moneys deposited in the county criminal justice assistance account for distribution under this section, less any moneys deducted under RCW 43.43.050(2) or appropriated for purposes under subsection (4) of this section, must be distributed at such times as distributions are made under RCW 82.44.150 and on the relative basis of each county's funding factor as determined under this subsection.

(a) A county's funding factor is the sum of:

(i) The population of the county, divided by one thousand, and multiplied by two-tenths;

(ii) The crime rate of the county, multiplied by three-tenths; and

(iii) The annual number of criminal cases filed in the county superior court, for each one thousand in population, multiplied by five-tenths.

(b) Under this section and RCW 82.14.320 and 82.14.330:

(i) The population of the county or city is as last determined by the office of financial management;

(ii) The crime rate of the county or city is the annual occurrence of specified criminal offenses, as calculated in the most recent annual report on crime in Washington state as published by the Washington association of sheriffs and police chiefs, for each one thousand in population;

(iii) The annual number of criminal cases filed in the county superior court must be determined by the most recent annual report of the courts of Washington, as published by the administrative office of the courts;

(iv) Distributions and eligibility for distributions in the 1989-1991 biennium must be based on 1988 figures for both the crime rate as described under (ii) of this subsection and the annual number of criminal cases that are filed as described under (iii) of this subsection. Future distributions must be based on the most recent figures for both the crime rate as described under (ii) of this subsection and the annual number of criminal cases that are filed as described under (iii) of this subsection.

(3) Moneys distributed under this section must be expended exclusively for criminal justice purposes and may not be used to replace or supplant existing funding. Criminal justice purposes are defined as activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil or juvenile justice system occurs, and which includes (a) domestic violence services such as those provided by

domestic violence programs, community advocates, and legal advocates, as defined in RCW 70.123.020, and (b) during the 2001-2003 fiscal biennium, juvenile dispositional hearings relating to petitions for at-risk youth, truancy, and children in need of services. Existing funding for purposes of this subsection is defined as calendar year 1989 actual operating expenditures for criminal justice purposes. Calendar year 1989 actual operating expenditures for criminal justice purposes exclude the following: Expenditures for extraordinary events not likely to reoccur, changes in contract provisions for criminal justice services, beyond the control of the local jurisdiction receiving the services, and major nonrecurring capital expenditures.

(4) Not more than five percent of the funds deposited to the county criminal justice assistance account may be available for appropriations for enhancements to the state patrol crime laboratory system and the continuing costs related to these enhancements. Funds appropriated from this account for such enhancements may not supplant existing funds from the state general fund.

(5) During the 2011-2013 fiscal biennium, the amount that would otherwise be transferred into the county criminal justice assistance account from the general fund under subsection (1) of this section must be reduced by 3.4 percent.

(6) During the 2013-2015 fiscal biennium, for the purposes of substance abuse and other programs for offenders, the legislature may appropriate from the county criminal justice assistance account such amounts as are in excess of the amounts necessary to fully meet the state's obligations to the counties and to the Washington state patrol. Excess amounts in this account are not the result of subsection (5) of this section.

Sec. 10. RCW 82.14.320 and 2011 1st sp.s. c 50 s 971 are each amended to read as follows:

(1) The municipal criminal justice assistance account is created in the state treasury. Beginning in fiscal year 2000, the state treasurer must transfer into the municipal criminal justice assistance account for distribution under this section from the general fund the sum of four million six hundred thousand dollars divided into four equal deposits occurring on July 1, October 1, January 1, and April 1. For each fiscal year thereafter, the state treasurer must increase the total transfer by the fiscal growth factor, as defined in RCW 43.135.025, forecast for that fiscal year by the office of financial management in November of the preceding year.

(2) No city may receive a distribution under this section from the municipal criminal justice assistance account unless:

(a) The city has a crime rate in excess of one hundred twenty-five percent of the statewide average as calculated in the most recent annual report on crime in Washington state as published by the Washington association of sheriffs and police chiefs;

(b) The city has levied the tax authorized in RCW 82.14.030(2) at the maximum rate or the tax authorized in RCW 82.46.010(3) at the maximum rate; and

(c) The city has a per capita yield from the tax imposed under RCW 82.14.030(1) at the maximum rate of less than one hundred fifty percent of the statewide average per capita yield for all cities from such local sales and use tax.

(3) The moneys deposited in the municipal criminal justice assistance account for distribution under this section, less any moneys deducted under RCW 43.43.050(2) or appropriated for purposes under subsection (7) of this section, must be distributed at such times as distributions are made under RCW 82.44.150. The distributions must be made as follows:

(a) Unless reduced by this subsection, thirty percent of the moneys must be distributed ratably based on population as last determined by the office of financial management to those cities eligible under subsection (2) of this section that have a crime rate

determined under subsection (2)(a) of this section which is greater than one hundred seventy-five percent of the statewide average crime rate. No city may receive more than fifty percent of any moneys distributed under this subsection (a) but, if a city distribution is reduced as a result of exceeding the fifty percent limitation, the amount not distributed must be distributed under (b) of this subsection.

(b) The remainder of the moneys, including any moneys not distributed in subsection (2)(a) of this section, must be distributed to all cities eligible under subsection (2) of this section ratably based on population as last determined by the office of financial management.

(4) No city may receive more than thirty percent of all moneys distributed under subsection (3) of this section.

(5) Notwithstanding other provisions of this section, the distributions to any city that substantially decriminalizes or repeals its criminal code after July 1, 1990, and that does not reimburse the county for costs associated with criminal cases under RCW 3.50.800 or 3.50.805(2), must be made to the county in which the city is located.

(6) Moneys distributed under this section must be expended exclusively for criminal justice purposes and may not be used to replace or supplant existing funding. Criminal justice purposes are defined as activities that substantially assist the criminal justice system, which may include circumstances where ancillary benefit to the civil justice system occurs, and which includes domestic violence services such as those provided by domestic violence programs, community advocates, and legal advocates, as defined in RCW 70.123.020, and publications and public educational efforts designed to provide information and assistance to parents in dealing with runaway or at-risk youth. Existing funding for purposes of this subsection is defined as calendar year 1989 actual operating expenditures for criminal justice purposes. Calendar year 1989 actual operating expenditures for criminal justice purposes exclude the following: Expenditures for extraordinary events not likely to reoccur, changes in contract provisions for criminal justice services, beyond the control of the local jurisdiction receiving the services, and major nonrecurring capital expenditures.

(7) Not more than five percent of the funds deposited to the municipal criminal justice assistance account may be available for appropriations for enhancements to the state patrol crime laboratory system and the continuing costs related to these enhancements. Funds appropriated from this account for such enhancements may not supplant existing funds from the state general fund.

(8) During the 2011-2013 fiscal biennium, the amount that would otherwise be transferred into the municipal criminal justice assistance account from the general fund under subsection (1) of this section must be reduced by 3.4 percent."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 4, line 11 of the title amendment, after "46.68.030" strike "and 43.43.380" and insert ", 43.43.380, 43.43.050, 82.14.310, and 82.14.320"

Senator Benton spoke in favor of adoption of the amendment to the striking amendment.

Senators King and Roach spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 747 by Senator Benton to the striking amendment.

The motion by Senator Benton did not carry and the amendment was not adopted by voice vote.

The President declared the question before the Senate to be the adoption of the striking amendment no. 741 by Senators King and Hobbs to Engrossed Second Substitute House Bill No. 2872.

The motion by Senator King carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Second Substitute House Bill No. 2872, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

MOTION

On motion of Senator Fain, and without objection, Senator Dansel was excused.

Senators King, Roach, Liias, Angel, Sheldon, Benton and Baumgartner spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2872, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2872, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Padden

Excused: Senator Dansel

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524, by Representatives Clibborn, Orcutt, Fey and McBride

Making 2015-2017 supplemental transportation appropriations.

The measure was read the second time.

MOTION

Senator King moved that the following striking amendment no. 739 by Senator King be adopted:

Strike everything after the enacting clause and insert the following:

"2015-2017 FISCAL BIENNIUM GENERAL GOVERNMENT AGENCIES— OPERATING

Sec. 101. 2015 1st sp.s. c 10 s 101 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ARCHAEOLOGY AND HISTORIC PRESERVATION

Motor Vehicle Account—State Appropriation ((\$476,000)) \$488,000

Sec. 102. 2015 1st sp.s. c 10 s 102 (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Grade Crossing Protective Account—State Appropriation ((\$504,000)) \$1,604,000

Sec. 103. 2015 1st sp.s. c 10 s 103 (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

Motor Vehicle Account—State Appropriation . ((\$2,268,000)) \$2,296,000

Puget Sound Ferry Operations Account—State Appropriation ((\$110,000)) \$115,000

State Patrol Highway Account—State Appropriation \$150,000

TOTAL APPROPRIATION..... \$2,378,000 \$2,561,000

The appropriations in this section are subject to the following conditions and limitations:

((2)) (1) \$835,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from amounts set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to develop, implement, and report on transportation metrics associated with transportation system policy goals outlined in RCW 47.04.280. The Washington state association of counties, in cooperation with state agencies, must: Evaluate and implement opportunities to streamline reporting of county transportation financial data; expand reporting and collection of short-span bridge and culvert data; evaluate and report on the impact of increased freight and rail traffic on county roads; and to evaluate, implement, and report on the opportunities for improved capital project management and delivery.

((3)) (2) \$100,000 of the motor vehicle account—state appropriation is provided solely for the office of financial management, from funds set aside out of statewide fuel taxes distributed to counties according to RCW 46.68.120(3), to contract with the Washington state association of counties to work with the department of fish and wildlife to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. A report must be presented to the legislature by December 31, 2016, on the implementation of developed voluntary programmatic agreements.

(3) \$150,000 of the state patrol highway account—state appropriation is provided solely for an organizational assessment of the Washington state patrol.

(4) The office of financial management, in conjunction with the office of the chief information officer, shall provide oversight and review of the department of transportation's development of the request for proposal for a new tolling customer service toll

collection system and development of a project management plan as required in section 209(8) of this act.

Sec. 104. 2015 1st sp.s. c 10 s 105 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

Motor Vehicle Account—State Appropriation .((~~\$1,212,000~~))
\$1,240,000

Sec. 105. 2015 1st sp.s. c 10 s 106 (uncodified) is amended to read as follows:

FOR THE LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Motor Vehicle Account—State Appropriation(~~\$563,000~~)
\$582,000

Sec. 106. 2015 1st sp.s. c 10 s 107 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISH AND WILDLIFE

Motor Vehicle Account—State Appropriation \$300,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The department must work with the Washington state association of counties to develop voluntary programmatic agreements for the maintenance, preservation, rehabilitation, and replacement of water crossing structures. Such programmatic agreements when agreed to by the department and participating counties are binding agreements for permitting, design, and mitigation of county water crossing structures.

(2) \$300,000 of the motor vehicle account—state appropriation is provided solely for the department to implement activities of the fish passage barrier removal board created in RCW 77.95.160. The department must coordinate with cities and counties to inventory and undertake predesign and scoping activities associated with fish passage barrier corrections on city streets and county roads. The department must work with the department of ecology to provide a combined report to the transportation committees of the legislature on the board's activities and accomplishments and the activities funded in section 108 of this act by June 30, 2017. \$170,000 is provided from the cities' statewide fuel tax distributions under RCW 46.68.110(2) and \$130,000 is provided from the counties' statewide fuel tax distributions under RCW 46.68.120(3).

NEW SECTION. Sec. 107. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ENTERPRISE SERVICES

The department must provide a detailed accounting of the revenues and expenditures of the self-insurance fund and a copy of the most recent annual actuarial review to the transportation committees of the legislature on December 31st and June 30th of each year.

NEW SECTION. Sec. 108. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

Motor Vehicle Account—State Appropriation \$131,000

The appropriation in this section is subject to the following conditions and limitations: \$131,000 of the motor vehicle account—state appropriation from cities' statewide fuel tax distributions under RCW 46.68.110(2) is provided solely for the department to develop a framework with the department of transportation and the department of fish and wildlife for correcting fish passage barriers on city streets as compensatory mitigation for environmental impacts of transportation projects, as required in RCW 77.95.185(2)(a). In addition, the department must develop and implement an umbrella statewide in lieu fee program or other formal means to provide a streamlined mechanism to undertake priority local fish passage barrier corrections, as required in RCW 77.95.185(2)(c). The department

must work with the department of fish and wildlife to provide a combined report to the transportation committees of the legislature on the implementation of the program, the mechanism implemented to prioritize fish passage barrier corrections, and the activities funded in section 106(2) of this act by June 30, 2017.

NEW SECTION. Sec. 109. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows:

FOR THE EVERGREEN STATE COLLEGE

Motor Vehicle Account—State Appropriation \$100,000

The appropriation in this section is subject to the following conditions and limitations: \$100,000 of the motor vehicle account—state appropriation is provided solely to the Washington state institute for public policy for a cost-benefit analysis of the state's ferry vessel procurement practices as required in chapter 14, Laws of 2015 3rd sp. sess.

TRANSPORTATION AGENCIES—OPERATING

Sec. 201. 2015 1st sp.s. c 10 s 201 (uncodified) is amended to read as follows:

FOR THE WASHINGTON TRAFFIC SAFETY COMMISSION

Highway	Safety	Account—State
Appropriation		((\$3,154,000))
		\$3,183,000

Highway	Safety	Account—Federal
Appropriation		((\$27,383,000))
		\$21,644,000

Highway	Safety	Account—Private/Local
Appropriation		\$118,000

School Zone Safety Account—State Appropriation . \$850,000

TOTAL APPROPRIATION ~~\$31,505,000~~
\$25,795,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The commission may continue to oversee pilot projects implementing the use of automated traffic safety cameras to detect speed violations within cities west of the Cascade mountains that have a population of more than one hundred ninety-five thousand and that are located in a county with a population of fewer than one million five hundred thousand. For the purposes of pilot projects in this subsection, no more than one automated traffic safety camera may be used to detect speed violations within any one jurisdiction.

(a) The commission shall comply with RCW 46.63.170 in administering the pilot projects.

(b) By January 1, 2017, any local authority that is operating an automated traffic safety camera to detect speed violations must provide a summary to the transportation committees of the legislature concerning the use of the cameras and data regarding infractions, revenues, and costs.

(2) \$99,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter (. . . (Substitute Senate Bill No. 5957))) 243, Laws of 2015 (pedestrian safety reviews). (If chapter . . . (Substitute Senate Bill No. 5957), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.)

(3) \$6,500,000 of the highway safety account—federal appropriation is provided solely for federal funds that may be obligated to the commission pursuant to 23 U.S.C. Sec. 164 during the 2015-2017 fiscal biennium.

(4) Within current resources, the commission must examine the declining revenue going to the school zone safety account with the goal of identifying factors contributing to the decline. By December 31, 2015, the commission must provide a report to the transportation committees of the legislature that summarizes its findings and provides recommendations designed to ensure that

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

the account is receiving all amounts that should be deposited into the account.

Sec. 202. 2015 1st sp.s. c 10 s 202 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural	Arterial	Trust	Account—State
Appropriation			(\$969,000)
			<u>\$1,000,000</u>
Motor Vehicle Account—State Appropriation			(\$2,283,000)
			<u>\$2,459,000</u>
County Arterial Preservation Account—State Appropriation			(\$1,481,000)
			<u>\$1,518,000</u>
TOTAL APPROPRIATION			<u>\$4,733,000</u>
			<u>\$4,977,000</u>

Sec. 203. 2015 1st sp.s. c 10 s 203 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Transportation Improvement Account—State Appropriation	(\$3,915,000)
	<u>\$4,063,000</u>

Sec. 204. 2015 1st sp.s. c 10 s 204 (uncodified) is amended to read as follows:

Motor Vehicle Account—State Appropriation	(\$1,727,000)
	<u>\$2,222,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) \$250,000 of the motor vehicle account—state appropriation is for a consultant study of Washington state patrol recruitment and retention of troopers. The study must identify barriers to effective candidate recruitment, candidates' successful completion of training, and retention of trained troopers of various tenure. The study must provide:

- (i) An overview of current attrition rates;
- (ii) Options and strategies on reducing the average number of trooper positions that are vacant;
- (iii) Identification of best practices for recruitment and retention of law enforcement officers;
- (iv) Recommendations to improve existing recruitment and selection programs;
- (v) Recommendations for where salary and benefit adjustments should be targeted to most effectively address recruitment and retention challenges;
- (vi) Recommendations regarding changes to the training and education program; and
- (vii) Other recommendations for cost-effective personnel strategies.

(b) The joint transportation committee shall issue a report of its findings to the house and senate transportation committees by December 14, 2015. The Washington state patrol shall work with the consultant to identify costs for each recommendation.

(2)(a) \$125,000 of the motor vehicle account—state appropriation is for a study of Washington state weigh station planning, placement, and operations by the Washington state patrol and department of transportation as they relate to roadway safety and preservation. The study must:

(i) Provide a high-level overview of commercial vehicle enforcement programs, with a focus on weigh stations, including both state and federal funding programs. This overview must include a description of how the Washington state patrol and department of transportation allocate these state and federal funds.

(ii) Review Washington state patrol and department of transportation planning related to weigh station location and operation, and the extent to which their efforts complement, coordinate with, or overlap each other;

(iii) Identify best practices in the funding, placement, and operation of weigh stations;

(iv) Review plans by the department of transportation and Washington state patrol to reopen a Federal Way area southbound weigh station;

(v) Recommend changes in state statutes, policy, or agency practices and rules to improve the efficiency and effectiveness of weigh station funding, placement, and operation, including potential savings to be achieved by adopting the changes; and

(vi) Review whether it is cost-effective or more efficient to place future weigh stations in the median of a highway instead of placing two individual weigh stations on either side of a highway.

(b) The joint transportation committee must issue a report of its findings and recommendations to the house of representatives and senate transportation committees by December 14, 2015.

(3) \$250,000 of the motor vehicle account—state appropriation, from the cities' statewide fuel tax distributions under RCW 46.68.110(2), is for a study to be conducted in 2016 to identify prominent road-rail conflicts, recommend a corridor-based prioritization process for addressing the impacts of projected increases in rail traffic, and identify areas of state public policy interest, such as the critical role of freight movement to the Washington economy and the state's competitiveness in world trade. The study must consider the results of the updated marine cargo forecast due to be delivered to the joint transportation committee on December 1, 2015. In conducting the study, the joint transportation committee must consult with the department of transportation, the freight mobility strategic investment board, the utilities and transportation commission, local governments, and other relevant stakeholders. The joint transportation committee must issue a report of its recommendations and findings by ((December 1, 2016)) January 9, 2017.

(4) The legislature intends for the joint transportation committee to undertake a study during the 2017-2019 fiscal biennium of consolidating rail employee safety and regulatory functions in the utilities and transportation commission. The joint transportation committee should review the information provided by the utilities and transportation commission ((as required under section 102 of this act)) and should provide recommendations to the transportation committees of the legislature regarding such a consolidation of rail employee safety and regulatory functions.

(5) Within existing resources, during the interim periods between regular sessions of the legislature, the joint transportation committee shall include on its agendas work sessions on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders. The joint transportation committee shall have at least two such work sessions before December 31, 2015.

(6) \$450,000 of the motor vehicle account—state appropriation is for the design-build contracting review study established in chapter 18, Laws of 2015 3rd sp. sess. The department of transportation must provide technical assistance, as necessary.

(7) The joint transportation committee must study the issues surrounding minority and women-owned business contracting

related to the transportation sector. The study should identify any best practices adopted in other states that encourage participation by minority and women-owned businesses. The joint transportation committee, with direction from the executive committee, may form a legislative task force at the conclusion of the study to help to inform the legislature of any best practices identified from other states that encourage minority and women-owned businesses' participation in the transportation sector.

Sec. 205. 2015 1st sp.s. c 10 s 205 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION COMMISSION

Motor Vehicle Account—State Appropriation . ((~~\$2,452,000~~))
\$2,667,000

Motor Vehicle Account—Federal Appropriation \$500,000

Multimodal Transportation Account—State
 Appropriation..... \$112,000

TOTAL APPROPRIATION \$2,564,000

\$3,279,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$300,000 of the motor vehicle account—state appropriation is provided solely to continue evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund investments in transportation. The evaluation must include monitoring and reviewing work that is underway in other states and nationally. The commission may coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available and eligible for road usage charge pilot projects. The commission must reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, and report to the governor's office and the transportation committees of the house of representatives and the senate by December 15, 2015.

(2) \$150,000 of the motor vehicle account—state appropriation is provided solely for the commission to use an outside survey firm to conduct three transportation surveys during the 2015-2017 fiscal biennium. The commission must consult with the joint transportation committee when deciding on the survey topics and design to ensure the survey results will deliver the data, information, and analysis for future transportation policy and strategic planning decisions in a manner useful to the legislature.

(3)(a) The legislature finds that, while some travel times have improved through Interstate 405 between the junctions with Interstate 5 on the north end and NE 6th Street in the city of Bellevue on the south end, especially for transit trips, the implementation of the express toll lane system has made travel more difficult for a number of other drivers and trips. To provide some relief to drivers, the legislature encourages the commission to expedite consideration of the elimination of tolls during evening nonpeak hours, weekends, and holidays, to the extent that such a change will improve commuters' experience on this portion of Interstate 405. The legislature further finds that the commission, as the tolling authority of the state, should act swiftly, working in conjunction with the department of transportation's comprehensive effort to tackle obstacles adversely affecting commutes on this portion of Interstate 405, to drive improved results for the users of this critical corridor as soon as is practicable.

(b) In accordance with the rule-making authority provided under RCW 34.05.350(1)(a), the legislature deems it necessary, for preservation of the general welfare, that operational changes be made to improve the express toll lane program on Interstate 405 and that the tolling authority use its emergency rule-making authority to effect such changes in accordance with RCW 47.56.850 and 47.56.880. The legislature finds that the need for

improvements to the commuter experience on the portion of Interstate 405 identified in (a) of this subsection necessitates that such action be taken in an expedited fashion. The tolling authority, with input from the department of transportation, shall evaluate the hours and days of operation for the express toll lanes and the minimum high occupancy vehicle passenger requirements for using the express toll lanes, taking into consideration the goals of: Reducing travel time on this portion of Interstate 405, including in the general purpose lanes; reducing the cost of traveling within the express toll lanes on this portion of Interstate 405; and maintaining sufficient revenue to pay for this portion of Interstate 405's express toll lane operating costs. This subsection (3) does not create a private right of action.

(4)(a) \$500,000 of the motor vehicle account—federal appropriation is provided solely to advance the work completed since 2011 in evaluating a road usage charge as an alternative to the motor vehicle fuel tax to fund future investments in transportation by completing the work necessary to launch a road usage charge pilot project, with all implementation details for a pilot project identified and incorporated into a pilot project implementation plan.

(i) Pilot project implementation preparation must include identification of all essential agency roles and responsibilities for the pilot project, a selection of the technologies and methodologies to be included, a target number of participants and participant characteristics, rigorous specific evaluation criteria by which the pilot project will be assessed, a communication plan for the pilot project that consists of a participant recruitment plan and a plan for communicating information about the launch and ongoing progress of the pilot project, and pilot project expenditure and revenue estimates.

(ii) In developing the road usage charge pilot project implementation plan, the commission shall consult and coordinate with the department of transportation, the department of licensing, the department of revenue, and the office of the state treasurer to establish participation and coordination parameters for the project.

(b) The commission shall coordinate with the department of transportation to jointly pursue any federal or other funds that are or might become available to fund a road usage charge pilot project. Where feasible, grant application content prepared by the commission must reflect the direction provided by the road usage charge steering committee on the preferred road usage charge pilot project approach. One or more grant applications may be developed as part of the road usage charge pilot project implementation plan development work, but the pilot project implementation plan must nevertheless include any details necessary for a full launch of the pilot project not required to be included in any grant application.

(c) The commission shall reconvene the road usage charge steering committee, with the same membership authorized in chapter 222, Laws of 2014, as well as the addition of a representative from the Puget Sound regional council, and may obtain guidance from the steering committee when it reaches key pilot project implementation plan development milestones. The commission must provide a report on the road usage charge pilot project implementation plan that includes all implementation details for a road usage charge pilot project to the governor's office and the transportation committees of the house of representatives and the senate by November 1, 2016.

(5) \$150,000 of the motor vehicle account—state appropriation is provided solely for supporting the disadvantaged business enterprise advisory committee established in chapter . . . (Senate Bill No. 6180), Laws of 2016. If chapter . . . (Senate Bill No. 6180), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

Sec. 206. 2015 1st sp.s. c 10 s 206 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Motor Vehicle Account—State Appropriation ...((~~\$979,000~~))
\$1,024,000

The appropriation in this section is subject to the following conditions and limitations: \$250,000 of the motor vehicle account—state appropriation is provided solely to conduct a study of freight infrastructure needs, including an update of the long-term marine cargo forecast. The board must work with the Washington public ports association to evaluate: (1) Forecasted cargo movement by commodity, type, and mode of land transport; and (2) current and projected freight infrastructure capacity needs. A report on the study must be delivered to the joint transportation committee by December 1, 2015.

Sec. 207. 2015 1st sp.s. c 10 s 207 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State
Appropriation((~~\$407,771,000~~))
\$415,364,000

State Patrol Highway Account—Federal
Appropriation((~~\$12,779,000~~))
\$13,291,000

State Patrol Highway Account—Private/Local
Appropriation((~~\$3,631,000~~))
\$3,823,000

Highway Safety Account—State
Appropriation((~~\$1,323,000~~))
\$1,494,000

Multimodal Transportation Account—State
Appropriation \$276,000

TOTAL APPROPRIATION ... ~~\$425,780,000~~
\$434,248,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Washington state patrol officers engaged in off-duty uniformed employment providing traffic control services to the department of transportation or other state agencies may use state patrol vehicles for the purpose of that employment, subject to guidelines adopted by the chief of the Washington state patrol. The Washington state patrol must be reimbursed for the use of the vehicle at the prevailing state employee rate for mileage and hours of usage, subject to guidelines developed by the chief of the Washington state patrol.

(2) \$510,000 of the highway safety account—state appropriation is provided solely for the ignition interlock program at the Washington state patrol to provide funding for two staff to work and provide support for the program in working with manufacturers, service centers, technicians, and participants in the program.

(3) \$23,000 of the state patrol highway account—state appropriation is provided solely for the implementation of chapter ((. . . (Engrossed Second Substitute House Bill No. 1276))) 3, Laws of 2015 2nd sp. sess. (impaired driving). ((If chapter . . . (Engrossed Second Substitute House Bill No. 1276), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.))

(4) \$5,000,000 of the state patrol highway account—state appropriation is provided solely for compensation increases for Washington state patrol troopers, sergeants, lieutenants, and captains. This increase is not subject to interest arbitration and is for salary and benefits that are in addition to the current interest arbitration award. It is the intent of the legislature that chapter . .

(Engrossed Second Substitute House Bill No. 2872), Laws of 2016 provide the revenue to support the ongoing costs associated with the compensation increases identified in this subsection in order to provide the means necessary to recruit and retain state patrol officers in subsequent biennia.

(5)(a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

Sec. 208. 2015 1st sp.s. c 10 s 208 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING

Marine Fuel Tax Refund Account—State
Appropriation \$34,000

License Plate Technology Account—State
Appropriation \$3,200,000

Motorcycle Safety Education Account—State
Appropriation ((~~\$4,442,000~~))
\$4,488,000

State Wildlife Account—State Appropriation ((~~\$949,000~~))
\$1,001,000

Highway Safety Account—State
Appropriation ((~~\$183,610,000~~))
\$201,666,000

Highway Safety Account—Federal Appropriation \$3,573,000

Motor Vehicle Account—State Appropriation((~~\$86,014,000~~))
\$92,044,000

Motor Vehicle Account—Federal Appropriation \$362,000

Motor Vehicle Account—Private/Local
Appropriation \$1,544,000

Ignition Interlock Device Revolving Account—State
Appropriation ((~~\$5,133,000~~))
\$5,142,000

Department of Licensing Services Account—State
Appropriation ((~~\$6,575,000~~))
\$6,672,000

TOTAL APPROPRIATION ... ~~\$295,436,000~~
\$319,726,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ((~~\$24,212,000~~)) \$30,954,000 of the highway safety account—state appropriation and \$3,200,000 of the license plate technology account—state appropriation are provided solely for business and technology modernization. The department and the state chief information officer or his or her designee must provide a joint project status report to the transportation committees of the legislature on at least a calendar quarter basis. The report must include, but is not limited to: Detailed information about the planned and actual scope, schedule, and budget; status of key vendor and other project deliverables; and a description of significant changes to planned deliverables or system functions over the life of the project. Project staff will periodically brief the committees or the committees' staff on system security and data protection measures.

(2) \$5,059,000 of the motor vehicle account—state appropriation is provided solely for replacing prorated and fuel tax computer systems used to administer interstate licensing and the collection of fuel tax revenues.

(3) \$3,714,000 of the highway safety account—state appropriation is provided solely for the implementation of an updated central issuance system.

(4) \$3,082,000 of the highway safety account—state appropriation is provided solely for exam and licensing activities, including the workload associated with providing driver record abstracts, and is subject to the following additional conditions and limitations:

(a) The department may furnish driving record abstracts only to those persons or entities expressly authorized to receive the abstracts under Title 46 RCW;

(b) The department may furnish driving record abstracts only for an amount that does not exceed the specified fee amounts in RCW 46.52.130 (2)(e)(v) and (4); and

(c) The department may not enter into a contract, or otherwise participate in any arrangement, with a third party or other state agency for any service that results in an additional cost, in excess of the fee amounts specified in RCW 46.52.130 (2)(e)(v) and (4), to statutorily authorized persons or entities purchasing a driving record abstract.

(5) The department when modernizing its computer systems must place personal and company data elements in separate data fields to allow the department to select discrete data elements when providing information or data to persons or entities outside the department. This requirement must be included as part of the systems design in the department's business and technology modernization. A person's photo, social security number, or medical information must not be made available through public disclosure or data being provided under RCW 46.12.630 or 46.12.635.

(6) Within existing resources and in consultation with the traffic safety commission, the Washington state patrol, and a representative of the insurance industry and the professional driving school association, the department must review options and make recommendations on strategies for addressing young and high-risk drivers. The recommendations must consider the findings of Washington state's strategic highway safety plan, Target Zero, and must include an analysis of expanding traffic safety education to eighteen to twenty-four year olds that have not taken a traffic safety course and drivers that have been convicted of high-risk behavior, such as driving under the influence of drugs and alcohol and reckless driving. An overview of the work conducted and the recommendations are due to the transportation committees of the legislature and the governor by December 31, 2015.

(7) \$57,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter ((. . . (Substitute House Bill No. 1157))) 1, Laws of 2015 ((or chapter . . . (Substitute Senate Bill No. 5025), Laws of 2015)) 2nd sp. sess. (quick title service fees). ((If both chapter . . . (Substitute House Bill No. 1157), Laws of 2015 and chapter . . . (Substitute Senate Bill No. 5025), Laws of 2015 are not enacted by June 30, 2015, the amount provided in this subsection lapses.))

(8) \$283,000 of the highway safety account—state appropriation and \$33,000 of the ignition interlock device revolving account—state appropriation are provided solely for the implementation of chapter ((. . . (Engrossed Second Substitute House Bill No. 1276))) 3, Laws of 2015 2nd sp. sess. (impaired driving). ((If chapter . . . (Engrossed Second Substitute House Bill No. 1276), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.

(9) \$63,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute Senate Bill No. 5656), Laws of 2015 (distracted driving). If chapter . . . (Engrossed Substitute Senate Bill No. 5656), Laws of 2015 is not enacted by June 30, 2015, the amount provided in this subsection lapses.))

(9) \$4,000,000 of the motor vehicle account—state appropriation is provided solely for implementation of chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

(10) \$335,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Substitute House Bill No. 2942), Laws of 2016 or chapter . . . (Senate Bill No. 6591), Laws of 2016 (nondomiciled commercial drivers' licenses). If both chapter . . . (Substitute House Bill No. 2942), Laws of 2016 and chapter . . . (Senate Bill No. 6591), Laws of 2016 are not enacted by June 30, 2016, the amount provided in this subsection lapses.

(11) \$2,421,000 of the highway safety account—state appropriation is provided solely for costs necessary to accommodate increased demand for enhanced drivers' licenses and enhanced identicards. The office of financial management shall place the entire amount provided in this subsection in unallotted status. The office of financial management may release portions of the funds when it determines that average wait times have increased by more than two minutes based on wait time and volume data provided by the department compared to average wait times and volume during the month of December 2015. The department and the office of financial management shall evaluate the use of these funds on a monthly basis and periodically report to the transportation committees of the legislature on average wait times and volume data for enhanced drivers' licenses and enhanced identicards.

(12) \$43,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Senate Bill No. 6200), Laws of 2016 (Washington's fish collection license plate). If chapter . . . (Senate Bill No. 6200), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

(13) \$388,000 of the highway safety account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 (impaired driving). If chapter . . . (Engrossed Substitute House Bill No. 2700), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

(14) \$29,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 (Purple Heart license plate). If chapter . . . (Substitute Senate Bill No. 6254), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

(15) \$20,000 of the motor vehicle account—state appropriation is provided solely for the implementation of chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 (alternative fuel vehicles). If chapter . . . (Engrossed Substitute House Bill No. 2778), Laws of 2016 is not enacted by June 30, 2016, the amount provided in this subsection lapses.

Sec. 209. 2015 1st sp.s. c 10 s 209 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TOLL OPERATIONS AND MAINTENANCE—
PROGRAM B**

High Occupancy Toll Lanes Operations Account—State	
Appropriation	(\$2,688,000)
	<u>\$3,185,000</u>
Motor Vehicle Account—State Appropriation....	(\$503,000)
	<u>\$510,000</u>
State Route Number 520 Corridor Account—State	
Appropriation	(\$39,543,000)
	<u>\$39,029,000</u>
State Route Number 520 Civil Penalties Account—State	
Appropriation	(\$6,703,000)
	<u>\$6,008,000</u>

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

Tacoma Narrows Toll Bridge Account—State	
Appropriation.....	(\$25,660,000)
	<u>\$26,636,000</u>
Interstate 405 Express Toll Lanes Operations	
Account—State Appropriation.....	(\$9,931,000)
	<u>\$15,552,000</u>
TOTAL APPROPRIATION	\$85,028,000
	<u>\$90,920,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,300,000 of the Tacoma Narrows toll bridge account—state appropriation and \$8,157,000 of the state route number 520 corridor account—state appropriation are provided solely for the purposes of addressing unforeseen operations and maintenance costs on the Tacoma Narrows bridge and the state route number 520 bridge, respectively. The office of financial management shall place the amounts provided in this section, which represent a portion of the required minimum fund balance under the policy of the state treasurer, in unallotted status. The office may release the funds only when it determines that all other funds designated for operations and maintenance purposes have been exhausted.

(2) \$4,778,000 of the state route number 520 civil penalties account—state appropriation and \$2,065,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for expenditures related to the toll adjudication process. The department shall report on the civil penalty process to the office of financial management and the house of representatives and senate transportation committees by the end of each calendar quarter. The reports must include a summary table for each toll facility that includes: The number of notices of civil penalty issued; the number of recipients who pay before the notice becomes a penalty; the number of recipients who request a hearing and the number who do not respond; workload costs related to hearings; the cost and effectiveness of debt collection activities; and revenues generated from notices of civil penalty.

(3) The department shall make detailed quarterly expenditure reports available to the transportation commission and to the public on the department's web site using current department resources. The reports must include a summary of toll revenue by facility on all operating toll facilities and high occupancy toll lane systems, and an itemized depiction of the use of that revenue.

(4) \$3,100,000 of the Interstate 405 express toll lanes operations account—state appropriation, \$1,498,000 of the state route number 520 corridor account—state appropriation, and ~~(\$1,291,000)~~ \$1,802,000 of the high occupancy toll lanes operations account—state appropriation are provided solely for the operation and maintenance of roadside toll collection systems.

(5) ~~(\$6,831,000)~~ \$12,202,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for operational costs related to the express toll lane facility, including the customer service center vendor, transponders, credit card fees, printing and postage, rent, office supplies, telephone and communications equipment, computers, and vehicle operations. Within the amount provided in this subsection, the department must, to the greatest extent possible, without adding additional tolling gantries, continue to expand the length of the access and exit points to the express toll lanes, clarify signage and striping to eliminate confusion, and make other operational and customer service improvements to enhance the public's use of the toll facility. The office of financial management shall place \$5,371,000 of the amount provided in this subsection in unallotted status. The office of financial management may release funds to the department on a monthly basis beginning July 1, 2016; however, the amount to be released monthly must be calculated to address the department's projected expenditure need

based on the previous month's actual expenditures, financial statement, actual toll transaction experience, and actual revenue collections for the Interstate 405 express toll lanes facility. Prior to releasing any funding from unallotted status, the office of financial management shall notify the joint transportation committee of the amount to be released and provide the documentation used in determining the amount.

(6) \$250,000 of the Interstate 405 express toll lanes operations account—state appropriation is provided solely for the identification and prioritization of projects that will help reduce congestion and provide added capacity on the Interstate 405 tolling corridor between state route number 522 and Interstate 5.

(7) The department must provide quarterly reports to the transportation committees of the legislature on the Interstate 405 express toll lane project performance measures listed in RCW 47.56.880(4). These reports must include:

(a) Information on the travel times and travel time reliability (at a minimum, average and 90th percentile travel times) maintained during peak and nonpeak periods in the express toll lanes and general purpose lanes for both the entire corridor and commonly made trips in the corridor including, but not limited to, northbound from Bellevue to Rose Hill, state route number 520 at NE 148th to Interstate 405 at state route number 522, Bellevue to Bothell (both NE 8th to state route number 522 and NE 8th to state route number 527), and a trip internal to the corridor (such as NE 85th to NE 160th) and similar southbound trips;

(b) A month-to-month comparison of travel times and travel time reliability for the entire corridor and commonly made trips in the corridor as specified in (a) of this subsection since implementation of the express toll lanes and, to the extent available, a comparison to the travel times and travel time reliability prior to implementation of the express toll lanes;

(c) Total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane (i) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, on this segment of Interstate 405 prior to implementation of the express toll lanes and (ii) compared to total express toll lane and total general purpose lane traffic volumes, as well as per lane traffic volumes for each type of lane, from month to month since implementation of the express toll lanes; and

(d) Underlying congestion measurements, that is, speeds, that are being used to generate the summary graphs provided, to be made available in a digital file format.

(8) \$56,000 of the high occupancy toll lanes operations account—state appropriation, \$1,124,000 of the state route number 520 corridor account—state appropriation, and \$596,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely for the department to develop a request for proposal((s)) for a new tolling customer service center.

(a) The department must address the replacement of the Wave2Go ferry ticketing system that is reaching the end of its useful life by developing functional and technical requirements that integrate Washington state ferries ticketing into the new tolling division customer service center toll collection system. The department shall continue to report quarterly to the governor, legislature, and state auditor on: (((a))) (i) The department's effort to mitigate risk to the state, (((b))) (ii) the development of a request for proposal((s)), and (((c))) (iii) the overall progress towards procuring a new tolling customer service center.

(b) The department shall release a request for proposal for a new tolling customer service toll collection system by December 1, 2016.

(i) During the request for proposal development process and prior to its release, the office of financial management shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

- (A) Provides for the business needs of the state; and
- (B) Mitigates risk to the state.

(ii) During development of the request for proposal and prior to its release, the office of the chief information officer shall review the request for proposal for a new tolling customer service toll collection system to ensure the request for proposal:

- (A) Contains requirements that meet the security standards and policies of the office of the chief information officer; and
- (B) Is flexible and adaptable to advances in technology.

(c)(i) Prior to commencement of the new tolling customer service toll collection system implementation, the department shall submit a draft project management plan to the office of financial management and the office of the chief information officer that includes a provision for independent verification and validation of contract deliverables from the successful bidder and a provision for quality assurance that includes reporting independently to the office of the chief information officer on an ongoing basis during system implementation;

(ii) The office of financial management and the office of the chief information officer shall review the draft project management plan to ensure that it contains adequate contract management and quality assurance measures.

(iii) The department shall submit the project management plan to the transportation committees of the legislature prior to the commencement of system implementation.

((7)) (9) The department shall make detailed quarterly reports to the governor and the transportation committees of the legislature on the following:

(a) The use of consultants in the tolling program, including the name of the contractor, the scope of work, the type of contract, timelines, deliverables, any new task orders, and any extensions to existing consultant contracts;

(b) The nonvendor costs of administering toll operations, including the costs of staffing the division, consultants and other personal service contracts required for technical oversight and management assistance, insurance, payments related to credit card processing, transponder purchases and inventory management, facility operations and maintenance, and other miscellaneous nonvendor costs; and

(c) The vendor-related costs of operating tolled facilities, including the costs of the customer service center, cash collections on the Tacoma Narrows bridge, electronic payment processing, and toll collection equipment maintenance, renewal, and replacement.

((8)) (10) \$5,000 of the motor vehicle account—state appropriation is provided solely for membership dues for the alliance for toll interoperability.

((9) \$1,925,000) (11) \$1,230,000 of the state route number 520 civil penalties account—state appropriation ((is)) and \$695,000 of the Tacoma Narrows toll bridge account—state appropriation are provided solely to implement chapter ((. . . (Substitute Senate Bill No. 5481))) 292, Laws of 2015 (tolling customer service reform) to improve integration between the Good to Go! electronic tolling system with the pay-by-mail system through increased communication with customers and improvements to the Good to Go! web site allowing customers to manage all of their toll accounts regardless of method of payment. Within the amounts provided, the department must include in the request for proposals for a new customer service center the requirement that the new tolling customer service center link to the vehicle records system of the department of licensing to enable vehicle record updates that relate to tolling customer

accounts to occur between the two systems seamlessly. The department must work with the department of licensing to develop the appropriate specifications to include in the request for proposals to allow the new tolling customer service center to link to the vehicle records system without cost to the department of licensing and report to the transportation committees of the legislature when the appropriate specifications have been completed. By June 30, 2017, the department shall report how many people with Good to Go! accounts were issued civil penalties for each toll facility and whether the number was reduced each fiscal year in the biennium. The department shall also report on the number of customer contacts that occur, number of civil penalties reduced or waived, the amount of the total civil penalties that are waived, and the number of customers that are referred to the administrative law judge process during the biennium.

Sec. 210. 2015 1st sp.s. c 10 s 210 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
INFORMATION TECHNOLOGY—PROGRAM C**

Transportation Partnership Account—State	
Appropriation	\$1,460,000
Motor Vehicle Account—State Appropriation(((\$67,458,000))	
	<u>\$69,291,000</u>
Multimodal Transportation Account—State	
Appropriation	\$2,883,000
Transportation 2003 Account (Nickel Account)—State	
Appropriation	\$1,460,000
Puget Sound Ferry Operations Account—State	
Appropriation	\$263,000
TOTAL APPROPRIATION	<u>\$73,524,000</u>
	<u>\$75,357,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,460,000 of the transportation partnership account—state appropriation and \$1,460,000 of the transportation 2003 account (nickel account)—state appropriation are provided solely for maintaining the department's project management reporting system.

(2) \$250,000 of the motor vehicle account—state appropriation is provided solely for the development of a timeline and funding plan for the labor system replacement project. As part of its 2017-2019 biennial budget submittal, and in coordination with the office of financial management and the office of the chief information officer, the department shall submit a timeline and funding plan for the labor system replacement project. The plan must identify a timeline and all one-time and ongoing costs for the integration of all headquarters, regional, and marine employees into the new labor system.

Sec. 211. 2015 1st sp.s. c 10 s 211 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
FACILITY MAINTENANCE, OPERATIONS, AND
CONSTRUCTION—PROGRAM D—OPERATING**

Motor Vehicle Account—State Appropriation(((\$27,098,000))	
	<u>\$27,609,000</u>
State Route Number 520 Corridor Account—State	
Appropriation	\$34,000
TOTAL APPROPRIATION	<u>\$27,132,000</u>
	<u>\$27,643,000</u>

Sec. 212. 2015 3rd sp.s c 43 s 606 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
AVIATION—PROGRAM F**

Aeronautics Account—State Appropriation	(((\$8,143,000))
	<u>\$8,628,000</u>

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

Aeronautics Account—Federal Appropriation.....	\$4,100,000
Aeronautics Account—Private/Local Appropriation ..	\$60,000
TOTAL APPROPRIATION	\$12,303,000
	<u>\$12,788,000</u>

The appropriations in this section are subject to the following conditions and limitations: ((\$4,137,000)) \$4,557,000 of the aeronautics account—state appropriation is provided solely for airport investment studies and the airport aid grant program, which provides competitive grants to public airports for pavement, safety, maintenance, planning, and security. ((Of this amount, \$637,000 lapses if chapter . . . (Substitute Senate Bill No. 5324), Laws of 2015 3rd sp. sess. (aircraft excise taxes) is not enacted by July 31, 2015, chapter . . . (Substitute Senate Bill No. 6057) Laws of 2015 3rd sp. sess. (relating to revenue) is not enacted by July 31, 2015, and an expenditure to the aeronautics account is not provided in the 2015-2017 omnibus appropriations act by July 31, 2015.))

Sec. 213. 2015 1st sp.s. c 10 s 213 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PROGRAM DELIVERY MANAGEMENT AND
SUPPORT—PROGRAM H**

Motor Vehicle Account—State Appropriation(((\$52,070,000))	
	<u>\$53,911,000</u>
Motor Vehicle Account—Federal Appropriation	\$500,000
Multimodal Transportation Account—State	
Appropriation.....	\$250,000
TOTAL APPROPRIATION	\$52,820,000
	<u>\$54,661,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The real estate services division of the department must recover the cost of its efforts from sale proceeds and fund additional future sales from those proceeds.

(2) The legislature recognizes that the trail known as the Rocky Reach Trail, and its extensions, serve to separate motor vehicle traffic from pedestrians and bicyclists, increasing motor vehicle safety on state route number 2 and the coincident section of state route number 97. Consistent with chapter 47.30 RCW and pursuant to RCW 47.12.080, the legislature declares that transferring portions of WSDOT Inventory Control (IC) No. 2-09-04686 containing the trail and associated buffer areas to the Washington state parks and recreation commission is consistent with the public interest. The legislature directs the department to transfer the property to the Washington state parks and recreation commission.

(a) The department must be paid fair market value for any portions of the transferred real property that is later abandoned, vacated, or ceases to be publicly maintained for trail purposes.

(b) Prior to completing the transfer in this subsection (2), the department must ensure that provisions are made to accommodate private and public utilities and any facilities that predate the department's acquisition of the property, at no cost to those entities. Prior to completing the transfer, the department shall also ensure that provisions, by fair market assessment, are made to accommodate other private and public utilities and any facilities that have been legally allowed by permit or other instrument.

(c) The department may sell any adjoining property that is not necessary to support the Rocky Reach Trail and adjacent buffer areas only after the transfer of trail-related property to the Washington state parks and recreation commission is complete. Adjoining property owners must be given the first opportunity to acquire such property that abuts their property, and applicable boundary line or other adjustments must be made to the legal descriptions for recording purposes.

(3) \$250,000 of the motor vehicle account—state appropriation is provided solely for training intended to retain a knowledgeable and competent core technical staff in the changing environment of highway project design and construction and to provide for the efficient and effective delivery and oversight of projects. The training must focus on the following areas:

(a) Training appropriate staff in regard to coordinating and administrating projects with private sector designers and builders for projects delivered by the design-build construction process;

(b) Training on community engagement to provide project managers with the skills necessary to develop personal relations with the leaders of the affected community to blend project needs with the needs of the community, while providing fair treatment and involvement of community groups and individuals regarding elements of a project subject to environmental regulations, laws, and policies;

(c) Training for partnering and team building skills to avoid conflict and reduce construction claims that arise in contract administration; and

(d) Technical design training required in the fields of hydraulics, hydrology, and storm water abatement, and other fields in support of projects dealing with the fish passage program and highway runoff treatment.

Sec. 214. 2015 1st sp.s. c 10 s 214 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
ECONOMIC PARTNERSHIPS—PROGRAM K**

Motor Vehicle Account—State Appropriation.... (((\$582,000))	
	<u>\$600,000</u>

<u>Electric Vehicle Charging Infrastructure</u>	
<u>Account—State Appropriation</u>	<u>\$1,000,000</u>
TOTAL APPROPRIATION	\$1,600,000

The appropriations in this section ((is)) are subject to the following conditions and limitations:

(1) The economic partnerships program must continue to explore retail partnerships at state-owned park and ride facilities, as authorized in RCW 47.04.295.

(2)(a) Within the amounts provided in this section, the economic partnership program shall consult with the department's tolling division and participate in the division's ongoing efforts to reduce the costs associated with the Tacoma Narrows bridge. This participation must include examining opportunities for the state to contract with one or more private sector partners to collect tolls and provide services to drivers crossing the bridge.

(b) The economic partnership program shall provide a report to the transportation committees of the legislature by January 1, 2017, containing the results of its work with the department's tolling division. The report must include information on additional opportunities that have been examined by the economic partnership program and the department's tolling division for the state to contract with one or more private sector partners to collect tolls and provide services to drivers crossing the Tacoma Narrows bridge. The report must provide information on the feasibility of each type of private sector partnering opportunity examined, including the potential benefits and drawbacks of each, as well as any legal, operational, and other potential barriers that have been identified. The department must address its evaluation of leasing the Tacoma Narrows bridge toll facility and land to concessionaires. The economic partnership program should include a recommendation on which, if any, of the examined opportunities shows sufficient promise to warrant further investigation based on criteria for evaluation recommended by the economic partnership program and the department's tolling division that have been clearly identified in the report.

(3) \$1,000,000 of the electric vehicle charging infrastructure account—state appropriation is provided solely for the purpose of capitalizing the Washington electric vehicle infrastructure bank as provided in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue).

Sec. 215. 2015 1st sp.s. c 10 s 215 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY MAINTENANCE—PROGRAM M

Motor	Vehicle	Account—State
Appropriation		((\$397,329,000))
		<u>\$418,524,000</u>
Motor Vehicle Account—Federal Appropriation ..		\$7,000,000
Tacoma Narrows Toll Bridge Account—State		
Appropriation.....		((\$1,768,000))
		<u>\$1,235,000</u>
State Route Number 520 Corridor Account—State		
Appropriation.....		\$4,448,000
		<u>\$410,545,000</u>
		<u>\$431,207,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ((\$2,605,000)) \$6,091,000 of the motor vehicle account—state appropriation is provided solely for utility fees assessed by local governments as authorized under RCW 90.03.525 for the mitigation of storm water runoff from state highways.

(2) \$4,448,000 of the state route number 520 corridor account—state appropriation is provided solely to maintain the state route number 520 floating bridge. These funds must be used in accordance with RCW 47.56.830(3).

(3) ((\$1,768,000)) \$1,235,000 of the Tacoma Narrows toll bridge account—state appropriation is provided solely to maintain the new Tacoma Narrows bridge. These funds must be used in accordance with RCW 47.56.830(3).

(4) When regional transit authority construction activities are visible from a state highway, the department shall allow the regional transit authority to place safe and appropriate signage informing the public of the purpose of the construction activity.

(5) The department must make signage for low-height bridges a high priority.

(6) \$25,000 of the motor vehicle account—state appropriation is provided solely for the Northwest avalanche center for an additional forecaster. However, the amount in this subsection is contingent on the state parks and recreation commission receiving funding for its portion of the Northwest avalanche center forecaster in the omnibus appropriations act. If this funding is not provided by June 30, 2016, the appropriation provided in this subsection lapses.

(7) \$1,000,000 of the motor vehicle account—state appropriation is provided solely for safety improvements and operations relating to homeless encampments along Interstate 5 between milepost 162 and milepost 165. The department shall coordinate the timing of the safety improvements with the city of Seattle and King county to ensure that a collaborative and comprehensive approach is taken to address emergency conditions in support of the city's transitional services.

(8) \$100,000 of the motor vehicle account—state appropriation is provided solely for the department to submit a request for proposals as part of a pilot project that explores the use of rotary auger ditch cleaning and reshaping service technology in maintaining roadside ditches for state highways. The pilot project must consist of at least one technology test on each side of the Cascade mountain range.

Sec. 216. 2015 1st sp.s. c 10 s 216 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—OPERATING

<u>Connecting</u>	<u>Washington</u>	<u>Account—State</u>
<u>Appropriation</u>		<u>\$30,000</u>
Motor Vehicle Account—State Appropriation((\$51,572,000))		<u>\$57,622,000</u>
Motor Vehicle Account—Federal Appropriation..		\$2,050,000
Motor	Vehicle	Account—Private/Local
Appropriation		\$250,000
	TOTAL APPROPRIATION.....	<u>\$53,872,000</u>
		<u>\$59,952,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,000,000 of the motor vehicle account—state appropriation is provided solely for low-cost enhancements. The department shall give priority to low-cost enhancement projects that improve safety or provide congestion relief. The department shall prioritize low-cost enhancement projects on a statewide rather than regional basis. By September 1st of each even-numbered year, the department shall provide a report to the legislature listing all low-cost enhancement projects prioritized on a statewide rather than regional basis completed in the prior year.

(2) During the 2015-2017 fiscal biennium, the department shall continue a pilot program that expands private transportation providers' access to high occupancy vehicle lanes. Under the pilot program, when the department reserves a portion of a highway based on the number of passengers in a vehicle, the following vehicles must be authorized to use the reserved portion of the highway if the vehicle has the capacity to carry eight or more passengers, regardless of the number of passengers in the vehicle: (a) Auto transportation company vehicles regulated under chapter 81.68 RCW; (b) passenger charter carrier vehicles regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; (c) private nonprofit transportation provider vehicles regulated under chapter 81.66 RCW; and (d) private employer transportation service vehicles. For purposes of this subsection, "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees. Nothing in this subsection is intended to authorize the conversion of public infrastructure to private, for-profit purposes or to otherwise create an entitlement or other claim by private users to public infrastructure.

(3) The legislature recognizes that congestion is increasing on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station, and that allowing transit buses to operate on the shoulder would provide congestion relief and more reliable travel times. Therefore, the department shall, within existing resources, implement a transit bus shoulder operations pilot project on southbound Interstate 5 in Lynnwood, between the Lynnwood transit center and the Mountlake Terrace freeway station. The department shall make all necessary changes to handle the increased traffic and provide a ten-foot shoulder for the transit bypass.

(4) \$30,000 of the connecting Washington account—state appropriation is provided solely for the department to create and install motorist information sign panels for the Jerry Taylor Veterans Plaza in Sunnyside along the state-owned right-of-way near exits 63, 67, and 69 on Interstate 182 and on state route number 241 near the junction with Yakima Valley highway and to install supplemental directional signs as permitted by the affected local government and in accordance with the "Manual on Uniform Traffic Control Devices" and chapter 47.36 RCW.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(5) The department shall implement Senate Joint Memorial No. 8019 within existing resources if Senate Joint Memorial No. 8019 is enacted by the legislature by June 30, 2016, and the Washington state transportation commission takes action to name the facility per Senate Joint Memorial No. 8019 by June 30, 2017.

Sec. 217. 2015 1st sp.s. c 10 s 217 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION MANAGEMENT AND SUPPORT—
PROGRAM S**

Motor Vehicle Account—State Appropriation	(\$27,842,000)
	<u>\$29,625,000</u>
Motor Vehicle Account—Federal Appropriation	(\$280,000)
	<u>\$1,205,000</u>
Multimodal Transportation Account—State Appropriation	\$1,131,000
TOTAL APPROPRIATION	<u>\$29,253,000</u>
	<u>\$31,961,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$288,000 of the motor vehicle account—state appropriation is provided solely for enhanced disadvantaged business enterprise outreach to increase the pool of disadvantaged businesses available for department contracts and to collaborate with the department of labor and industries to recruit women and persons of color to participate in existing transportation apprenticeship programs. The department must submit a status report on disadvantaged business enterprise outreach and apprenticeship recruitment to the transportation committees of the legislature by November 15, 2015.

(2) \$3,000,000 of the motor vehicle account—state appropriation is provided solely for the headquarters communications office. Within the amount provided in this subsection, the department shall complete the web content management system and upgrade the department's web site.

(3) \$750,000 of the motor vehicle account—state appropriation is provided solely for a grant program that makes awards for the following: (a) Support for nonproject agencies, churches, and other entities to help provide outreach to populations underrepresented in the current apprenticeship programs; (b) preapprenticeship training; and (c) child care, transportation, and other supports that are needed to help women and minorities enter and succeed in apprenticeship. The department must report on grants that have been awarded and the amount of funds disbursed by December 1, 2016, and annually thereafter.

(4)(a) During the 2015-2017 fiscal biennium, the department may proceed with the pilot project selling commercial advertising, including product placement, on department web sites and social media. In addition, the department may sell a version of its mobile application(s) to users who desire to have access to application(s) without advertising.

(b) The department shall deposit all moneys received from the sale of advertisements on web site and mobile applications into the motor vehicle fund created in RCW 46.68.070.

(c) The department shall adopt standards for advertising, product placement, and other forms of commercial recognition that require the department to define and prohibit, at a minimum, the content containing any of the following characteristics, which is not permitted: (i) Obscene, indecent, or discriminatory content; (ii) political or public issue advocacy content; (iii) products, services, or other materials that are offensive, insulting, disparaging, or degrading; or (iv) products, services, or messages that are contrary to the public interest, including any advertisements that encourage or depict unsafe behaviors or

encourage unsafe or prohibited driving activities. Alcohol, tobacco, and cannabis are included among the products prohibited.

Sec. 218. 2015 1st sp.s. c 10 s 218 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
TRANSPORTATION PLANNING, DATA, AND
RESEARCH—PROGRAM T**

Motor Vehicle Account—State Appropriation	(\$21,374,000)
	<u>\$22,717,000</u>
Motor Vehicle Account—Federal Appropriation	(\$24,885,000)
	<u>\$26,342,000</u>
Multimodal Transportation Account—State Appropriation	\$662,000
Multimodal Transportation Account—Federal Appropriation	\$2,809,000
Multimodal Transportation Account—Private/Local Appropriation	\$100,000
TOTAL APPROPRIATION	<u>\$49,830,000</u>
	<u>\$52,630,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$368,000 of the motor vehicle account—state appropriation is provided solely for the purchase of an economic impact model. The department shall work with appropriate local jurisdictions to improve consistency between existing and planned transportation demand models. The department shall report back to the transportation committees of the legislature and the office of financial management by December 31, 2015, with any recommendations requiring legislative action.

(2) \$1,000,000 of the motor vehicle account—federal appropriation is provided solely for the corridor sketch program. Priority must be given to the state route number 522 corridor between Maltby and the Snohomish river bridge. Initial corridors must also include state route number 195, Interstate 5 between Bellingham and the vicinity of Mount Vernon, state route number 160 in the vicinity of Port Orchard, and state route number 28 in the vicinity of East Wenatchee.

(3) Within existing resources, the department shall conduct a traffic and access study of the intersection of the Interurban trail and state route number 104. Options to improve safety at this location must include consideration of a pedestrian and bike overcrossing.

(4)(a) The department must update the state freight mobility plan to comply with the requirements in section 70202 of the federal fixing America's surface transportation act. In updating the state freight mobility plan, the department must involve key freight stakeholders, such as representatives of public ports, the trucking industry, railroads, the marine industry, local governments and planning organizations, the Washington state freight advisory committee, and other freight stakeholders. The updated plan must delete any obsolete project references from the prioritized freight project list.

(b) The department, in conjunction with the stakeholder group, must provide a list of prioritized projects for consideration for funding in the 2017-2019 fiscal biennium. The prioritized list must have approval from all impacted stakeholders. The prioritized list must be submitted to the office of financial management and the transportation committees of the legislature by November 1, 2016.

(5) Within existing resources, the department must evaluate how light pollution from state highways and facilities can be minimized while still meeting appropriate safety standards. Additionally, the department must evaluate how budget savings

can be achieved through different types of lighting. To the extent practicable, the department must conduct this work in conjunction with other ongoing study and corridor planning efforts.

(6) Within existing resources, the transportation planning program, with assistance from the rail program and other programs as needed, shall prepare a report that outlines the state's options for addressing the removal of the Eastside Freight railroad line, which runs from the city of Snohomish to the city of Woodinville, authorized under the rail banking provisions of federal law. This report must evaluate options by which the state may facilitate the preservation and maintenance of the Eastside Freight railroad line, in consideration of what is currently permitted under federal law. The report must address, but is not limited to: What, if any, legal authority the state has to affect projects currently underway in or planned for the Eastside Freight railroad line; whether state acquisition of specific property rights on the Eastside Freight railroad line is permitted under federal law and, if so, whether it could be beneficial to or would be necessary for the preservation and maintenance of the Eastside Freight railroad line; and the extent to which the state may otherwise encourage the preservation of the Eastside Freight railroad line. The report must include sufficient details on each option presented to support its evaluation, as well as the potential benefits and estimated costs associated with options presented that are permissible under federal law. The evaluation of potential benefits must be conducted in the context of current state rail policy, including RCW 47.76.240. The department must submit the report to the transportation committees of the legislature by December 1, 2016.

(7) \$150,000 of the motor vehicle account—state appropriation is provided solely for a safety study of state route number 169 from Jones Road to Cedar Grove. The department must consider collision data and work with local stakeholders to make recommendations for safety improvements in the corridor. A report on the study is due to the transportation committees of the legislature by December 31, 2016.

Sec. 219. 2015 1st sp.s. c 10 s 219 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
CHARGES FROM OTHER AGENCIES—PROGRAM U**

Motor Vehicle Account—State Appropriation	(\$75,700,000)
	<u>\$74,666,000</u>
Motor Vehicle Account—Federal Appropriation \$500,000
Multimodal Transportation Account—State Appropriation	(\$3,243,000)
	<u>\$3,115,000</u>
TOTAL APPROPRIATION \$79,443,000
	<u>\$78,281,000</u>

~~((The appropriations in this section are subject to the following conditions and limitations: The department of enterprise services must provide a detailed accounting of the revenues and expenditures of the self insurance fund to the transportation committees of the legislature on December 31st and June 30th of each year.))~~

Sec. 220. 2015 1st sp.s. c 10 s 220 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PUBLIC TRANSPORTATION—PROGRAM V**

State Vehicle Parking Account—State Appropriation \$754,000
Regional Mobility Grant Program Account—State Appropriation	(\$60,000,000)
	<u>\$74,976,000</u>
Rural Mobility Grant Program Account—State Appropriation	(\$17,000,000)
	<u>\$20,438,000</u>

Multimodal Transportation Account—State Appropriation	(\$50,546,000)
	<u>\$72,930,000</u>
Multimodal Transportation Account—Federal Appropriation	(\$3,242,000)
	<u>\$3,588,000</u>
TOTAL APPROPRIATION \$131,542,000
	<u>\$172,686,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~(\$35,000,000)~~ \$41,250,000 of the multimodal transportation account—state appropriation is provided solely for a grant program for special needs transportation provided by transit agencies and nonprofit providers of transportation. Of this amount:

(a) ~~(\$7,500,000)~~ \$8,750,000 of the multimodal transportation account—state appropriation is provided solely for grants to nonprofit providers of special needs transportation. Grants for nonprofit providers must be based on need, including the availability of other providers of service in the area, efforts to coordinate trips among providers and riders, and the cost effectiveness of trips provided.

(b) ~~(\$27,500,000)~~ \$32,500,000 of the multimodal transportation account—state appropriation is provided solely for grants to transit agencies to transport persons with special transportation needs. To receive a grant, the transit agency must, to the greatest extent practicable, have a maintenance of effort for special needs transportation that is no less than the previous year's maintenance of effort for special needs transportation. Grants for transit agencies must be prorated based on the amount expended for demand response service and route deviated service in calendar year 2013 as reported in the "Summary of Public Transportation - 2013" published by the department of transportation. No transit agency may receive more than thirty percent of these distributions.

(2) ~~(\$17,000,000)~~ \$20,438,000 of the rural mobility grant program account—state appropriation is provided solely for grants to aid small cities in rural areas as prescribed in RCW 47.66.100.

(3)(a) ~~(\$6,000,000)~~ \$6,969,000 of the multimodal transportation account—state appropriation is provided solely for a vanpool grant program for: (i) Public transit agencies to add vanpools or replace vans; and (ii) incentives for employers to increase employee vanpool use. The grant program for public transit agencies will cover capital costs only; operating costs for public transit agencies are not eligible for funding under this grant program. Additional employees may not be hired from the funds provided in this section for the vanpool grant program, and supplanting of transit funds currently funding vanpools is not allowed. The department shall encourage grant applicants and recipients to leverage funds other than state funds.

(b) At least \$1,600,000 of the amount provided in this subsection must be used for vanpool grants in congested corridors.

(c) \$400,000 of the amount provided in this subsection is provided solely for the purchase of additional vans for use by vanpools serving or traveling through the Joint Base Lewis-McChord I-5 corridor between mile post 116 and 127.

(4) ~~(\$10,000,000)~~ \$18,726,000 of the regional mobility grant program account—state appropriation is reappropriated and provided solely for the regional mobility grant projects identified in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Public Transportation Program (V).

(5)(a) ~~(\$50,000,000)~~ \$56,250,000 of the regional mobility grant program account—state appropriation is provided solely for

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

the regional mobility grant projects identified in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Public Transportation Program (V). The department shall review all projects receiving grant awards under this program at least semiannually to determine whether the projects are making satisfactory progress. Any project that has been awarded funds, but does not report activity on the project within one year of the grant award, must be reviewed by the department to determine whether the grant should be terminated. The department shall promptly close out grants when projects have been completed, and any remaining funds must be used only to fund projects identified in the LEAP transportation document referenced in this subsection. The department shall provide annual status reports on December 15, 2015, and December 15, 2016, to the office of financial management and the transportation committees of the legislature regarding the projects receiving the grants. It is the intent of the legislature to appropriate funds through the regional mobility grant program only for projects that will be completed on schedule. A grantee may not receive more than twenty-five percent of the amount appropriated in this subsection. The department shall not approve any increases or changes to the scope of a project for the purpose of a grantee expending remaining funds on an awarded grant.

(b) In order to be eligible to receive a grant under (a) of this subsection during the 2015-2017 fiscal biennium, a transit agency must establish a process for private transportation providers to apply for the use of park and ride facilities. For purposes of this subsection, (i) "private transportation provider" means: An auto transportation company regulated under chapter 81.68 RCW; a passenger charter carrier regulated under chapter 81.70 RCW, except marked or unmarked stretch limousines and stretch sport utility vehicles as defined under department of licensing rules; a private nonprofit transportation provider regulated under chapter 81.66 RCW; or a private employer transportation service provider; and (ii) "private employer transportation service" means regularly scheduled, fixed-route transportation service that is offered by an employer for the benefit of its employees.

(6) Funds provided for the commute trip reduction (CTR) program may also be used for the growth and transportation efficiency center program.

(7) \$5,670,000 of the multimodal transportation account—state appropriation and \$754,000 of the state vehicle parking account—state appropriation are provided solely for CTR grants and activities.

(8) \$200,000 of the multimodal transportation account—state appropriation is contingent on the timely development of an annual report summarizing the status of public transportation systems as identified under RCW 35.58.2796.

(9)(a) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for the Everett connector service for Island and Skagit transit agencies. The amount provided in this subsection is contingent on Island Transit charging fares that achieve a farebox recovery ratio similar to comparable transit systems.

(b) The amount provided in (a) of this subsection must be held in unallotted status until the office of financial management determines that fares have been both adopted and implemented by Island Transit that achieve a farebox recovery ratio similar to comparable transit systems. Island Transit must notify the office of financial management when it has met the requirements of this subsection.

(10)(a) \$13,890,000 of the multimodal transportation account—state appropriation is provided solely for projects identified in LEAP Transportation Document 2016-3 as

developed March 7, 2016. Except as provided otherwise in this subsection, funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects. If a higher priority project is bypassed, it must be funded when the project is ready. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed transit projects that have been funded and projects that have been bypassed, including an estimated time frame for when the bypassed project will be funded.

(b) \$831,000 of the amount provided in (a) of this subsection is provided solely for Skagit transit system enhancements for expenditure in 2015-2017.

(c) \$2,300,000 of the amount provided in (a) of this subsection is provided solely for Island transit's tri-county connector service for expenditure in 2015-2017.

(d) It is the intent of the legislature to provide \$6,000,000 in the 2017-2019 fiscal biennium and \$6,000,000 in the 2019-2021 fiscal biennium for the Spokane Central city line, in addition to the 2015-2017 fiscal biennium funding provided in the LEAP transportation document identified in (a) of this subsection. It is further the intent of the legislature to provide a total of \$10,000,000 over the 2017-2019 and 2019-2021 fiscal biennia for the Northgate transit center pedestrian bridge.

(e) Within existing resources, the public transportation program must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating the delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016.

(11) \$1,000,000 of the multimodal transportation account—state appropriation is provided solely for transit coordination grants.

(12) Within the amounts provided in this section, the public transportation program must conduct a study of public transportation agencies in Washington that provide regional public transportation service outside the boundaries of the agency. The study must consider: (a) The cost to provide these existing regional services, the current source of funds for these services, and the applicable ridership data from these existing regional services; (b) the number of trips removed from the state highway system as a result of these regional services; (c) areas of the state highway system that do not have such regional service available; and (d) potential funding sources at the state level to support a portion of current and potential regional services. The public transportation program must provide a report on its findings and recommendations to the transportation committees of the legislature by November 15, 2016.

Sec. 221. 2015 1st sp.s. c 10 s 221 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—MARINE—PROGRAM X

Puget Sound Ferry Operations Account—State	
Appropriation	((\$483,637,000))
	<u>\$478,319,000</u>
<u>Puget Sound Ferry Operations Account—Federal</u>	
Appropriation	\$5,908,000
Puget Sound Ferry Operations Account—Private/Local	
Appropriation	\$121,000
TOTAL APPROPRIATION.....	\$483,758,000

\$484,348,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The office of financial management budget instructions require agencies to recast enacted budgets into activities. The Washington state ferries shall include a greater level of detail in its 2015-2017 supplemental and 2017-2019 omnibus transportation appropriations act requests, as determined jointly by the office of financial management, the Washington state ferries, and the transportation committees of the legislature. This level of detail must include the administrative functions in the operating as well as capital programs.

(2) Until a reservation system is operational on the San Juan islands inter-island route, the department shall provide the same priority loading benefits on the San Juan islands inter-island route to home health care workers as are currently provided to patients traveling for purposes of receiving medical treatment.

(3) For the 2015-2017 fiscal biennium, the department may enter into a distributor controlled fuel hedging program and other methods of hedging approved by the fuel hedging committee.

(4) ((\$87,036,000)) \$78,306,000 of the Puget Sound ferry operations account—state appropriation is provided solely for auto ferry vessel operating fuel in the 2015-2017 fiscal biennium, which reflect cost savings from a reduced biodiesel fuel requirement and, therefore, is contingent upon the enactment of section 701 ((of this act)), c 10, Laws of 2015 1st sp. sess. The amount provided in this subsection represents the fuel budget for the purposes of calculating any ferry fare fuel surcharge.

(5) When purchasing uniforms that are required by collective bargaining agreements, the department shall contract with the lowest cost provider.

(6) During the 2015-2017 fiscal biennium, the department shall not operate a winter sailing schedule for a time period longer than twelve weeks.

(7) \$496,000 of the Puget Sound ferry operations account—state appropriation is provided solely for ferry terminal traffic control at the Fauntleroy ferry terminal. The department shall utilize existing contracts to provide a uniformed officer to assist with ferry terminal traffic control at the Fauntleroy ferry terminal.

(8) ((\$1,151,000)) \$1,551,000 of the Puget Sound ferry operations account—state appropriation is provided solely for improvements to the reservation system. The department shall actively encourage ferry reservation customers to use the online option for making and changing reservations and shall not use these funds for call center staff.

(9) \$30,000 of the Puget Sound ferry operations account—state appropriation is provided solely for the marine division assistant secretary's designee to the board of pilotage commissioners, who serves as the board chair. As the agency chairing the board, the department shall direct the board chair, in his or her capacity as chair, to require that the report to the governor and chairs of the transportation committees required under RCW 88.16.035(1)(f) be filed by September 1, 2015, and annually thereafter, and that the report include the establishment of policies and procedures necessary to increase the diversity of pilots, trainees, and applicants, including a diversity action plan. The diversity action plan must articulate a comprehensive vision of the board's diversity goals and the steps it will take to reach those goals.

(10) \$5,908,000 of the Puget Sound ferry operations account—federal appropriation is provided solely for vessel maintenance.

(11) \$48,000 of the Puget Sound ferry operations account—state appropriation is provided solely for staff sufficient to allow passenger accessibility aboard the M/V Tokitae to the sun deck

during daylight hours on Saturdays and Sundays of the summer sailing season.

Sec. 222. 2015 1st sp.s. c 10 s 222 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—OPERATING

Multimodal Transportation Account—State	
Appropriation	(\$58,744,000)
	<u>\$59,473,000</u>
Multimodal Transportation Account—Private/Local	
Appropriation	\$45,000
TOTAL APPROPRIATION.....	\$58,789,000
	<u>\$59,518,000</u>

Sec. 223. 2015 1st sp.s. c 10 s 223 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—OPERATING

Motor Vehicle Account—State Appropriation ..		(\$8,986,000)
		<u>\$9,324,000</u>
Motor Vehicle Account—Federal Appropriation ..		\$2,567,000
Multituse Roadway Safety Account—State	Appropriation.....	\$131,000
TOTAL APPROPRIATION.....		\$11,684,000
		<u>\$12,022,000</u>

TRANSPORTATION AGENCIES—CAPITAL

Sec. 301. 2015 1st sp.s. c 10 s 301 (uncodified) is amended to read as follows:

FOR THE FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Freight Mobility Investment Account—State		
Appropriation	(\$8,852,000)	
	<u>\$13,217,000</u>	
Freight Mobility Multimodal Account—State		
Appropriation	(\$9,937,000)	
	<u>\$11,859,000</u>	
Freight Mobility Multimodal Account—Private/Local		
Appropriation	\$1,320,000	
Highway Safety Account—State	Appropriation.....	(\$2,250,000)
		<u>\$2,765,000</u>
Motor Vehicle Account—State Appropriation		\$83,000
Motor Vehicle Account—Federal Appropriation ..		\$3,250,000
TOTAL APPROPRIATION.....		\$25,692,000
		<u>\$32,494,000</u>

Sec. 302. 2015 1st sp.s. c 10 s 302 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE PATROL

State Patrol Highway Account—State	Appropriation.....	(\$5,310,000)
		<u>\$5,895,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) \$250,000 of the state patrol highway account—state appropriation is provided solely for unforeseen emergency repairs on facilities.

(2) \$560,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the roofs of the Shelton academy multipurpose building, Tacoma district office building, Kennewick detachment building, and Ridgefield and Plymouth weigh station buildings.

(3) \$150,000 of the state patrol highway account—state appropriation is provided solely for upgrades to scales at Goldendale required to meet current certification requirements.

(4) \$2,350,000 of the state patrol highway account—state appropriation is provided solely for funding to repair and replace the academy asphalt emergency vehicle operation course.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(5) \$500,000 of the state patrol highway account—state appropriation is provided solely for replacement of generators at Marysville, Baw Faw, Gardner, Pilot Rock, and Ridpath.

(6) \$150,000 of the state patrol highway account—state appropriation is provided solely for painting and caulking in several locations.

(7) \$350,000 of the state patrol highway account—state appropriation is provided solely for pavement preservation at the Wenatchee district office and the Spokane district office.

(8) \$700,000 of the state patrol highway account—state appropriation is provided solely for energy upgrades at two district offices and two detachments.

(9) \$300,000 of the state patrol highway account—state appropriation is provided solely for repair of the academy training tank.

(10) \$130,000 of the state patrol highway account—state appropriation is provided solely for communication site roof repair to reroof equipment shelters at radio communication sites statewide.

(11) \$275,000 of the state patrol highway account—state appropriation is provided solely for the replacement of the broadcast tower at the Steptoe Butte radio communications site.

(12) \$100,000 of the state patrol highway account—state appropriation is provided solely for the dry-pipe fire suppression system rebuild at the Marysville district office.

(13) \$80,000 of the state patrol highway account—state appropriation is provided solely for the construction of a weatherproof enclosure of the generator at the Whiskey Ridge radio communications site. The enclosure's total cost must not exceed \$80,000, and no other Washington state patrol appropriations may be utilized for this project except for the funds provided in this subsection.

Sec. 303. 2015 1st sp.s. c 10 s 303 (uncodified) is amended to read as follows:

FOR THE COUNTY ROAD ADMINISTRATION BOARD

Rural Arterial Trust Account—State	
Appropriation	(\$46,000,000)
	<u>\$56,094,000</u>
Motor Vehicle Account—State Appropriation	\$10,706,000
County Arterial Preservation Account—State	
Appropriation	(\$31,250,000)
	<u>\$32,344,000</u>
TOTAL APPROPRIATION	\$87,956,000
	<u>\$99,144,000</u>

Sec. 304. 2015 1st sp.s. c 10 s 304 (uncodified) is amended to read as follows:

FOR THE TRANSPORTATION IMPROVEMENT BOARD

Small City Pavement and Sidewalk Account—State	
Appropriation	(\$3,931,000)
	<u>\$4,301,000</u>
Highway Safety Account—State Appropriation ..	\$10,000,000
Transportation Improvement Account—State	
Appropriation	(\$179,452,000)
	<u>\$249,988,000</u>
Multimodal Transportation Account—State	
Appropriation	<u>\$3,313,000</u>
TOTAL APPROPRIATION ...	\$193,383,000
	<u>\$267,602,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) The highway safety account—state appropriation is provided solely for:

((1)) (a) The arterial preservation program to help low tax-based, medium-sized cities preserve arterial pavements;

((2)) (b) The small city pavement program to help cities meet urgent preservation needs; and

((3)) (c) The small city low-energy street light retrofit demonstration program.

(2) \$3,313,000 of the multimodal transportation account—state appropriation is provided solely for the complete streets program.

Sec. 305. 2015 1st sp.s. c 10 s 305 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—FACILITIES—PROGRAM D—(DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)—CAPITAL

Transportation Partnership Account—State	
Appropriation	(\$241,000)
	<u>\$1,043,000</u>
Motor Vehicle Account—State Appropriation ..	(\$4,270,000)
	<u>\$7,276,000</u>
Connecting Washington Account—State	
Appropriation	<u>\$14,000,000</u>
TOTAL APPROPRIATION	\$4,481,000
	<u>\$22,319,000</u>

The appropriations in this section are subject to the following conditions and limitations:

((211,000)) (1) \$1,043,000 of the transportation partnership account—state appropriation is provided solely for completion of a new traffic management center in Shoreline, Washington. By September 30, 2015, the department shall report to the transportation committees of the legislature and the office of financial management on the resulting vacancy rate of the existing regional headquarters building in Shoreline, plans to consolidate department staff into the building, and the schedule for terminating the current lease of the Goldsmith building in Seattle, and provide an update on future plans to consolidate agency staff within the region.

(2) \$4,000,000 of the connecting Washington account—state appropriation is provided solely for a new Olympic region maintenance and administration facility to be located on the department-owned site at the intersection of Marvin Road and 32nd Avenue. The property purchase was approved by the 2005 legislature for the site of the new Olympic region and the land was acquired by the department in August 2005. The department must work with the office of financial management's facilities oversight program to develop a revised predesign for a new Olympic region facility, with an estimated total cost of no more than forty million dollars. Priority must be given to accommodating the maintenance and operations functions of the Olympic region. The department must provide a copy of the revised predesign to the transportation committees of the legislature by December 2015.

(3) \$10,000,000 of the connecting Washington account—state appropriation is provided solely for a new administration facility on Euclid Avenue in Wenatchee, Washington.

Sec. 306. 2015 1st sp.s. c 10 s 306 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—IMPROVEMENTS—PROGRAM I

Multimodal Transportation Account—State	
Appropriation	(\$21,388,000)
	<u>\$19,181,000</u>
Transportation Partnership Account—State	
Appropriation	(\$1,075,309,000)
	<u>\$1,065,758,000</u>
Motor Vehicle Account—State Appropriation ..	(\$64,991,000)

			<u>\$71,841,000</u>
Motor Vehicle	Account—Federal		
Appropriation	(((\$251,313,000))		
			<u>\$315,447,000</u>
Motor Vehicle	Account—Private/Local		
Appropriation	(((\$167,259,000))		
			<u>\$177,022,000</u>
Transportation 2003 Account (Nickel Account)—State			
Appropriation	(((\$104,366,000))		
			<u>\$79,064,000</u>
State Route Number 520 Corridor Account—State			
Appropriation	(((\$367,792,000))		
			<u>\$368,121,000</u>
State Route Number 520 Corridor Account—Federal			
Appropriation	\$104,801,000		
State Route Number 520 Civil Penalties Account—			
State Appropriation	(((\$15,000,000))		
			<u>\$14,000,000</u>
((Alaskan Way Viaduct Replacement Project Account—			
State Appropriation			
			\$50,110,000))
Special Category C	Account—State		
Appropriation	\$6,000,000		
Connecting Washington	Account—State		
Appropriation	\$229,425,000		
			<u>\$2,228,329,000</u>
	TOTAL APPROPRIATION		<u>\$2,450,660,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2015-1)) 2016-1 as developed ((May 26, 2015)) March 7, 2016, Program - Highway Improvements Program (I). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Highway Improvements Program (I). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to (((\$104,366,000)) \$79,064,000 in proceeds from the sale of bonds authorized by RCW 47.10.861.

(5) The transportation partnership account—state appropriation includes up to (((\$508,793,000)) \$546,857,000 in proceeds from the sale of bonds authorized in RCW 47.10.873.

(6) (((\$3,700,000)) \$4,359,000 of the motor vehicle account—state appropriation is provided solely for the I-5/JBLM Early Corridor Design project (300596S) to complete an environmental impact statement for a project that creates additional general purpose lanes on Interstate 5 in the Joint Base Lewis-McChord

corridor. The design of this project must be high occupancy vehicle lane ready for a future connection to the Interstate 5 high occupancy vehicle lane system that currently terminates in Tacoma.

(7) (((\$346,263,000)) \$267,071,000 of the transportation partnership account—state appropriation, (((\$15,300,000)) \$55,389,000 of the motor vehicle account—federal appropriation, (((\$154,263,000)) \$156,423,000 of the motor vehicle account—private/local appropriation, (((\$69,479,000)) \$45,400,000 of the transportation 2003 account (nickel account)—state appropriation, (((\$50,110,000 of the Alaskan Way viaduct replacement project account—state appropriation,)) and (((\$4,346,000)) \$2,139,000 of the multimodal transportation account—state appropriation are provided solely for the SR 99/Alaskan Way Viaduct Replacement project (809936Z).

(8) \$17,000,000 of the multimodal transportation account—state appropriation ((is)) and \$1,676,000 of the transportation partnership account—state appropriation are provided solely for transit mitigation for the SR 99/Viaduct Project - Construction Mitigation project (809940B). The transportation partnership account—state appropriation must be placed in unallotted status and may only be released by the office of financial management for unpaid invoices from the 2013-2015 fiscal biennium.

(9) Within existing resources, during the regular sessions of the legislature, the department of transportation shall participate in work sessions, before the transportation committees of the house of representatives and senate, on the Alaskan Way viaduct replacement project. These work sessions must include a report on current progress of the project, timelines for completion, outstanding claims, the financial status of the project, and any other information necessary for the legislature to maintain appropriate oversight of the project. The parties invited to present may include the department of transportation, the Seattle tunnel partners, and other appropriate stakeholders.

(10) (((\$13,881,000)) \$22,191,000 of the transportation partnership account—state appropriation, (((\$9,753,000)) \$5,576,000 of the transportation 2003 account (nickel account)—state appropriation, \$42,000 of the multimodal transportation account—state appropriation, \$6,000,000 of the special category C account—state appropriation, \$368,000 of the motor vehicle account—state appropriation, \$13,000 of the motor vehicle account—private/local appropriation, and (((\$6,348,000)) \$12,976,000 of the motor vehicle account—federal appropriation are provided solely for the US 395/North Spokane Corridor project (600010A). Any future savings on the project must stay on the US 395/Interstate 90 corridor and be made available to the current phase of the North Spokane corridor project or any future phase of the project in 2015-2017.

(11) (((\$46,894,000)) \$34,732,000 of the transportation partnership account—state appropriation, (((\$10,317,000)) \$7,329,000 of the transportation 2003 account (nickel account)—state appropriation, and (((\$1,000)) \$56,000 of the motor vehicle account—private/local appropriation are provided solely for the I-405/Kirkland Vicinity Stage 2 - Widening project (8BI1002). This project must be completed as soon as practicable as a design-build project. Any future savings on this project or other Interstate 405 corridor projects must stay on the Interstate 405 corridor and be made available to either the I-405/SR 167 Interchange - Direct Connector project (140504C) or the I-405 Renton to Bellevue project in the 2015-2017 fiscal biennium.

(12)(a) The SR 520 Bridge Replacement and HOV project (8BI1003) is supported over time from multiple sources, including a \$300,000,000 TIFIA loan, \$923,000,000 in Garvee bonds, toll revenues, state bonds, interest earnings, and other miscellaneous sources.

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(b) The state route number 520 corridor account—state appropriation includes up to ((\$343,505,000)) \$343,834,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(c) The state route number 520 corridor account—federal appropriation includes up to \$104,801,000 in proceeds from the sale of bonds authorized in RCW 47.10.879 and 47.10.886.

(d) ((\$82,195,000)) \$126,937,000 of the transportation partnership account—state appropriation, \$104,801,000 of the state route number 520 corridor account—federal appropriation, and ((\$367,792,000)) \$368,121,000 of the state route number 520 corridor account—state appropriation are provided solely for the SR 520 Bridge Replacement and HOV project (8BI1003). Of the amounts appropriated in this subsection (12)(d), ((\$232,598,000)) \$233,085,000 of the state route number 520 corridor account—state appropriation must be put into unallotted status and is subject to review by the office of financial management. The director of the office of financial management shall consult with the joint transportation committee prior to making a decision to allot these funds.

(e) When developing the financial plan for the project, the department shall assume that all maintenance and operation costs for the new facility are to be covered by tolls collected on the toll facility and not by the motor vehicle account.

(13) ((\$15,000,000)) \$14,000,000 of the state route number 520 civil penalties account—state appropriation is provided solely for the department to continue to work with the Seattle department of transportation in their joint planning, design, right-of-way acquisition, outreach, and operation of the remaining west side elements including, but not limited to, the Montlake lid, the bicycle/pedestrian path, the effective network of transit connections, and the Portage Bay bridge of the SR 520 Bridge Replacement and HOV project.

(14) ((\$548,000)) \$1,056,000 of the motor vehicle account—federal appropriation and ((\$19,000)) \$38,000 of the motor vehicle account—state appropriation are provided solely for the 31st Ave SW Overpass Widening and Improvement project (L1100048).

(15) The legislature finds that there are sixteen companies involved in wood preserving in the state that employ four hundred workers and have an annual payroll of fifteen million dollars. Prior to the department's switch to steel guardrails, ninety percent of the twenty-five hundred mile guardrail system was constructed of preserved wood and one hundred ten thousand wood guardrail posts were produced annually for state use. Moreover, the policy of using steel posts requires the state to use imported steel. Given these findings, where practicable, and until June 30, 2017, the department shall include the design option to use wood guardrail posts, in addition to steel posts, in new guardrail installations. The selection of posts must be consistent with the agency design manual policy that existed before December 2009.

(16) For urban corridors that are all or partially within a metropolitan planning organization boundary, for which the department has not initiated environmental review, and that require an environmental impact statement, at least one alternative must be consistent with the goals set out in RCW 47.01.440.

(17) The department shall itemize all future requests for the construction of buildings on a project list and submit them through the transportation executive information system as part of the department's 2016 budget submittal. It is the intent of the legislature that new facility construction must be transparent and not appropriated within larger highway construction projects.

(18) ((\$59,438,000)) \$52,869,000 of the motor vehicle account—federal appropriation, ((\$572,000)) \$4,439,000 of the

motor vehicle account—state appropriation, and ((\$388,000)) \$1,085,000 of the motor vehicle account—private/local appropriation are provided solely for fish passage barrier and chronic deficiency improvements (OBI4001).

(19) Any new advisory group that the department convenes during the 2015-2017 fiscal biennium must consider the interests of the entire state of Washington.

(20) ((Practical design offers targeted benefits to a state transportation system within available fiscal resources. This delivers value not just for individual projects, but for the entire system. Applying practical design standards will also preserve and enhance safety and mobility. The department shall implement a practical design strategy for transportation design standards. By June 30, 2016, the department shall report to the governor and the house of representatives and senate transportation committees on where practical design has been applied or is intended to be applied in the department and the cost savings resulting from the use of practical design. This subsection takes effect if chapter . . . (Substitute House Bill No. 2012), Laws of 2015 is not enacted by June 30, 2015.)) Except as provided otherwise in this section, the entire connecting Washington account appropriation is provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document 2016-1 as developed March 7, 2016, Program - Highway Improvements Program (I).

(21) It is the intent of the legislature that for the I-5 JBLM Corridor Improvements project (M00100R), the department shall actively pursue \$50,000,000 in federal funds to pay for this project to supplant state funds in the future. \$50,000,000 in connecting Washington account funding must be held in unallotted status during the 2021-2023 fiscal biennium. These funds may only be used after the department has provided notice to the office of financial management that it has exhausted all efforts to secure federal funds from the federal highway administration and the department of defense.

(22) Of the amounts allocated to the Puget Sound Gateway project (M00600R) in LEAP Transportation Document 2016-1 as developed March 7, 2016, \$4,000,000 must be used to complete the bridge connection at 28th/24th Street over state route number 509 in the city of SeaTac. The bridge connection must be completed prior to other construction on the state route number 509 segment of the project.

(23) In making budget allocations to the Puget Sound Gateway project, the department shall implement the project's construction as a single corridor investment. The department shall develop a coordinated corridor construction and implementation plan for state route number 167 and state route number 509 in collaboration with affected stakeholders. Specific funding allocations must be based on where and when specific project segments are ready for construction to move forward and investments can be best optimized for timely project completion. Emphasis must be placed on avoiding gaps in fund expenditures for either project.

(24) It is the intent of the legislature that, for the I-5/North Lewis County Interchange project (L2000204), the department develop and design the project with the objective of significantly improving access to the industrially zoned properties in north Lewis county. The design must consider the county's process of investigating alternatives to improve such access from Interstate 5 that began in March 2015.

(25) \$1,500,000 of the motor vehicle account—state appropriation is provided solely for the department to complete an interchange justification report (IJR) for the U.S. 2 trestle, covering the state route number 204 and 20th Street interchanges at the end of the westbound structure.

(a) The department shall develop the IJR in close collaboration with affected local jurisdictions, including Snohomish county and the cities of Everett, Lake Stevens, Marysville, Snohomish, and Monroe.

(b) Within the amount provided for the IJR, the department must address public outreach and the overall operational approval of the IJR.

(c) The department shall complete the IJR and submit the final report to the governor and the transportation committees of the legislature by July 1, 2018.

(26)(a) The department must conduct outreach to local transit agencies during the planning process for highway construction projects led by the department.

(b) The department must develop process recommendations for best practices in minimizing impacts to transit and freight during project construction. A report on best practices must be submitted to the transportation committees of the legislature by December 1, 2016.

(27) The legislature finds that project efficiencies and savings may be gained by combining the I-5 Marine Drive project (I5OTC1A1) and the SR 529/I-5 Interchange project (N52900R). The department must deliver them as one project, the I-5 Peak Hour Use Lanes and Interchange Improvements project (L2000229), using a design-build approach.

(28) The legislature recognizes that the city of Mercer Island has unique access issues that require the use of Interstate 90 to leave the island and that this access may be impeded by the I-90/Two Way Transit and HOV Improvements project. The department must continue to work with the city of Mercer Island to address potential access solutions as the project nears completion.

Sec. 307. 2015 1st sp.s. c 10 s 307 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—
PRESERVATION—PROGRAM P**

Transportation Partnership Account—State		
Appropriation		<u>(\$12,057,000)</u>
		\$6,489,000
Motor Vehicle Account—State Appropriation(<u>(\$56,024,900)</u>)		
		<u>\$70,908,000</u>
Motor	Vehicle	Account—Federal
Appropriation		<u>(\$391,681,000)</u>
		\$475,025,000
Motor	Vehicle	Account—Private/Local
Appropriation		<u>(\$8,104,000)</u>
		\$8,647,000
Transportation 2003 Account (Nickel Account)—State		
Appropriation		<u>(\$40,457,000)</u>
		\$28,032,000
Tacoma Narrows Toll Bridge Account—State		
Appropriation		\$4,564,000
Recreational	Vehicle	Account—State
Appropriation		<u>(\$1,509,000)</u>
		\$2,194,000
High Occupancy Toll Lanes Operations Account—State		
Appropriation		<u>(\$800,000)</u>
		\$1,000,000
State Route Number 520 Corridor Account—State		
Appropriation		<u>(\$720,000)</u>
		\$1,730,000
<u>Connecting</u>	<u>Washington</u>	<u>Account—State</u>
<u>Appropriation</u>		<u>\$79,963,000</u>
TOTAL APPROPRIATION ...		<u>\$678,552,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire transportation 2003 account (nickel account) appropriation and the entire transportation partnership account appropriation are provided solely for the projects and activities as listed by fund, project, and amount in LEAP Transportation Document ((2015-1)) 2016-1 as developed ((May 26, 2015)) March 7, 2016, Program - Highway Preservation Program (P). However, limited transfers of specific line-item project appropriations may occur between projects for those amounts listed subject to the conditions and limitations in section 601 of this act.

(2) Except as provided otherwise in this section, the entire motor vehicle account—state appropriation and motor vehicle account—federal appropriation are provided solely for the projects and activities listed in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Highway Preservation Program (P). Any federal funds gained through efficiencies, adjustments to the federal funds forecast, additional congressional action not related to a specific project or purpose, or the federal funds redistribution process must then be applied to highway and bridge preservation activities. However, no additional federal funds may be allocated to the I-5/Columbia River Crossing project (400506A).

(3) Within the motor vehicle account—state appropriation and motor vehicle account—federal appropriation, the department may transfer funds between programs I and P, except for funds that are otherwise restricted in this act.

(4) The transportation 2003 account (nickel account)—state appropriation includes up to (((\$38,492,000)) \$28,032,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

(5) The department shall examine the use of electric arc furnace slag for use as an aggregate for new roads and paving projects in high traffic areas and report back to the legislature by December 1, 2015, on its current use in other areas of the country and any characteristics that can provide greater wear resistance and skid resistance in new pavement construction.

(6) (((\$39,000,000)) \$38,142,000 of the motor vehicle account—federal appropriation ((is)) and \$858,000 of the motor vehicle account—state appropriation are provided solely for the preservation of structurally deficient bridges or bridges that are at risk of becoming structurally deficient. These funds must be used widely around the state of Washington. The department shall provide a report that identifies the scope, cost, and benefit of each project funded in this subsection as part of its 2016 agency budget request.

(7) Except as provided otherwise in this section, the entire connecting Washington account appropriation in this section is provided solely for the projects and activities as listed in LEAP Transportation Document 2016-1 as developed March 7, 2016, Program - Highway Preservation Program (P).

(8) It is the intent of the legislature that, with respect to the amounts provided for highway preservation from the connecting Washington account, the department consider the preservation and rehabilitation of concrete roadway on Interstate 5 from the Canadian border to the Oregon border to be a priority within the preservation program.

(9) \$5,000,000 of the motor vehicle account—state appropriation is provided solely for extraordinary costs incurred from litigation awards, settlements, or dispute mitigation activities not eligible for funding from the self-insurance fund. The amount provided in this subsection must be held in unallotted status until the department submits a request to the office of financial management that includes documentation detailing litigation-related expenses. The office of financial management may release the funds only when it determines that all other funds designated for litigation awards, settlements, and dispute

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

mitigation activities have been exhausted. No funds provided in this subsection may be expended on any legal fees related to the SR99/Alaskan Way viaduct replacement project.

(10)(a) The department and the Washington state patrol must work collaboratively to develop a comprehensive plan for weigh station construction and preservation for the entire state. The plan must be submitted to the transportation committees of the legislature by January 1, 2017.

(b) As part of the 2017-2019 biennial budget submittal, the department and the Washington state patrol must jointly submit a prioritized list of weigh station projects for legislative approval.

(11) The department must consult with the Washington state patrol during the design phase of a department-led improvement or preservation project that could impact weigh station operations. The department must ensure that the designs of the projects do not prevent or interfere with weigh station operations.

Sec. 308. 2015 1st sp.s. c 10 s 308 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—TRAFFIC OPERATIONS—PROGRAM Q—CAPITAL

Motor Vehicle Account—State Appropriation ..			(\$5,898,000)
			<u>\$7,190,000</u>
Motor	Vehicle	Account—Federal	
Appropriation			(\$6,132,000)
			<u>\$7,567,000</u>
Motor	Vehicle	Account—Private/Local	
Appropriation			\$200,000
TOTAL APPROPRIATION			<u>\$12,230,000</u>
			<u>\$14,957,000</u>

The appropriations in this section are subject to the following conditions and limitations: (((\$791,000 of the motor vehicle account—state appropriation is provided solely for project 000005Q as state matching funds for federally selected competitive grants or congressional earmark projects. These moneys must be placed into reserve status until such time as federal funds are secured that require a state match.)) The department shall set aside a sufficient portion of the motor vehicle account—state appropriation for federally selected competitive grants or congressional earmark projects that require matching state funds. State funds set aside as matching funds for federal projects must be accounted for in project 000005Q and remain in unallotted status until needed for those federal projects.

Sec. 309. 2015 1st sp.s. c 10 s 309 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—WASHINGTON STATE FERRIES CONSTRUCTION—PROGRAM W

Puget Sound Capital Construction Account—State			
Appropriation			(\$40,347,000)
			<u>\$57,764,000</u>
Puget Sound Capital Construction Account—Federal			
Appropriation			(\$126,515,000)
			<u>\$153,647,000</u>
Puget Sound Capital Construction Account—Private/Local			
Appropriation			(\$10,331,000)
			<u>\$3,730,000</u>
(Multimodal Transportation Account—State			
Appropriation			\$2,734,000)
Transportation 2003 Account (Nickel Account)—State			
Appropriation			(\$81,583,000)
			<u>\$122,089,000</u>
Connecting	Washington	Account—State	
Appropriation			<u>\$68,805,000</u>
TOTAL APPROPRIATION			<u>\$261,540,000</u>
			<u>\$406,035,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Washington State Ferries Capital Program (W).

(2) (((\$73,000,000)) \$90,545,000 of the transportation 2003 account (nickel account)—state appropriation is provided solely for the acquisition of a 144-car vessel (L1000063). The department shall use as much already procured equipment as practicable on the 144-car vessels.

(3) (((\$40,617,000)) \$46,989,000 of the Puget Sound capital construction account—federal appropriation, \$2,000,000 of the connecting Washington account—state appropriation, \$562,000 of the transportation 2003 account (nickel account)—state appropriation, and (((\$608,000)) \$490,000 of the Puget Sound capital construction account—state appropriation are provided solely for the Mukilteo ferry terminal (952515P). It is the intent of the legislature, over the sixteen-year investment program, to provide \$155,000,000 to complete the Mukilteo Terminal Replacement project (952515P). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section. To the greatest extent practicable and within available resources, the department shall design the new terminal to be a net zero energy building. To achieve this goal, the department shall evaluate using highly energy efficient equipment and systems, and the most appropriate renewable energy systems for the needs and location of the terminal.

(4) (((\$4,000,000)) \$7,000,000 of the Puget Sound capital construction account—state appropriation is provided solely for emergency capital repair costs (999910K). Funds may only be spent after approval by the office of financial management.

(5) Consistent with RCW 47.60.662, which requires the Washington state ferry system to collaborate with passenger-only ferry and transit providers to provide service at existing terminals, the department shall ensure that multimodal access, including for passenger-only ferries and transit service providers, is not precluded by any future terminal modifications.

(6) If the department pursues a conversion of the existing diesel powered Issaquah class fleet to a different fuel source or engine technology or the construction of a new vessel powered by a fuel source or engine technology that is not diesel powered, the department must use a design-build procurement process.

(7) Funding is included in the future biennia of the LEAP transportation document referenced in subsection (1) of this section for future vessel purchases. Given that the recent purchase of new vessels varies from the current long range plan, the department shall include in its updated long range plan revised estimates for new vessel costs, size, and purchase time frames. Additionally, the long range plan must include a vessel retirement schedule and associated reserve vessel policy recommendations.

(8) \$325,000 of the Puget Sound capital construction account—state appropriation is provided solely for the ferry system to participate in the development of one account-based system for customers of both the ferry system and tolling system. The current Wave2Go ferry ticketing system is reaching the end of its useful life and the department is expected to develop a replacement account-based system as part of the new tolling division customer service center toll collection system.

(9) Within existing resources, the department must evaluate the feasibility of utilizing the federal EB-5 immigrant investor program for financing the construction of a safety of life at sea (SOLAS) certificated vessel for the Anacortes-Sidney ferry route.

The department must establish a group that includes, but is not limited to, the department of commerce and entities or individuals experienced with vessel engineering and EB-5 financing for assistance in evaluating the applicability of the EB-5 immigrant investor program. The department must deliver a report containing the results of the evaluation to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(10) It is the intent of the legislature, over the sixteen-year investment program, to provide \$316,000,000 to complete the Seattle Terminal Replacement project (900010L), including: (a) Design work and selection of a preferred plan, (b) replacing timber pilings with pilings sufficient to support a selected terminal design, (c) replacing the timber portion of the dock with a new and reconfigured steel and concrete dock, and (d) other staging and construction work as the amount allows. These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(11) It is the intent of the legislature, over the sixteen-year new investment program, to provide \$122,000,000 in state funds to complete the acquisition of a fourth 144-car vessel (L2000109). These funds are identified in the LEAP transportation document referenced in subsection (1) of this section.

(12) \$300,000 of the Puget Sound capital construction account—state appropriation is provided solely to issue a request for proposals and purchase pilot program customer counting equipment. By June 30, 2017, the department must report to the governor and the transportation committees of the legislature on the most effective way to count ferry passengers.

(13) \$1,430,000 of the Puget Sound capital construction account—federal appropriation and \$1,366,000 of the Puget Sound capital construction—state appropriation are provided solely for installation of security access control and video monitoring systems, and for enhancing wireless network capacity to handle higher security usage, increase connectivity between vessels and land-based facilities, and isolate the security portion of the network from regular business (project 998925A).

(14) The transportation 2003 account (nickel account)—state appropriation includes up to \$4,131,000 in proceeds from the sale of bonds authorized in RCW 47.10.861.

Sec. 310. 2015 1st sp.s. c 10 s 310 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—RAIL—PROGRAM Y—CAPITAL

Essential Rail Assistance Account—State	
Appropriation.....	(\$820,000)
	<u>\$1,459,000</u>
Transportation Infrastructure Account—State	
Appropriation.....	(\$7,033,000)
	<u>\$7,154,000</u>
Multimodal Transportation Account—State	
Appropriation.....	(\$12,759,000)
	<u>\$37,205,000</u>
Multimodal Transportation Account—Federal	
Appropriation.....	(\$363,318,000)
	<u>\$492,217,000</u>
TOTAL APPROPRIATION ...	\$383,930,000
	<u>\$538,035,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Rail Program (Y).

(2) \$5,000,000 of the transportation infrastructure account—state appropriation is provided solely for new low-interest loans approved by the department through the freight rail investment bank (FRIB) program. The department shall issue FRIB program loans with a repayment period of no more than ten years, and charge only so much interest as is necessary to recoup the department's costs to administer the loans. For the 2015-2017 fiscal biennium, the department shall first award loans to 2015-2017 FRIB loan applicants in priority order, and then offer loans to 2015-2017 unsuccessful freight rail assistance program grant applicants, if eligible. If any funds remain in the FRIB program, the department may reopen the loan program and shall evaluate new applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. The department shall report annually to the transportation committees of the legislature and the office of financial management on all FRIB loans issued.

(3)(a) (~~(\$4,514,000)~~) \$5,484,000 of the multimodal transportation account—state appropriation, \$270,000 of the essential rail assistance account—state appropriation, and \$455,000 of the transportation infrastructure account—state appropriation are provided solely for new statewide emergent freight rail assistance projects identified in the LEAP transportation document referenced in subsection (1) of this section.

(b) Of the amounts provided in this subsection, \$367,000 of the transportation infrastructure account—state appropriation and \$1,100,000 of the multimodal transportation account—state appropriation are provided solely to reimburse Highline Grain, LLC for approved work completed on Palouse River and Coulee City (PCC) railroad track in Spokane county between the BNSF Railway Interchange at Cheney and Geiger Junction and must be administered in a manner consistent with freight rail assistance program projects. The value of the public benefit of this project is expected to meet or exceed the cost of this project in: Shipper savings on transportation costs; jobs saved in rail-dependent industries; and/or reduced future costs to repair wear and tear on state and local highways due to fewer annual truck trips (reduced vehicle miles traveled). The amounts provided in this subsection are not a commitment for future legislatures, but it is the legislature's intent that future legislatures will work to approve biennial appropriations until the full \$7,337,000 cost of this project is reimbursed.

(4) (~~(\$363,191,000)~~) \$487,297,000 of the multimodal transportation account—federal appropriation and (~~(\$5,740,000)~~) \$13,679,000 of the multimodal transportation account—state appropriation are provided solely for expenditures related to passenger high-speed rail grants. Except for the Mount Vernon project (P01101A), the multimodal transportation account—state funds reflect no more than one and one-half percent of the total project funds, and are provided solely for expenditures that are not eligible for federal reimbursement.

(5)(a) (~~(\$550,000)~~) \$1,114,000 of the essential rail assistance account—state appropriation ((and \$305,000)), \$766,000 of the multimodal transportation account—state appropriation, and \$68,000 of the transportation infrastructure account—state appropriation are provided solely for the purpose of the rehabilitation and maintenance of the Palouse river and Coulee City railroad line (F01111B).

(b) Expenditures from the essential rail assistance account—state in this subsection may not exceed the combined total of:

(i) Revenues deposited into the essential rail assistance account from leases and sale of property pursuant to RCW 47.76.290; and

(ii) Revenues transferred from the miscellaneous program account to the essential rail assistance account, pursuant to RCW

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

47.76.360, for the purpose of sustaining the grain train program by maintaining the Palouse river and Coulee City railroad.

(6) The department shall issue a call for projects for the freight rail assistance program, and shall evaluate the applications in a manner consistent with past practices as specified in section 309, chapter 367, Laws of 2011. By November 15, 2016, the department shall submit a prioritized list of recommended projects to the office of financial management and the transportation committees of the legislature.

Sec. 311. 2015 1st sp.s. c 10 s 311 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRANSPORTATION—LOCAL PROGRAMS—PROGRAM Z—CAPITAL

Highway	Infrastructure	Account—State	
Appropriation			(\$782,000)
			<u>\$790,000</u>
Highway Infrastructure Account—Federal			
Appropriation			(\$202,000)
			<u>\$503,000</u>
Transportation Partnership Account—State			
Appropriation			(\$1,507,000)
			<u>\$4,054,000</u>
Highway	Safety	Account—State	
Appropriation			(\$9,965,000)
			<u>\$11,647,000</u>
Motor Vehicle Account—State Appropriation			(\$500,000)
			<u>\$1,271,000</u>
Motor	Vehicle	Account—Federal	
Appropriation			(\$17,829,000)
			<u>\$28,043,000</u>
Multimodal Transportation Account—State			
Appropriation			(\$15,331,000)
			<u>\$34,031,000</u>
<u>Connecting</u>	<u>Washington</u>	<u>Account—State</u>	
<u>Appropriation</u>			<u>\$47,669,000</u>
			<u>\$46,116,000</u>
			<u>\$128,008,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) Except as provided otherwise in this section, the entire appropriations in this section are provided solely for the projects and activities as listed by project and amount in LEAP Transportation Document ((2015-2)) 2016-2 ALL PROJECTS as developed ((May 26, 2015)) March 7, 2016, Program - Local Programs Program (Z).

(2) The amounts identified in the LEAP transportation document referenced under subsection (1) of this section for pedestrian safety/safe routes to school are as follows:

(a) ((\$13,820,000)) \$20,653,000 of the multimodal transportation account—state appropriation and ((\$1,507,000)) \$3,579,000 of the transportation partnership account—state appropriation are provided solely for pedestrian and bicycle safety program projects (project L2000188).

(b) ((\$6,100,000)) \$11,400,000 of the motor vehicle account—federal appropriation, \$1,750,000 of the multimodal transportation account—state appropriation, and \$6,750,000 of the highway safety account—state appropriation are provided solely for newly selected safe routes to school projects. ((\$6,794,000)) \$8,782,000 of the motor vehicle account—federal appropriation, ((\$1,133,000)) \$124,000 of the multimodal transportation account—state appropriation, and ((\$3,215,000)) \$4,897,000 of the highway safety account—state appropriation are reappropriated for safe routes to school projects selected in the previous biennia (project L2000189). The department may consider the special situations facing high-need areas, as defined

by schools or project areas in which the percentage of the children eligible to receive free and reduced-price meals under the national school lunch program is equal to, or greater than, the state average as determined by the department, when evaluating project proposals against established funding criteria while ensuring continued compliance with federal eligibility requirements.

(3) The department shall submit a report to the transportation committees of the legislature by December 1, 2015, and December 1, 2016, on the status of projects funded as part of the pedestrian safety/safe routes to school grant program ((OLP600P))). The report must include, but is not limited to, a list of projects selected and a brief description of each project's status.

(4) \$500,000 of the motor vehicle account—state appropriation is provided solely for the Edmonds waterfront at-grade train crossings alternatives analysis project (L2000135). The department shall work with the city of Edmonds and provide a preliminary report of key findings to the transportation committees of the legislature and the office of financial management by December 1, 2015.

(5)(a) \$9,900,000 of the multimodal transportation account—state appropriation is provided solely for bicycle and pedestrian projects listed in LEAP Transportation Document 2016-4 as developed March 7, 2016. Funds must first be used for projects that are identified as priority one projects. As additional funds become available or if a priority one project is delayed, funding must be provided to priority two projects and then to priority three projects. If a higher priority project is bypassed, it must be funded in the first round after the project is ready. If funds become available as a result of projects being removed from this list or completed under budget, the department may submit additional bicycle and pedestrian safety projects for consideration by the legislature. The department must submit a report annually with its budget submittal that, at a minimum, includes information about the listed bicycle and pedestrian projects that have been funded and projects that have been bypassed, including an estimated time frame for when the project will be funded.

(b) Within existing resources, the local programs division must develop recommendations regarding potential modifications to the process by which funding is provided to the projects listed in the LEAP transportation document identified in (a) of this subsection. These modifications should include, but are not limited to, options for accelerating delivery of the listed projects and options for further prioritizing the listed projects. The department must submit a report regarding its recommendations to the transportation committees of the legislature by November 15, 2016.

TRANSFERS AND DISTRIBUTIONS

Sec. 401. 2015 1st sp.s. c 10 s 401 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE ACCOUNT AND TRANSPORTATION FUND REVENUE

Transportation Partnership Account—State			
Appropriation			(\$2,559,000)
			<u>\$3,610,000</u>
Highway Bond Retirement Account—State			
Appropriation			(\$1,169,927,000)
			<u>\$1,176,906,000</u>
Ferry	Bond	Retirement	Account—State
Appropriation			\$29,230,000
			Transportation Improvement Board Bond Retirement

Account—State Appropriation.....	\$16,129,000
<u>State Route Number 520 Corridor Account—State</u>	
<u>Appropriation.....</u>	<u>\$559,000</u>
Nondebt-Limit Reimbursable Bond Retirement Account—	
State Appropriation.....	\$25,837,000
Toll Facility Bond Retirement Account—State	
Appropriation.....	(\$62,885,000)
	<u>\$72,880,000</u>
<u>Motor Vehicle Account—State Appropriation</u>	<u>\$2,500,000</u>
Transportation 2003 Account (Nickel Account)—State	
Appropriation.....	(\$719,000)
	<u>\$477,000</u>
TOTAL APPROPRIATION	\$1,307,286,000
	<u>\$1,328,128,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$2,500,000 of the motor vehicle account—state appropriation is provided solely for debt service payment and withholding for the Tacoma Narrows bridge, with the intent of forestalling the need for the Washington state transportation commission to raise toll rates for the Tacoma Narrows bridge for fiscal year 2017.

Sec. 402. 2015 1st sp.s. c 10 s 402 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR BOND SALE EXPENSES AND FISCAL AGENT CHARGES

Transportation Partnership Account—State	
Appropriation.....	(\$512,000)
	<u>\$697,000</u>
Transportation 2003 Account (Nickel Account)—State	
Appropriation.....	(\$143,000)
	<u>\$87,000</u>
TOTAL APPROPRIATION	\$655,000
	<u>\$784,000</u>

Sec. 403. 2015 1st sp.s. c 10 s 403 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—BOND RETIREMENT AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR DEBT TO BE PAID BY STATUTORILY PRESCRIBED REVENUE

Toll Facility Bond Retirement Account—Federal	
Appropriation.....	(\$200,637,000)
	<u>\$200,215,000</u>
Toll Facility Bond Retirement Account—State	
Appropriation.....	(\$12,455,000)
	<u>\$12,009,000</u>
TOTAL APPROPRIATION	\$213,092,000
	<u>\$212,224,000</u>

Sec. 404. 2015 1st sp.s. c 10 s 404 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax distributions to cities and counties	(\$489,359,000)
	<u>\$497,071,000</u>

NEW SECTION. Sec. 405. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows:**FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION**

Multimodal Transportation Account—State Appropriation: For distributions to cities and counties	\$12,500,000
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Motor Vehicle Account—State Appropriation: For distributions to cities and counties.....	\$10,938,000
TOTAL APPROPRIATION.....	\$23,438,000

Sec. 406. 2015 1st sp.s. c 10 s 405 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and statutory transfers	(\$1,269,319,000)
	<u>\$1,831,879,000</u>

Sec. 407. 2015 1st sp.s. c 10 s 406 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING—TRANSFERS

Motor Vehicle Account—State Appropriation: For motor vehicle fuel tax refunds and transfers	(\$143,664,000)
	<u>\$182,730,000</u>

Sec. 408. 2015 1st sp.s. c 10 s 407 (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—ADMINISTRATIVE TRANSFERS

- (1) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State.....\$10,000,000
- (2) Multimodal Transportation Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State.....\$12,000,000
- (3) State Route Number 520 Civil Penalties Account—State Appropriation: For transfer to the State Route Number 520 Corridor Account—State.....~~(\$916,000)~~
- \$1,631,000
- (4) Highway Safety Account—State Appropriation: For transfer to the State Patrol Highway Account—State
- \$20,000,000
- (5) Highway Safety Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State.....\$10,000,000
- (6) Tacoma Narrows Toll Bridge Account—State Appropriation: For transfer to the Motor Vehicle Account—State
- \$950,000
- (7) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Capital Construction Account—State
- ~~(\$12,000,000)~~
- \$18,000,000
- (8) Rural Mobility Grant Program Account—State Appropriation: For transfer to the Multimodal Transportation Account—State
- \$3,000,000,
- (9) Motor Vehicle Account—State Appropriation: For transfer to the Puget Sound Ferry Operations Account—State
- \$10,000,000
- (10) State Patrol Highway Account—State Appropriation:
- For transfer to the Connecting Washington Account—State.....
- \$9,690,000
- (11) Transportation Partnership Account—State Appropriation: For transfer to the Connecting Washington Account—State
- \$4,998,000
- (12) Motor Vehicle Account—State Appropriation: For transfer to the Connecting Washington Account—State.....
- \$25,781,000
- (13) Puget Sound Ferry Operations Account—State Appropriation: For transfer to the Connecting Washington Account—State
- \$596,000

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

(14) Transportation 2003 Account (Nickel Account)—State

Appropriation: For transfer to the Connecting Washington Account—State..... \$2,270,000

(15) Highway Safety Account—State Appropriation: For transfer to the Multimodal Transportation Account—State..... \$5,000,000

(16) Motor Vehicle Account—State Appropriation: For transfer to the Freight Mobility Investment Account—State..... \$1,922,000

(17) Motor Vehicle Account—State Appropriation: For transfer to the Transportation Improvement Account—State..... \$2,188,000

(18) Motor Vehicle Account—State Appropriation: For transfer to the Rural Arterial Trust Account—State..... \$1,094,000

(19) Motor Vehicle Account—State Appropriation: For transfer to the County Arterial Preservation Account—State..... \$1,094,000

(20) Multimodal Transportation Account—State Appropriation: For transfer to the Freight Mobility Multimodal Account—State..... \$1,922,000

(21) Multimodal Transportation Account—State Appropriation: For transfer to the Regional Mobility Grant Program Account—State..... \$6,250,000

(22) Multimodal Transportation Account—State Appropriation: For transfer to the Rural Mobility Grant Program Account—State..... \$3,438,000

(23) Multimodal Transportation Account—State Appropriation: For transfer to the Electric Vehicle Charging Infrastructure Account—State..... \$1,000,000

(24) Capital Vessel Replacement Account—State Appropriation: For transfer to the Connecting Washington Account—State..... \$59,000,000

(25) Multimodal Transportation Account—State Appropriation: For transfer to the Connecting Washington Account—State..... \$8,000,000

(26) Multimodal Transportation Account—State Appropriation: For transfer to the Aeronautics Account—State..... \$250,000

COMPENSATION

Sec. 501. 2015 3rd sp.s. c 4 s 728 (uncodified) is amended to read as follows:

TRANSPORTATION—WASHINGTON FEDERATION OF STATE EMPLOYEES

(Motor Vehicle Account—State Appropriation... \$13,990,000

State—Patrol—Highway—Account—State

Appropriation..... \$1,093,000

State—Patrol—Highway—Account—Federal

Appropriation..... \$23,000

Puget—Sound—Ferry—Operations—Account—State

Appropriation..... \$55,000

Highway—Safety—Account—State—Appropriation.... \$2,273,000

Motorcycle—Safety—Education—Account—State

Appropriation..... \$41,000

State—Wildlife—Account—State—Appropriation..... \$34,000

Ignition—Interlock—Device—Revolving—Account—State

Appropriation..... \$9,000

Department—of—Licensing—Services—Account—State

Appropriation..... \$74,000

Aeronautics—Account—State—Appropriation..... \$11,000

High—Occupancy—Toll—Lanes—Operations—Account—State

Appropriation..... \$8,000

State—Route—Number—520—Corridor—Account—State

Appropriation..... \$86,000

Multimodal Transportation Account—State

Appropriation..... \$26,000

Tacoma Narrows Toll Bridge Account—State

Appropriation..... \$42,000

TOTAL APPROPRIATION..... \$17,765,000

The appropriations in this section are subject to the following conditions and limitations:))

(1) An agreement has been reached between the governor and the Washington federation of state employees general government under the provisions of chapter 41.80 RCW for the 2015-2017 fiscal biennium. Funding is provided for employees funded in the 2015-2017 omnibus transportation appropriations act, a three percent general wage increase effective July 1, 2015, and a one and eight-tenths percent general wage increase or a one percent general wage increase plus twenty dollars per month, whichever is greater, effective ((January)) July 1, 2016. The agreement also includes and funding is provided for salary adjustments for targeted job classifications, assignment pay for targeted job classifications, hazard pay for designated night crews, and geographic pay for designated areas. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713—2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

(2) This section represents the results of the 2015-2017 collective bargaining process required under chapter 41.80 RCW. Provisions of the collective bargaining agreement contained in this section are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreement. The collective bargaining agreement contained in this section may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713—2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 502. 2015 3rd sp.s. c 4 s 729 (uncodified) is amended to read as follows:

TRANSPORTATION—GENERAL WAGE INCREASE—STATE EMPLOYEES

((Motor Vehicle Account—State Appropriation... \$5,854,000

State—Patrol—Highway—Account—State

Appropriation..... \$819,000

State—Patrol—Highway—Account—Federal

Appropriation..... \$22,000

State—Patrol—Highway—Account—Private/Local

Appropriation..... \$5,000

Puget—Sound—Ferry—Operations—Account—State

Appropriation..... \$488,000

Highway—Safety—Account—State—Appropriation..... \$696,000

Highway—Safety—Account—Federal—Appropriation... \$128,000

Motorcycle—Safety—Education—Account—State

Appropriation..... \$8,000

State—Wildlife—Account—State—Appropriation..... \$21,000

Department—of—Licensing—Services—Account—State

Appropriation..... \$13,000

Aeronautics—Account—State—Appropriation..... \$48,000

High—Occupancy—Toll—Lanes—Operations—Account—State

Appropriation..... \$15,000

State—Route—Number—520—Corridor—Account—State

Appropriation..... \$13,000

Multimodal—Transportation—Account—State

Appropriation..... \$237,000

Tacoma Narrows Toll Bridge Account State	Appropriation	\$42,000
Rural Arterial Trust Account State Appropriation ...	\$32,000	
County Arterial Preservation Account State	Appropriation	\$38,000
Transportation Improvement Account State	Appropriation	\$87,000
	TOTAL APPROPRIATION	\$8,566,000

The appropriations in this section are subject to the following conditions and limitations:))

(1) Funding provided for state agency employee compensation for employees funded in the 2015-2017 omnibus transportation appropriations act who are not represented or who bargain under statutory authority other than chapter 41.80 or 47.64 RCW or RCW 41.56.473 or 41.56.475 is sufficient for general wage increases.

(2) Funding is provided for a three percent general wage increase effective July 1, 2015, for all classified employees, as specified in subsection (1) of this section. Also included are employees in the Washington management service and exempt employees under the jurisdiction of the director of the office of financial management. The appropriations are also sufficient to fund a three percent salary increase effective July 1, 2015, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials.

(3) Funding is provided for a general wage increase of one and eight-tenths percent or a one percent general wage increase plus twenty dollars per month, whichever is greater, effective July 1, 2016, for all classified employees, as specified in subsection (1) of this section. Also included are employees in the Washington management service and exempt employees under the jurisdiction of the director of the office of financial management. The appropriations are also sufficient to fund a one and eight-tenths percent salary increase effective July 1, 2016, for executive, legislative, and judicial branch employees exempt from merit system rules whose maximum salaries are not set by the commission on salaries for elected officials. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this section.

Sec. 503. 2015 3rd sp.s. c 4 s 730 (uncodified) is amended to read as follows:

TRANSPORTATION—WPEA	GENERAL
GOVERNMENT	
(Motor Vehicle Account State Appropriation	\$64,000
State Patrol Highway Account State	Appropriation
State Patrol Highway Account Federal	Appropriation
	TOTAL APPROPRIATION
	\$1,034,000

The appropriations in this section are subject to the following conditions and limitations:))

(1) An agreement has been reached between the governor and the Washington public employees association under the provisions of chapter 41.80 RCW for the 2015-2017 fiscal biennium and funded in the 2015-2017 omnibus transportation appropriations act. Funding is provided for employees funded in the 2015-2017 omnibus transportation appropriations act, a three percent general wage increase effective July 1, 2015, and a one and eight-tenths percent general wage increase or a one percent general wage increase plus twenty dollars per month, whichever is greater, effective ((January)) July 1, 2016. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

(2) This section represents the results of the 2015-2017 collective bargaining process required under chapter 41.80 RCW. Provisions of the collective bargaining agreement contained in this section are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreement. The collective bargaining agreement contained in this section may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 504. 2015 3rd sp.s. c 4 s 731 (uncodified) is amended to read as follows:

TRANSPORTATION—THE COALITION OF UNIONS AGREEMENT

(State Patrol Highway Account State	Appropriation	\$181,000
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The appropriation in this section is subject to the following conditions and limitations:)) Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 505. 2015 3rd sp.s. c 4 s 732 (uncodified) is amended to read as follows:

TRANSPORTATION—TARGETED COMPENSATION INCREASES—NONREPRESENTED JOB CLASS SPECIFIC

(Motor Vehicle Account State Appropriation	\$36,000
State Patrol Highway Account State Appropriation	\$26,000
State Patrol Highway Account Federal	Appropriation
Puget Sound Ferry Operations Account State	Appropriation
Highway Safety Account Federal Appropriation	\$4,000
Aeronautics Account State Appropriation	\$4,000
Tacoma Narrows Toll Bridge Account State	Appropriation
Transportation Improvement Account State	Appropriation
	TOTAL APPROPRIATION
	\$108,000

The appropriations in this section are subject to the following conditions and limitations:))

Funding is provided for salary adjustments for targeted job classifications for employees funded in the 2015-2017 omnibus transportation appropriations act, as specified by the office of financial management, of classified state employees, except those represented by a collective bargaining unit under chapters 41.80 and 47.64 RCW and RCW 41.56.473 and 41.56.475. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . . , Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 506. 2015 3rd sp.s. c 4 s 733 (uncodified) is amended to read as follows:

TRANSPORTATION—COLLECTIVE BARGAINING AGREEMENTS—PTE LOCAL 17

(State Patrol Highway Account State	Appropriation	\$3,973,000
State Patrol Highway Account Federal	Appropriation	\$361,000
State Patrol Highway Account Private/Local	Appropriation	\$192,000
Motor Vehicle Account State Appropriation	\$1,567,000	
Highway Safety Account State Appropriation	\$1,019,000	

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

Aeronautics Account—State Appropriation	\$7,000
Puget Sound Ferry Operations Account—State	
Appropriation	\$42,000
State Route Number 520 Corridor Account—State	
Appropriation	\$5,000
Multimodal Transportation Account—State	
Appropriation	\$97,000
Tacoma Narrows Toll Bridge Account—State	
Appropriation	\$16,000
TOTAL APPROPRIATION	\$7,279,000

The appropriations in this section are subject to the following conditions and limitations:))

(1) An agreement has been reached between the governor and the professional and technical employees local seventeen under chapter 41.80 RCW for the 2015-2017 fiscal biennium. Funding is provided for the negotiated three percent general wage increase effective July 1, 2015, and a one and eight-tenths percent general wage increase or a one percent general wage increase plus a flat twenty dollars per month, whichever is greater, effective July 1, 2016. The agreement also includes targeted job classification specific increases.

(2) This section represents the results of the 2015-2017 collective bargaining process required under chapter 41.80 RCW. Provisions of the collective bargaining agreement contained in this section are described in general terms. Only major economic terms are included in the descriptions. These descriptions do not contain the complete contents of the agreement. The collective bargaining agreement contained in this section may also be funded by expenditures from nonappropriated accounts. If positions are funded with lidded grants or dedicated fund sources with insufficient revenue, additional funding from other sources is not provided. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

Sec. 507. 2015 3rd sp.s. c 4 s 734 (uncodified) is amended to read as follows:

**TRANSPORTATION—COMPENSATION—
REPRESENTED EMPLOYEES—INSURANCE BENEFITS**

(Motor Vehicle Account—State Appropriation....	(\$771,000)
State Patrol Highway Account State	
Appropriation	(\$481,000)
State Patrol Highway Account Federal	
Appropriation	(\$11,000)
State Patrol Highway Account—Private/Local	
Appropriation	(\$5,000)
Motorcycle Safety Education Account—State	
Appropriation	(\$3,000)
High Occupancy Toll Lanes Operations Account—State	
Appropriation	(\$1,000)
State Wildlife Account—State Appropriation	(\$3,000)
Highway Safety Account—State Appropriation	(\$263,000)
Puget Sound Ferry Operations Account—State	
Appropriation	(\$471,000)
State Route Number 520 Corridor Account—State	
Appropriation	(\$4,000)
Department of Licensing Services Account—State	
Appropriation	(\$3,000)
Multimodal Transportation Account—State	
Appropriation	(\$6,000)
Tacoma Narrows Toll Bridge Account—State	
Appropriation	(\$3,000)
TOTAL APPROPRIATION	(\$2,925,000)

The appropriations in this section are subject to the following conditions and limitations:))

Collective bargaining agreements were reached for the 2015-2017 fiscal biennium between the governor and the employee representatives under the provisions of chapters 41.80 and 41.56 RCW. Appropriations in this act for state agencies are sufficient to implement the provisions of the 2015-2017 collective bargaining agreements and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan must not exceed \$840 per eligible employee for fiscal year 2016. For fiscal year 2017, the monthly employer funding rate must not exceed \$894 per eligible employee.

(b) Except as provided by the parties' health care agreement, in order to achieve the level of funding provided for health benefits, the public employees' benefits board must require any or all of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065. The board shall collect a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority must deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts must not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, must provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2016 and 2017, the subsidy must be up to \$150.00 per month. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713—2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

(3) All savings resulting from reduced claim costs or other factors identified after June 1, 2015, must be reserved for funding employee health benefits in the 2017-2019 fiscal biennium.

Sec. 508. 2015 3rd sp.s. c 4 s 735 (uncodified) is amended to read as follows:

**TRANSPORTATION—COMPENSATION—
NONREPRESENTED EMPLOYEES—INSURANCE
BENEFITS**

(Aeronautics Account—State Appropriation	(\$3,000)
Motor Vehicle Account—State Appropriation	(\$241,000)
State Patrol Highway Account State	
Appropriation	(\$55,000)
High Occupancy Toll Lanes Operations Account—State	
Appropriation	(\$1,000)
Rural Arterial Trust Account—State Appropriation	(\$1,000)
Highway Safety Account—State Appropriation	(\$29,000)
Highway Safety Account—Federal Appropriation	(\$7,000)
Puget Sound Ferry Operations Account—State	
Appropriation	(\$18,000)

Transportation Improvement Account—State	
Appropriation	(\$3,000)
State Route Number 520 Corridor Account—State	
Appropriation	(\$1,000)
County Arterial Preservation Account—State	
Appropriation	(\$1,000)
Department of Licensing Services Account—State	
Appropriation	(\$1,000)
Multimodal Transportation Account—State	
Appropriation	(\$8,000)
Tacoma Narrows Toll Bridge Account—State	
Appropriation	(\$1,000)
TOTAL APPROPRIATION	(\$370,000)

The appropriations in this section are subject to the following conditions and limitations: Appropriations for state agencies in this act are sufficient for nonrepresented state employee health benefits for state agencies, including institutions of higher education, and are subject to the following conditions and limitations:

(1)(a) The monthly employer funding rate for insurance benefit premiums, public employees' benefits board administration, and the uniform medical plan must not exceed \$840 per eligible employee for fiscal year 2016. For fiscal year 2017, the monthly employer funding rate must not exceed \$894 per eligible employee.

(b) In order to achieve the level of funding provided for health benefits, the public employees' benefits board must require any of the following: Employee premium copayments, increases in point-of-service cost sharing, the implementation of managed competition, or other changes to benefits consistent with RCW 41.05.065. The board shall collect a twenty-five dollar per month surcharge payment from members who use tobacco products and a surcharge payment of not less than fifty dollars per month from members who cover a spouse or domestic partner where the spouse or domestic partner has chosen not to enroll in another employer-based group health insurance that has benefits and premiums with an actuarial value of not less than 95 percent of the actuarial value of the public employees' benefits board plan with the largest enrollment. The surcharge payments shall be collected in addition to the member premium payment.

(c) The health care authority must deposit any moneys received on behalf of the uniform medical plan as a result of rebates on prescription drugs, audits of hospitals, subrogation payments, or any other moneys recovered as a result of prior uniform medical plan claims payments into the public employees' and retirees' insurance account to be used for insurance benefits. Such receipts must not be used for administrative expenditures.

(2) The health care authority, subject to the approval of the public employees' benefits board, must provide subsidies for health benefit premiums to eligible retired or disabled public employees and school district employees who are eligible for medicare, pursuant to RCW 41.05.085. For calendar years 2016 and 2017, the subsidy must be up to \$150.00 per month. Appropriations for state agencies are increased by the amounts specified in ((LEAP Transportation Document 713 - 2015T)) chapter . . ., Laws of 2016 (this act) to fund the provisions of this agreement.

(3) All savings resulting from reduced claim costs or other factors identified after June 1, 2015, must be reserved for funding employee health benefits in the 2017-2019 fiscal biennium.

IMPLEMENTING PROVISIONS

Sec. 601. 2015 1st sp.s. c 10 s 601 (uncodified) is amended to read as follows:

FUND TRANSFERS

(1) The transportation 2003 projects or improvements and the 2005 transportation partnership projects or improvements are

listed in the LEAP list titled ((2015-1)) 2016-1 as developed ((May 26, 2015)) March 7, 2016, which consists of a list of specific projects by fund source and amount over a ((ten-year)) sixteen-year period. Current fiscal biennium funding for each project is a line-item appropriation, while the outer year funding allocations represent a ((ten-year)) sixteen-year plan. The department is expected to use the flexibility provided in this section to assist in the delivery and completion of all transportation partnership account and transportation 2003 account (nickel account) projects on the LEAP transportation documents referenced in this act. However, this section does not apply to the I-5/Columbia River Crossing project (400506A). For the 2015-2017 project appropriations, unless otherwise provided in this act, the director of financial management may authorize a transfer of appropriation authority between projects funded with transportation 2003 account (nickel account) appropriations, or transportation partnership account appropriations, in order to manage project spending and efficiently deliver all projects in the respective program under the following conditions and limitations:

(a) Transfers may only be made within each specific fund source referenced on the respective project list;

(b) Transfers from a project may not be made as a result of the reduction of the scope of a project or be made to support increases in the scope of a project;

(c) Each transfer between projects may only occur if the director of financial management finds that any resulting change will not hinder the completion of the projects as approved by the legislature. Until the legislature reconvenes to consider the 2016 supplemental omnibus transportation appropriations act, any unexpended 2013-2015 appropriation balance as approved by the office of financial management, in consultation with the legislative staff of the house of representatives and senate transportation committees, may be considered when transferring funds between projects;

(d) Transfers from a project may be made if the funds appropriated to the project are in excess of the amount needed to complete the project;

(e) Transfers may not occur for projects not identified on the applicable project list;

(f) Transfers may not be made while the legislature is in session; and

(g) Transfers between projects may be made, without the approval of the director of the office of financial management, by the department of transportation until the transfer amount by project exceeds two hundred fifty thousand dollars, or ten percent of the total project, whichever is less. These transfers must be reported quarterly to the director of financial management and the chairs of the house of representatives and senate transportation committees.

(2) At the time the department submits a request to transfer funds under this section, a copy of the request must be submitted to the transportation committees of the legislature.

(3) The office of financial management shall work with legislative staff of the house of representatives and senate transportation committees to review the requested transfers in a timely manner.

(4) The office of financial management shall document approved transfers and schedule changes in the transportation executive information system, compare changes to the legislative baseline funding and schedules identified by project identification number identified in the LEAP transportation documents referenced in this act, and transmit revised project lists to chairs of the transportation committees of the legislature on a quarterly basis.

Sec. 602. 2015 3rd sp.s. c 43 s 502 (uncodified) is amended to read as follows:

(1) By November 15, 2015, and annually thereafter, the department of transportation must report on amounts expended to benefit transit, bicycle, or pedestrian elements within all connecting Washington projects in programs I, P, and Z identified in LEAP Transportation Document ((~~2015-NL-1~~) 2016-2 ALL PROJECTS as developed ((~~June 28, 2015~~) March 7, 2016). The report must address each modal category separately and identify if eighteenth amendment protected funds have been used and, if not, the source of funding.

(2) To facilitate the report in subsection (1) of this section, the department of transportation must require that all bids on connecting Washington projects include an estimate on the cost to implement any transit, bicycle, or pedestrian project elements.

NEW SECTION. Sec. 603. A new section is added to 2015 1st sp.s. c 10 (uncodified) to read as follows:

BELATED CLAIMS

The agencies and institutions of the state may expend moneys appropriated in this act, upon approval of the office of financial management, for the payment of supplies and services furnished to the agency or institution in prior fiscal biennia.

MISCELLANEOUS 2015-2017 FISCAL BIENNIUM

Sec. 701. RCW 81.53.281 and 2014 c 222 s 702 are each amended to read as follows:

There is hereby created in the state treasury a "grade crossing protective fund" to carry out the provisions of RCW 81.53.261, 81.53.271, 81.53.281, 81.53.291, and 81.53.295; for grants and/or subsidies to public, private, and nonprofit entities for rail safety projects authorized or ordered by the commission; and for personnel and associated costs related to supervising and administering rail safety grants and/or subsidies. During the 2013-2015 fiscal biennium, funds in this account may also be used to conduct the study required under section 102, chapter 222, Laws of 2014. The commission shall transfer from the public service revolving fund's miscellaneous fees and penalties accounts moneys appropriated for these purposes as needed. At the time the commission makes each allocation of cost to said grade crossing protective fund, it shall certify that such cost shall be payable out of said fund. When federal-aid highway funds are involved, the department of transportation shall, upon entry of an order by the commission requiring the installation or upgrading of a grade crossing protective device, submit to the commission an estimate for the cost of the proposed installation and related work. Upon receipt of the estimate the commission shall pay to the department of transportation the percentage of the estimate specified in RCW 81.53.295, as now or hereafter amended, to be used as the grade crossing protective fund portion of the cost of the installation and related work.

The commission may adopt rules for the allocation of money from the grade crossing protective fund. During the 2015-2017 fiscal biennium, the commission may waive rules regarding local matching fund requirements, maximum awards for individual projects, and other application requirements as necessary to expedite the allocation of money from the grade crossing protective fund to address under-protected grade crossings as identified by the commission.

NEW SECTION. Sec. 702. The following acts or parts of acts are each repealed:

- (1)2015 3rd sp.s. c 43 s 201 (uncodified);
- (2)2015 3rd sp.s. c 43 s 202 (uncodified);
- (3)2015 3rd sp.s. c 43 s 203 (uncodified);
- (4)2015 3rd sp.s. c 43 s 204 (uncodified);
- (5)2015 3rd sp.s. c 43 s 205 (uncodified);
- (6)2015 3rd sp.s. c 43 s 206 (uncodified);

- (7)2015 3rd sp.s. c 43 s 207 (uncodified);
- (8)2015 3rd sp.s. c 43 s 301 (uncodified);
- (9)2015 3rd sp.s. c 43 s 302 (uncodified);
- (10)2015 3rd sp.s. c 43 s 303 (uncodified);
- (11)2015 3rd sp.s. c 43 s 304 (uncodified);
- (12)2015 3rd sp.s. c 43 s 305 (uncodified);
- (13)2015 3rd sp.s. c 43 s 306 (uncodified);
- (14)2015 3rd sp.s. c 43 s 307 (uncodified);
- (15)2015 3rd sp.s. c 43 s 308 (uncodified);
- (16)2015 3rd sp.s. c 43 s 309 (uncodified); and
- (17)2015 3rd sp.s. c 43 s 401 (uncodified).

MISCELLANEOUS

NEW SECTION. Sec. 801. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 802. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "appropriations;" strike the remainder of the title and insert "amending RCW 81.53.281; amending 2015 1st sp.s. c 10 ss 101, 102, 103, 105, 106, 107, 201-211, 213-223, 301-311, 401-407, and 601 (uncodified); amending 2015 3rd sp.s. c 43 ss 502 and 606 (uncodified); amending 2015 3rd sp.s. c 4 ss 728-735 (uncodified); adding new sections to 2015 1st sp.s. c 10 (uncodified); repealing 2015 3rd sp.s. c 43 ss 201-207, 301-309, and 401 (uncodified); making appropriations and authorizing expenditures for capital improvements; and declaring an emergency."

WITHDRAWAL OF AMENDMENT

On motion of Senator Benton, and without objection, the following amendment no. 743 by Senator Benton to the striking amendment to Engrossed Substitute House Bill No. 2524 was withdrawn:

On page 14, line 33 of the amendment, strike "\$201,666,000" and insert "\$201,331,000"

On page 15, line 8 of the amendment, strike "\$319,726,000" and insert "\$319,391,000"

On page 17, beginning on line 18 of the amendment, strike all of subsection (10)

Renumber the remaining subsections consecutively and correct any internal references accordingly.

MOTION

Senator Miloscia moved that the following amendment no. 742 by Senator Miloscia to the striking amendment be adopted:

On page 30, line 5 of the amendment, after "services." insert "As part of the safety improvements, the department shall contract with the Washington state patrol to send two patrols a week, cite unauthorized persons for trespass, and provide an annual report regarding arrests and disposition."

Senator Miloscia spoke in favor of adoption of the amendment to the striking amendment.

Senators Hobbs and King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 742 by Senator Miloscia to the striking amendment to Engrossed Substitute House Bill No. 2524.

The motion by Senator Miloscia did not carry and amendment no. 742 was not adopted by voice vote.

MOTION

Senator Hasegawa moved that the following amendment no. 744 by Senators Hasegawa and Benton to the striking amendment be adopted:

On page 36, line 30 of the amendment, strike "\$72,930,000", and insert "\$73,130,000"

On page 36, line 35 of the amendment, strike "\$172,686,000" and insert "\$172,886,000"

On page 41, after line 3 of the amendment, insert the following:

"(13) \$200,000 of the multimodal transportation account—state appropriation is provided solely for the city of Seattle to cover the costs of administering restricted parking zones in the vicinity of existing regional transit authority facilities in Seattle. The city shall provide restricted parking zone permits at no cost to residents of existing restricted parking zones in the vicinity of regional transit authority facilities in Seattle."

On page 84, after line 7 of the amendment, insert the following:

"**Sec. 702.** RCW 82.08.809 and 2015 3rd sp.s. c 44 s 408 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, the tax levied by RCW 82.08.020 does not apply to sales of new passenger cars, light duty trucks, and medium duty passenger vehicles, which

(a) are exclusively powered by a clean alternative fuel or (b) use at least one method of propulsion that is capable of being reenergized by an external source of electricity and are capable of traveling at least thirty miles using only battery power.

(2) The seller must keep records necessary for the department to verify eligibility under this section.

(3) As used in this section, "clean alternative fuel" means natural gas, propane, hydrogen, or electricity, when used as a fuel in a motor vehicle that meets the California motor vehicle emission standards in Title 13 of the California code of regulations, effective January 1, 2005, and the rules of the Washington state department of ecology.

(4)(a) A sale, other than a lease, is not exempt from sales tax as described under subsection (1) of this section if the selling price of the vehicle plus trade-in property of like kind exceeds thirty-five thousand dollars.

(b) For leased vehicles for which the lease agreement is signed on or after July 15, 2015, lease payments are not exempt from sales tax as described under subsection (1) of this section if the fair market value of the vehicle being leased exceeds thirty-five thousand dollars at the inception of the lease. For the purposes of this subsection (4)(b), "fair market value" has the same meaning as "value of the article used" in RCW 82.12.010.

(c) For leased vehicles for which the lease agreement was signed before July 15, 2015, lease payments are exempt from sales tax as described under subsection (1) of this section regardless of the vehicle's fair market value at the inception of the lease.

(5) On the last day of January, April, July, and October of each year, the state treasurer, based upon information provided by the department, must transfer from the multimodal transportation account to the general fund a sum equal to the dollar amount that would otherwise have been deposited into the general fund during the prior calendar quarter but for the exemption provided in this section, except during the 2015-17 fiscal biennium the first two hundred thousand dollars must be held in the multimodal transportation account and be appropriated solely for the purposes

identified in section 220 (13) of this act. Information provided by the department to the state treasurer must be based on the best available data, except that the department may provide estimates of taxes exempted under this section until such time as retailers are able to report such exempted amounts on their tax returns. For purposes of this section, the first transfer for the calendar quarter after July 15, 2015, must be calculated assuming only those revenues that should have been deposited into the general fund beginning July 1, 2015.

(6) Lease payments due on or after July 1, 2019, are subject to the taxes imposed under this chapter.

(7) This section expires July 1, 2019."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 85, line 2 of the title amendment, after "81.53.281", insert "and 82.08.809"

Senator Hasegawa spoke in favor of adoption of the amendment to the striking amendment.

Senators King, Hobbs and Fain spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 744 by Senators Hasegawa and Benton to the striking amendment to Engrossed Substitute House Bill No. 2524.

The motion by Senator Hasegawa did not carry and amendment no. 744 was not adopted by voice vote.

MOTION

Senator Pearson moved that the following amendment no. 738 by Senators Pearson and McAuliffe to the striking amendment be adopted:

On page 48, line 15 of the amendment, strike "\$229,425,000" and insert "\$229,725,000"

On page 48, line 17 of the amendment, strike "\$2,450,660,000" and insert "\$2,450,960,000"

On page 54, after line 35 of the amendment, insert the following:

"(29) \$300,000 of the connecting Washington account—state appropriation is provided solely for practical design of the SR 522/Paradise Lake Rd Interchange (Design/Engineering) (NPARADI) project, including widening from two to four lanes from Snohomish river to Paradise Lake Road as well as an interchange at Paradise Lake Road. It is the intent of the legislature that state funding in the connecting Washington account for the project in this subsection be reduced by \$300,000 in the 2025-2027 fiscal biennium."

Senator Pearson spoke in favor of adoption of the amendment to the striking amendment.

Senators Hobbs and King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 738 by Senators Pearson and McAuliffe to the striking amendment to Engrossed Substitute House Bill No. 2524.

The motion by Senator Pearson did not carry and amendment no. 738 was not adopted by voice vote.

MOTION

Senator Benton moved that the following amendment no. 748 by Senators Benton, Chase and Hasegawa to the striking amendment be adopted:

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

On page 54, after line 35 of the amendment, insert the following:

"(29) The legislature finds that birds congregating on lighting structures over or near storm water drains creates challenges for storm water systems and pollution prevention and mitigation efforts. Until June 30, 2017, and whenever practicable, the department shall use bird deterrent designs or devices when installing a new lighting structure, as part of a state highway construction project, over a storm water drain or near enough to a drain to significantly impact the level of pollutants traveling into that drain."

Senator Benton spoke in favor of adoption of the amendment to the striking amendment.

POINT OF INQUIRY

Senator Rolfes: "Would this also help keep our cars cleaner?"

Senator Benton: "Only if you're parked on the side of the freeway. Because these are state highways that we're talking about. Normally, I think it's illegal to park on the side of the state highways, so your car wouldn't be there for very long before the folks in our previous bill came along and towed it away. So, probably not, I don't think it would help your car very much in this instance because it would be very isolated incidents where they would be applied."

Senators King, Hobbs and Liias spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 748 by Senators Benton, Chase and Hasegawa to the striking amendment to Engrossed Substitute House Bill No. 2524.

The motion by Senator Benton did not carry and amendment no. 748 was not adopted by voice vote.

MOTION

Senator Roach moved that the following amendment no. 749 by Senator Roach to the striking amendment be adopted:

On page 64, line 16 of the amendment, strike "\$1,271,000" and insert "\$1,571,000"

On page 64, line 24 of the amendment, strike "\$128,008,000" and insert "\$128,308,000"

On page 66, after line 16 of the amendment, insert the following:

"(6) \$300,000 of the motor vehicle account—state appropriation is provided solely for the Traffic Avenue/SR 410 Interchange project (L1000165) and is added to the amount provided for this project in the LEAP transportation document identified in subsection (1) of this section."

Senator Roach spoke in favor of adoption of the amendment to the striking amendment.

Senators Hobbs and King spoke against adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of amendment no. 749 by Senator Roach to the striking amendment to Engrossed Substitute House Bill No. 2524.

The motion by Senator Roach did not carry and amendment no. 749 was not adopted by voice vote.

MOTION

Senator Benton moved that the following amendment no. 745 by Senator Benton to the striking amendment be adopted:

On page 84, after line 7 of the amendment, insert the following:

"**NEW SECTION. Sec. 702.** A new section is added to chapter 46.20 RCW to read as follows:

(1) Beginning August 1, 2016, any person obtaining or renewing his or her driver's license, driver's instruction permit, agricultural driving permit, identicard, or intermediate license must show proof of his or her United States citizenship or his or her lawful presence within the United States. An original or renewal application must not be granted to any person who does not provide verified proof of his or her United States citizenship or his or her lawful presence within the United States. A person who is a citizen or national of the United States, or who is a legal permanent resident alien, must not be required to provide proof under this subsection, so long as the department has a record of the person's status in compliance with subsection (4) of this section.

(2) A person may prove his or her citizenship by providing a valid, unexpired United States passport or passport card, a certified copy of a birth certificate, a consular report of birth abroad issued by the United States department of state, a certificate of naturalization issued by the department of homeland security, or a certificate of citizenship.

(3) A person may prove his or her lawful presence within the United States by providing documentation that he or she is an alien:

(a) Lawfully admitted for permanent or temporary residence in the United States;

(b) With conditional permanent resident status in the United States;

(c) Who has an approved application for asylum in the United States or has entered into the United States in refugee status;

(d) Who has a valid nonimmigrant status in the United States;

(e) Who has a pending application for asylum in the United States;

(f) Who has a pending or approved application for temporary protected status in the United States;

(g) Who has a pending application for lawful permanent residence or conditional permanent resident status; or

(h) Who has approved deferred action status from a deferred action program established before November 20, 2014. A person with approved deferred action status from a program established before November 1, 2014, that is based on any expansion of eligibility criteria to the deferred action program that occurred after November 20, 2014, is not an acceptable form of lawful presence under this subsection (3).

(4) The department must maintain records of an applicant's status as a United States citizen or as a noncitizen, including the type of document provided and the expiration of the applicant's authorization to lawfully be within the United States. The department must make such records available to the secretary of state and state and local criminal justice agencies.

(5) The department must verify the status of an applicant through either the systematic alien verification for entitlements program or through verification of the applicant's social security number with the United States social security administration.

(6) Any driver's license, driver's instruction permit, agricultural driving permit, identicard, or intermediate license issued to a person who has established lawful presence under subsection (3) of this section expires at the same time as the expiration date for the person's authorization to be in the United States, but under no circumstances may the expiration date of the

license, identicard, or permit being issued by the department exceed the maximum term provided in statute for each license, identicard, or permit.

(7) The department may adopt rules to implement this section and to bring the state into compliance with the REAL ID act of 2005, 49 U.S.C. Sec. 30301, as it existed on January 1, 2015, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

NEW SECTION. Sec. 703. A new section is added to chapter 46.20 RCW to read as follows:

Any driver's license or other form of identification issued by a state that accepts as proof of lawful presence an approved deferred action status based on eligibility criteria that was established after November 20, 2014, must not be considered a valid form of identification in Washington state by the department. This restriction also applies to drivers' licenses or other forms of identification from states that accept as lawful presence an approved deferred action status from a deferred action program that was expanded after November 1, 2014.

NEW SECTION. Sec. 704. The following acts or parts of acts are each repealed:

(1) RCW 43.41.390 (Implementation of federal REAL ID Act of 2005) and 2007 c 85 s 1; and

(2) RCW 46.20.191 (Compliance with federal REAL ID Act of 2005 requirements) and 2007 c 85 s 2."

Renumber the remaining section consecutively and correct any internal references accordingly.

On page 85, line 6 of the title amendment, after "(uncodified);" strike all material through "(uncodified);" on line 7 and insert "adding new sections to chapter 46.20 RCW; adding new sections to 2015 1st sp.s. c 10 (uncodified); repealing RCW 43.41.390 and 46.20.191;"

Senator Benton spoke in favor of adoption of the amendment to the striking amendment.

Senator Hobbs spoke against adoption of the amendment to the striking amendment.

POINT OF ORDER

Senator Hobbs: "Mr. President, I object to this amendment as being outside the scope and object of the underlying bill. The underlying bill is the transportation budget and this amendment includes changes to the substantive law in violation of Senate rules. Mr. President, in your prior rulings you have given us factors to consider in order to determine whether the provisions is introduced substantive law into a budget including whether the amendment makes permanent change, whether it was the subject of another bill, whether there are rights or eligibility for services affected by the amendment and whether express policy found in another statute is being modified or repealed. This amendment requires a person that is getting his or her driver's license to show proof of citizenship or lawful presence and repeals statutes regarding the implementation of the federal Real ID Act. The provisions are similar to those of Senate Bill 6028. The provisions impact the right of Washingtonians to get their driver's licenses which they are entitled to under current law. And the amendment impacts existing statutes and even repeals some. I therefore request the President rule that this amendment is beyond the scope and object of the underlying bill."

REMARKS BY THE PRESIDENT

President Owen: "Senator Hobbs has raised the point of order that amendment no. 745 violates Senate Rules 25 and 66 and that includes substantive law in the budget. Senator Benton you have the opportunity for a brief response."

REMARKS BY SENATOR BENTON

Senator Benton: "Thank you, Mr. President. I trust your judgement on this matter. I have a backup amendment just in case it's in error."

PARLIAMENTARY INQUIRY

Senator Liias: "Thank you, Mr. President. We intend to bring the same objection to that subsequent amendment. Would it expedite your decision making process to know that now so you can analyze both of them at the same time?"

REPLY BY THE PRESIDENT

President Owen: "Senator Liias, it would expedite it. But we need one of two things. We need either to move adoption of the other amendment, or with the consent of the body, I can look at both of them at the same time. If there are no objections, because I'm going to look at it any way. With that, the President will take a look at both amendment no. 745 and no. 746."

Senator Benton offered the following amendment no. 746 by Senator Benton to the striking amendment:

On page 84, after line 7 of the amendment, insert the following:

"NEW SECTION. Sec. 702. A new section is added to chapter 46.20 RCW to read as follows:

(1) The department must implement a one-year pilot project testing the cost and workload impacts of implementing the application of the criteria required under the REAL ID Act of 2005 for persons applying for a driver's license, identicard, agricultural driving permit, and intermediate driver's license. Beginning July 1, 2016, any person obtaining or renewing his or her driver's license, driver's instruction permit, agricultural driving permit, identicard, or intermediate license must show proof of his or her United States citizenship or his or her lawful presence within the United States. An original or renewal application must not be granted to any person who does not provide verified proof of his or her United States citizenship or his or her lawful presence within the United States. A person who is a citizen or national of the United States, or who is a legal permanent resident alien, must not be required to provide proof under this subsection, so long as the department has a record of the person's status in compliance with subsection (4) of this section.

(2) A person may prove his or her citizenship by providing a valid, unexpired United States passport or passport card, a certified copy of a birth certificate, a consular report of birth abroad issued by the United States department of state, a certificate of naturalization issued by the department of homeland security, or a certificate of citizenship.

(3) A person may prove his or her lawful presence within the United States by providing documentation that he or she is an alien:

(a) Lawfully admitted for permanent or temporary residence in the United States;

(b) With conditional permanent resident status in the United States;

(c) Who has an approved application for asylum in the United States or has entered into the United States in refugee status;

(d) Who has a valid nonimmigrant status in the United States;

(e) Who has a pending application for asylum in the United States;

FIFTY EIGHTH DAY, MARCH 8, 2016

2016 REGULAR SESSION

- (f) Who has a pending or approved application for temporary protected status in the United States;
- (g) Who has a pending application for lawful permanent residence or conditional permanent resident status; or
- (h) Who has approved deferred action status from a deferred action program established before November 20, 2014. A person with approved deferred action status from a program established before November 1, 2014, that is based on any expansion of eligibility criteria to the deferred action program that occurred after November 20, 2014, is not an acceptable form of lawful presence under this subsection (3).

(4) The department must maintain records of an applicant's status as a United States citizen or as a noncitizen, including the type of document provided and the expiration of the applicant's authorization to lawfully be within the United States. The department must make such records available to the secretary of state and state and local criminal justice agencies.

(5) The department must verify the status of an applicant through either the systematic alien verification for entitlements program or through verification of the applicant's social security number with the United States social security administration.

(6) Any driver's license, driver's instruction permit, agricultural driving permit, identicard, or intermediate license issued to a person who has established lawful presence under subsection (3) of this section expires at the same time as the expiration date for the person's authorization to be in the United States, but under no circumstances may the expiration date of the license, identicard, or permit being issued by the department exceed the maximum term provided in statute for each license, identicard, or permit.

(7) The department may adopt rules to implement the pilot project authorized in this section and to bring the state into compliance with the REAL ID act of 2005, 49 U.S.C. Sec. 30301, as it existed on January 1, 2015, or such subsequent date as may be provided by the department by rule, consistent with the purposes of this section.

(8) This section expires July 1, 2017.

NEW SECTION. Sec. 703. A new section is added to chapter 46.20 RCW to read as follows:

(1) During the pilot project authorized in section 702 of this act, any driver's license or other form of identification issued by a state that accepts as proof of lawful presence an approved deferred action status based on eligibility criteria that was established after November 20, 2014, must not be considered a valid form of identification in Washington state by the department. This restriction also applies to drivers' licenses or other forms of identification from states that accept as lawful presence an approved deferred action status from a deferred action program that was expanded after November 1, 2014.

(2) This section expires July 1, 2017.

NEW SECTION. Sec. 704. The following acts or parts of acts are each repealed:

(1)RCW 43.41.390 (Implementation of federal REAL ID Act of 2005) and 2007 c 85 s 1; and

(2)RCW 46.20.191 (Compliance with federal REAL ID Act of 2005 requirements) and 2007 c 85 s 2."

Renumber the remaining section consecutively and correct any internal references accordingly.

REMARKS BY SENATOR BENTON

Senator Benton: "Thank you, Mr. President. If that be the case, then I'll make a brief argument on no. 746. And that is 746 is designed to address the potential of a scope and object argument on the underlying permanent policy. Amendment no. 746 is

designed only to be in effect during the budget period and is written to the allocation for driver's license monies. So it has a direct connection to the funding allocation of drivers' licenses and it will only run as a pilot project for the duration of the transportation budget. And as such, I believe it is fully within the scope and object of the bill under those circumstances. Thank you, Mr. President."

POINT OF ORDER

Senator Liias: "Thank you, Mr. President. Since you'll be reviewing amendment no. 746 could I present the argument on the other side of that?"

REPLY BY THE PRESIDENT

President Owen: "Briefly, yes."

POINT OF ORDER

Senator Liias: "Thank you, Mr. President. While Senator Benton is correct that the amendment no. 746 is only for the remainder of this fiscal biennium, your prior rulings do tell us that if it's introducing substantive law changes within the budget and the bill that the Senator referenced in his speech, as well as changes that it makes to the rights of Washington State citizens, make this a change in substantive law. So while it's only for the biennium, it is still a change in substantive law. I believe it's outside the scope and object of the bill."

RULING BY THE PRESIDENT

President Owen: "In ruling upon the point of order raised by Senators Hobbs and Liias asserting that amendments nos. 745 and 746 include substantive law in violation of Senate Rules 25 and 66, the President finds and rules as follows:

The proposed amendments offered by Senator Benton seek to include in the transportation budget provisions that would require the department of licensing to verify the lawful presence of applicants for various licenses. One amendment represents a permanent change to substantive law, and the other creates substantive provisions as part of a pilot project.

As the President recognized on this same issue in 2011, the President has long held that a budget bill – whether for the purposes of transportation, or the operation of state agencies – is not an appropriate forum for changing state substantive law. In determining whether substantive law is present, several alternative factors may be considered. Two of these are: first, whether the proposed language seeks to include a policy change that was the subject of a separate bill, and second, whether the inclusion of the language would redefine rights or eligibility for services.

Here, the offered amendments seek to include the licensing requirements found in a separate bill which did not pass. That bill, and these amendments, would reduce the number of persons currently eligible to obtain drivers licenses or similar permits. Both of these factors indicate that the amendments would affect state substantive law.

Today, Washington residents can apply for a drivers' license without proving legal residence; by September, they will not be able to do so if the amendments are adopted and made part of this bill. This alters current substantive law because the amendments create a new requirement for obtaining a drivers' license that does not exist without passage of the amendments.

The fact that amendment no. 746 purports to be a pilot project does not alter this analysis. A budget that suspended the operation

of a substantive criminal statute for two years would clearly violate the rule against including policy changes in a budget. The licenses produced under the restrictions in this amendment will continue for several years after the expiration of this pilot project, so it is not entirely correct to view this amendment as one that only affects Washingtonians for the next year.

For these reasons, if adopted, Senator Benton's amendments would violate Rules 25 and 66, and Senators Hobbs's and Liias's points are well-taken."

The President declared the question before the Senate to be the adoption of the striking amendment no. 739 by Senator King to Engrossed Substitute House Bill No. 2524.

The motion by Senator King carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator King, the rules were suspended, Engrossed Substitute House Bill No. 2524, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Hobbs, Fraser, McAuliffe, Rolfes and Liias spoke in favor of passage of the bill.

The President Pro Tempore, Senator Roach, assumed the chair.

Senators Dinsel and Baumgartner spoke against passage of the bill.

POINT OF INQUIRY

Senator McAuliffe: "Senator King will you yield to a question? Is there an opportunity for the public to participate in the Transportation Commission's rule making process regarding SR 405's toll setting described today?"

Senator King: "Senator McAuliffe, the answer is yes. The Transportation Commission must follow the Administrative Procedure Act as it adopts any rules regarding SR 405 tolls. The Administrative Procedure Act requires public hearings when adopting permanent rule changes which the Commission will be doing or pursuing alongside this proposed temporary, emergency rule. Thank you for the question."

MOTION

Senator Fain demanded that the previous question be put.

The President Pro Tempore declared that at least two additional senators joined the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Fain carried and the previous question was put by voice vote.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2524, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2524, as amended by the Senate, and the bill

passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yeas: Senators Angel, Bailey, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nays: Senators Baumgartner, Benton, Dinsel, Hargrove and Padden

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator King: "Thank you, Madame President. Well first off, let me say thank you to the body for their support of this supplemental budget. It's like every budget, it isn't perfect. But I think it does move us forward and I want to thank you for that support. I also want to thank Senator Hobbs and Senator Fain and Senator Liias. No, I didn't forget your name, I just did it in the wrong order is all. For their efforts, for their ability to work across the aisle to do the good things for the state of Washington, and I think help all of us move our transportation system forward. And I would be greatly remiss if I didn't thank our staff, Jackson and Nick from the partisan staff. If you're here, I'd like you to step out and I know this is a challenge to get them to do it but as many hours as we have put in, I can tell you, Nick get out here, that these two gentlemen have put in just as many, if not many, many more. We then have our nonpartisan staff of Kelly and David and Kim and Hayley and Brian and Kelly and I don't know if any of them are here, but if they're not I know they're in their offices listening. They are an absolutely fabulous group of people. They work day and night. They craft all kinds of amendments that we can either vote for or vote down. They answer questions at the most ungodly hours of the day and night and over the weekends and I can't thank them enough for their efforts on behalf of the Senate, but also on behalf of the citizens of the state of Washington. And I want to make sure that they are recognized for all their efforts. Thank you, Madame President."

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President Pro Tempore announced that the President had signed the following measures:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5029,
SENATE BILL NO. 5605,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5635,
SUBSTITUTE SENATE BILL NO. 5728,
SENATE BILL NO. 5879,
SUBSTITUTE SENATE BILL NO. 6120,
SUBSTITUTE SENATE BILL NO. 6165,
SUBSTITUTE SENATE BILL NO. 6179,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6203,
SUBSTITUTE SENATE BILL NO. 6314,
SUBSTITUTE SENATE BILL NO. 6338,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6427,
SUBSTITUTE SENATE BILL NO. 6430,
SUBSTITUTE SENATE BILL NO. 6445,
SENATE BILL NO. 6459,

FIFTY EIGHTH DAY, MARCH 8, 2016

SUBSTITUTE SENATE BILL NO. 6536,
SUBSTITUTE SENATE BILL NO. 6558,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6605,
SENATE BILL NO. 6614.

MOTION

On motion of Senator Fain, and without objection, the following measures, which had been on the calendars for consideration, were referred to the Committee on Rules and placed in the Committee's "X file" by voice vote: Engrossed Substitute House Bill No. 1067; Second Engrossed Substitute House Bill No. 1100; Engrossed Second Substitute House Bill No. 1390; Engrossed House Bill No. 1465; House Bill No. 1561; Substitute House Bill No. 1632; Second Substitute House Bill No. 1651; House Bill No. 1659; Second Substitute House Bill No. 1737; Engrossed Second Substitute House Bill No. 1745; Substitute House Bill No. 1867; Substitute House Bill No. 2287; House Bill No. 2321; House Bill No. 2331; Engrossed Substitute House Bill No. 2355; House Bill No. 2388; House Bill No. 2390; Substitute House Bill No. 2435; Substitute House Bill No. 2465; Substitute House Bill No. 2501; Substitute House Bill No. 2503; House Bill No. 2507; House Bill No. 2543; Engrossed Second

2016 REGULAR SESSION

Substitute House Bill No. 2573; Engrossed Substitute House Bill No. 2604; Substitute House Bill No. 2632; House Bill No. 2639; House Bill No. 2675; Substitute House Bill No. 2725; Substitute House Bill No. 2767; Engrossed Substitute House Bill No. 2825; Engrossed Substitute House Bill No. 2834; House Bill No. 2845; Substitute House Bill No. 2851; Substitute House Bill No. 2895; and House Bill No. 2970.

Senator Nelson: "Thank you, Madame President. I'm not going to object. But I do want to note that the voting rights act is being sent to the X files, as well as legislation that would allow women to have contraception for twelve months which could really help young women and their families."

MOTION

At 6:49 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Wednesday, March 9, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTY NINTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 9, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Sajid Muhammad Amin and Mr. Kaden Carl Lewis, presented the Colors.

The prayer was offered by Dr. Andre Sims of Christ the King Bible Fellowship, Federal Way.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2667

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

ENGROSSED HOUSE BILL NO. 1003,
SUBSTITUTE HOUSE BILL NO. 1130,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1351,
SECOND SUBSTITUTE HOUSE BILL NO. 1448,
THIRD SUBSTITUTE HOUSE BILL NO. 1682,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763,
ENGROSSED HOUSE BILL NO. 1918,
SUBSTITUTE HOUSE BILL NO. 2359,
ENGROSSED HOUSE BILL NO. 2362,
HOUSE BILL NO. 2394,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2511,
SECOND SUBSTITUTE HOUSE BILL NO. 2530,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545,
HOUSE BILL NO. 2637,
SECOND SUBSTITUTE HOUSE BILL NO. 2681,
SUBSTITUTE HOUSE BILL NO. 2711,

SECOND SUBSTITUTE HOUSE BILL NO. 2791,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2793,
HOUSE BILL NO. 2808,
SUBSTITUTE HOUSE BILL NO. 2831,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847,
HOUSE BILL NO. 2856,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2906,
SUBSTITUTE HOUSE BILL NO. 2938,
ENGROSSED HOUSE BILL NO. 2959,
ENGROSSED HOUSE BILL NO. 2971,
HOUSE JOINT MEMORIAL NO. 4010.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Hewitt moved adoption of the following resolution:

**SENATE RESOLUTION
8734**

By Senators Schoesler, Hewitt, Litzow, King, Becker, Honeyford, Bailey, Braun, Pearson, Dammeier, O'Ban, Rivers, Parlette, Angel, Brown, Padden, Warnick, Dansel, Ericksen, Miloscia, Hill, Hargrove, Hobbs, Chase, Sheldon, Benton, and Fraser

WHEREAS, Judy Rogers-LaVigne has been drawn to the world of politics for much of her adult life, like a moth to a bug zapper; and

WHEREAS, Judy began her career with the Washington legislature as a session aide in 1993; and

WHEREAS, Later that same year Judy served as the state coordinator for Initiative 601, working closely with her friend and mentor state Senator Linda Smith; and

WHEREAS, Judy served as a dedicated congressional staffer for United States Representative Linda Smith from 1995 to 1997, providing compassionate, patient, and dedicated service to the hundreds of individuals and families who sought assistance from the 3rd district congresswoman; and

WHEREAS, Judy returned to the Washington legislature in 1999 as a legislative assistant for state Senator Joe Zarelli; and

WHEREAS, During that same year Judy met the love of her life, George LaVigne, who swept her off her feet by providing a

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

Y2K fix to her home computer--when Judy saw her cat loved George, the rest was history; and

WHEREAS, Judy's husband, George, is wondering what to do with the hundreds of Beanie Babies Judy is now bringing home from her office; and

WHEREAS, Judy became the executive assistant to the Republican Caucus in 2007, where she has provided excellent administrative assistance, motherly advice, and adult supervision; and

WHEREAS, Judy took to heart the insightful advice of her predecessor, Bonnie Boushele, that "a well-fed senator is a happy senator"; and

WHEREAS, This advice led to visits to the Majority Coalition Caucus room by not only Majority Coalition members, but also other visitors like Senator Hargrove; and

WHEREAS, Judy's sons, Shay, Chris, and Andy, are indeed the pride of her life, but they now have serious competition with the arrival two years ago of granddaughter Macy, and the pending arrival of a second granddaughter, to be named later; and

WHEREAS, Judy is also responsible for a constituent, Miss Heidi, who brings great joy to all she meets and who is a particular favorite of Senator Fain's and Senator Hewitt's offices; and

WHEREAS, Judy will be sorely missed by all who know her and have had the privilege to work with her during her more than two decades of service at the Washington legislature;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate officially honor and thank Judy Rogers-LaVigne for her many years of dedication and hard work on behalf of the people of the state of Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Judy Rogers-LaVigne and her family.

Senators Hewitt, Hargrove, Angel, Baumgartner, Parlette, Fraser, Becker, Bailey, Padden and Brown spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8734.

The motion by Senator Hewitt carried and the resolution was adopted by voice vote.

INTRODUCTION OF GUESTS

The President welcomed and introduced Mrs. Judy Rogers-LaVigne, who was seated at the rostrum.

The President also welcomed and introduced Mr. George LaVigne, Mrs. Judy Rogers-LaVigne's husband, and Mr. Andy Masteller, Mrs. Judy Rogers-LaVigne's son, who were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the seventh order of business.

PERSONAL PRIVILEGE

Senator Carlyle: "Thank you so much Mr. President. This morning at about 1:45 a.m., a very gentle and beloved neighborhood in my district, Greenwood neighborhood, experienced a traumatic, a very dangerous explosion, of a gas leak. In that incident, I'm very pleased to report that while nine firefighters were injured, they have all been released. There are

some injuries but they have been released. I think I can speak for everyone in feeling so fortunate that this tragedy did not happen midday, which was an extremely busy, dense, populated, and popular area. One of the restaurants for example, Mr. Gyro, was literally blown up categorically, as one of those places that's extremely popular and there's lines out the door, all the way around the block. So our neighborhood is really feeling the trauma of this very substantial explosion and I'm so grateful that the firefighters who have been injured will hopefully recover and very grateful to the first responders of our entire city. Just wanted to take a moment and ask your appreciation, I appreciate your time in allowing me to recognize the people of Greenwood during this time. Thank you."

PERSONAL PRIVILEGE

Senator Fraser: "Thank you, Mr. President. I would like to let everyone know that today the Nisqually Tribe has designated today as Billy Frank, Jr. Day. I would just like to bring up to everyone's attention, and encourage you to think about him and appreciate him today. He's well known to most senators, he was a huge leader as we all know in salmon recovery. I worked closely with him on the development of the Nisqually Basin River Management Plan years ago, which has been a huge success. He has been a leader in forging good federal, state, local, tribal relationships, he has received humanitarian awards, and the Nisqually Wildlife Refuge was recently renamed in his honor. He has had a wonderful impact on our South Sound area, the state and our nation, and actually our world. So just like to encourage everybody to spend some time today appreciating Billy Frank, Jr. who died about a year ago and has made a remarkable impact on our lives together."

THIRD READING
CONFIRMATION OF GUBERNATORIAL
APPOINTMENTS

MOTION

Senator Mullet moved that Connie L. Fletcher, Gubernatorial Appointment No. 9322, be confirmed as a member of the State Board of Education.

Senator Mullet spoke in favor of the motion.

APPOINTMENT OF CONNIE L. FLETCHER

The President declared the question before the Senate to be the confirmation of Connie L. Fletcher, Gubernatorial Appointment No. 9322, as a member of the State Board of Education.

The Secretary called the roll on the confirmation of Connie L. Fletcher, Gubernatorial Appointment No. 9322, as a member of the State Board of Education and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Hobbs

Connie L. Fletcher, Gubernatorial Appointment No. 9322, having received the constitutional majority was declared confirmed as a member of the State Board of Education.

MOTION

On motion of Senator Habib, and without objection, Senator Hobbs was excused.

MOTION

Senator Fraser moved that Berl L. Colley, Gubernatorial Appointment No. 9310, be confirmed as a member of the Washington State School for the Blind Board of Trustees. Senator Fraser spoke in favor of the motion.

APPOINTMENT OF BERL L. COLLEY

The President declared the question before the Senate to be the confirmation of Berl L. Colley, Gubernatorial Appointment No. 9310, as a member of the Washington State School for the Blind Board of Trustees.

The Secretary called the roll on the confirmation of Berl L. Colley, Gubernatorial Appointment No. 9310, as a member of the Washington State School for the Blind Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Berl L. Colley, Gubernatorial Appointment No. 9310, having received the constitutional majority was declared confirmed as a member of the Washington State School for the Blind Board of Trustees.

MOTION

Senator Dammeier moved that Nancy K. Fitta, Gubernatorial Appointment No. 9260, be confirmed as a member of the Center for Childhood Deafness and Hearing Loss Board of Trustees. Senator Dammeier spoke in favor of the motion.

APPOINTMENT OF NANCY K. FITTA

The President declared the question before the Senate to be the confirmation of Nancy K. Fitta, Gubernatorial Appointment No. 9260, as a member of the Center for Childhood Deafness and Hearing Loss Board of Trustees.

The Secretary called the roll on the confirmation of Nancy K. Fitta, Gubernatorial Appointment No. 9260, as a member of the Center for Childhood Deafness and Hearing Loss Board of Trustees and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe,

McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Nancy K. Fitta, Gubernatorial Appointment No. 9260, having received the constitutional majority was declared confirmed as a member of the Center for Childhood Deafness and Hearing Loss Board of Trustees.

INTRODUCTION OF GUESTS

The President welcomed and introduced students from Pateros High School, Pateros, and their advisor Ms. Joy McCulley, guests of Senator Parlette, who were seated in the gallery.

The President also welcomed and introduced eighth grade students from McMurray Middle School, Vashon Island, and their advisor Mr. Evan Justin, guests of Senator Nelson, who were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed ENGROSSED SENATE BILL NO. 6349 with the following amendment(s): 6349.E AMH KIRB H4651.1

On page 8, after line 7, insert the following:

"Sec. 8. RCW 28B.07.040 and 2012 c 229 s 508 are each amended to read as follows:

The authority is authorized and empowered to do the following, on such terms, with such security and undertakings, subject to such conditions, and in return for such consideration, as the authority shall determine in its discretion to be necessary, useful, or convenient in accomplishing the purposes of this chapter:

(1) To promulgate rules in accordance with chapter 34.05 RCW;

(2) To adopt an official seal and to alter the same at pleasure;

(3) To maintain an office at any place or places as the authority may designate;

(4) To sue and be sued in its own name, and to plead and be impleaded;

(5) To make and execute agreements with participants and others and all other instruments necessary, useful, or convenient for the accomplishment of this chapter;

(6) To provide long-term or short-term financing or refinancing to participants for project costs, by way of loan, lease, conditional sales contract, mortgage, option to purchase, or other financing or security device or any such combination;

(7) If, in order to provide to participants the financing or refinancing of project costs described in subsection (6) of this section, the authority deems it necessary or convenient for it to own a project or projects or any part of a project or projects, for any period of time, it may acquire, contract, improve, alter, rehabilitate, repair, manage, operate, mortgage, subject to a security interest, lease, sell, or convey the project;

(8) To fix, revise from time to time, and charge and collect from participants and others rates, rents, fees, charges, and repayments as necessary to fully and timely reimburse the

authority for all expenses incurred by it in providing the financing and refinancing and other services under this section and for the repayment, when due, of all the principal of, redemption premium, if any, and interest on all bonds issued under this chapter to provide the financing, refinancing, and services;

(9) To accept and receive funds, grants, gifts, pledges, guarantees, mortgages, trust deeds, and other security instruments, and property from the federal government or the state or other public body, entity, or agency and from any public or private institution, association, corporation, or organization, including participants. It shall not accept or receive from the state or any taxing agency any money derived from taxes, except money to be devoted to the purposes of a project of the state or of a taxing agency;

(10) To open and maintain a bank account or accounts in one or more qualified public depositories in this state and to deposit all or any part of authority funds therein;

(11) To employ consulting engineers, architects, attorneys, accountants, construction and financial experts, superintendents, managers, an executive director, and such other employees and agents as may be necessary in its judgment to carry out the purposes of this chapter, and to fix their compensation;

(12) To provide financing or refinancing to two or more participants for a single project or for several projects in such combinations as the authority deems necessary, useful, or convenient;

(13) To charge to and equitably apportion among participants the administrative costs and expenses incurred in the exercise of the powers and duties conferred by this chapter;

(14) To consult with the student achievement council to determine project priorities under the purposes of this chapter; ((and))

(15) Provide for the investment of any funds, including funds held in reserve, not required for immediate disbursement, and provide for the selection of investments; and

(16) To do all other things necessary, useful, or convenient to carry out the purposes of this chapter.

In the exercise of any of these powers, the authority shall incur no expense or liability which shall be an obligation, either general or special, of the state, or a general obligation of the authority, and shall pay no expense or liability from funds other than funds of the authority. Funds of the state shall not be used for such purpose.

Sec. 9. RCW 39.59.010 and 2015 c 225 s 50 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Bond" means any agreement which may or may not be represented by a physical instrument, including but not limited to bonds, notes, warrants, or certificates of indebtedness, that evidences an obligation under which the issuer agrees to pay a specified amount of money, with or without interest, at a designated time or times either to registered owners or bearers.

(2) "Local government" means any county, city, town, special purpose district, political subdivision, municipal corporation, or quasi-municipal corporation, including any public corporation, authority, or other instrumentality created by such an entity.

(3) ("Money market fund" means a mutual fund the portfolio which consists of only bonds having maturities or demand or tender provisions of not more than one year, managed by an investment advisor who has posted with the office of risk management in the department of enterprise services a bond or other similar instrument in the amount of at least five percent of the amount invested in the fund pursuant to RCW 39.59.030 (2) or (3).

(4) "Mutual fund" means a diversified mutual fund registered with the federal securities and exchange commission and which is managed by an investment advisor with assets under management of at least five hundred million dollars and with at least five years' experience in investing in bonds authorized for investment by this chapter and who has posted with the office of risk management in the department of enterprise services a bond or other similar instrument in the amount of at least five percent of the amount invested in the fund pursuant to RCW 39.59.030(1).

(5))) "State" includes ((a state, agencies, authorities, and instrumentalities of a state, and public corporations created by a state or agencies, authorities, or instrumentalities of a state)) any state in the United States, other than the state of Washington.

Sec. 10. RCW 39.59.020 and 1988 c 281 s 2 are each amended to read as follows:

((In addition to any other investment authority granted by law and notwithstanding any provision of law to the contrary, the state of Washington and)) (1) Local governments in the state of Washington are authorized to invest their funds and money in their custody or possession, eligible for investment, in((:

(1) Bonds of the state of Washington and any local government in the state of Washington, which bonds have at the time of investment one of the three highest credit ratings of a nationally recognized rating agency;

(2) General obligation bonds of a state other than the state of Washington and general obligation bonds of a local government of a state other than the state of Washington, which bonds have at the time of investment one of the three highest credit ratings of a nationally recognized rating agency;

(3) Subject to compliance with RCW 39.56.030, registered warrants of a local government in the same county as the government making the investment; or

(4) Any investments authorized by law for the treasurer of the state of Washington or any local government of the state of Washington other than a metropolitan municipal corporation but, except as provided in chapter 39.58 RCW, such investments shall not include certificates of deposit of banks or bank branches not located in the state of Washington)) investments authorized by this chapter.

(2) Nothing in this section is intended to limit or otherwise restrict a local government from investing in additional authorized investments if that local government has specific authority to do so.

NEW SECTION. Sec. 11. A new section is added to chapter 39.59 RCW to read as follows:

Any local government in the state of Washington may invest in:

(1) Bonds of the state of Washington and any local government in the state of Washington;

(2) General obligation bonds of a state and general obligation bonds of a local government of a state, which bonds have at the time of investment one of the three highest credit ratings of a nationally recognized rating agency;

(3) Subject to compliance with RCW 39.56.030, registered warrants of a local government in the same county as the government making the investment;

(4) Certificates, notes, or bonds of the United States, or other obligations of the United States or its agencies, or of any corporation wholly owned by the government of the United States; or United States dollar denominated bonds, notes, or other obligations that are issued or guaranteed by supranational institutions, provided that, at the time of investment, the institution has the United States government as its largest shareholder;

(5) Federal home loan bank notes and bonds, federal land bank bonds and federal national mortgage association notes, debentures and guaranteed certificates of participation, or the obligations of any other government sponsored corporation whose obligations are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system;

(6) Bankers' acceptances purchased on the secondary market;

(7) Commercial paper purchased in the secondary market, provided that any local government of the state of Washington that invests in such commercial paper must adhere to the investment policies and procedures adopted by the state investment board; and

(8) Corporate notes purchased on the secondary market, provided that any local government of the state of Washington that invests in such notes must adhere to the investment policies and procedures adopted by the state investment board.

NEW SECTION. Sec. 12. RCW 39.59.030 (Authorized investments—Mutual funds and money market funds) and 1988 c 281 s 3 are each repealed.

Sec. 13. RCW 39.60.010 and 1939 c 32 s 1 are each amended to read as follows:

Notwithstanding the provisions of any other statute of the state of Washington to the contrary, it shall be lawful ((for the state of Washington and any of its departments, institutions and agencies, municipalities, districts, and any other political subdivision of the state, or any political or public corporation of the state, or)) for any insurance company, savings and loan association, or for any bank, trust company or other financial institution, operating under the laws of the state of Washington, or for any executor, administrator, guardian or conservator, trustee or other fiduciary to invest its funds or the moneys in its custody or possession, eligible for investment, in notes or bonds secured by mortgage which the Federal Housing Administrator has insured or has made a commitment to insure in obligations of national mortgage associations, in debentures issued by the Federal Housing Administrator, and in the bonds of the Home Owner's Loan Corporation, a corporation organized under and by virtue of the authority granted in H.R. 5240, designated as the Home Owner's Loan Act of 1933, passed by the congress of the United States and approved June 13, 1933, and in bonds of any other corporation which is or hereafter may be created by the United States, as a governmental agency or instrumentality.

Sec. 14. RCW 39.60.020 and 1933 ex.s. c 37 s 2 are each amended to read as follows:

Notwithstanding the provisions of any other statute of the state of Washington to the contrary, it shall be also lawful ((for the state of Washington and any of its departments, institutions and agencies, municipalities, districts, and any other political subdivisions of the state, or any political or public corporation of the state, or)) for any insurance company, savings and loan association, building and loan association, or for any bank, trust company or other financial institution, operating under the laws of the state of Washington, or for any executor, administrator, guardian or conservator, trustee or other fiduciary, to exchange any mortgages, contracts, judgments or liens owned or held by it, for the bonds of the Home Owners' Loan Corporation, a corporation organized under and by virtue of the authority granted in H.R. 5240, designated as The Home Owners' Loan Act of 1933, passed by the congress of the United States and approved June 13, 1933, or for the bonds of any other corporation which is or hereafter may be created by the United States as a governmental agency or instrumentality; and to accept said bonds at their par value in any such exchange.

Sec. 15. RCW 39.60.030 and 1939 c 32 s 2 are each amended to read as follows:

Wherever, by statute of this state, collateral is required as security for the deposit of ((public or other)) funds; or deposits are required to be made with any public official or department; or an investment of capital or surplus, or a reserve or other fund is required to be maintained consisting of designated securities, the bonds and other securities herein made eligible for investment shall also be eligible for such purpose.

Sec. 16. RCW 39.60.040 and 1967 ex.s. c 48 s 1 are each amended to read as follows:

The obligations issued pursuant to said Federal Home Loan Bank Act and to said Title IV of the National Housing Act as such acts are now or hereafter amended, and the shares, deposits or accounts of any institution which has the insurance protection provided by Title IV of the National Housing Act, as now or hereafter amended, may be used at face value or withdrawal value, and bonds or other interest bearing obligations as to which the payment of some but less than the full principal and interest is guaranteed by the United States of America or any agency thereof may be used to the extent of the portion so guaranteed, wherever, by statute of this state or otherwise, collateral is required as security for the deposit of ((public or other)) funds, or deposits are required to be made with any public official or department, or an investment of capital or surplus, or a reserve or other fund, is required to be maintained consisting of designated security, or wherever by statute of this state or otherwise, any surety, whether personal, corporate, or otherwise, or any collateral or security, is required or permitted for any purpose, including without limitation on the generality of the foregoing, any bond, recognizance, or undertaking.

Sec. 17. RCW 39.60.050 and 1970 ex.s. c 93 s 1 are each amended to read as follows:

Notwithstanding the provisions of any other statute of the state of Washington to the contrary, it shall be lawful ((for the state of Washington and any of its departments, institutions and agencies, municipalities, districts, and any other political subdivision, or any political or public corporation of the state, or)) for any executor, administrator, guardian, or conservator, trustee or other fiduciary, to invest its funds or the moneys in its custody or possession, eligible for investment, in notes, bonds, or debentures of savings and loan associations, banks, mutual savings banks, savings and loan service corporations operating with approval of the federal home loan bank, and corporate mortgage companies: **PROVIDED**, That the notes, bonds or debentures are rated not less than "A" by a nationally recognized rating agency, or are insured or guaranteed by an agency of the federal government or by private insurer authorized to do business in the state: **PROVIDED FURTHER**, That the notes, bonds and debentures insured or guaranteed by a private insurer shall also be backed by a pool of mortgages equal to the amount of the notes, bonds or debentures.

Sec. 18. RCW 43.84.080 and 1982 c 148 s 1 are each amended to read as follows:

Wherever there is in any fund or in cash balances in the state treasury more than sufficient to meet the current expenditures properly payable therefrom, the state treasurer may invest or reinvest such portion of such funds or balances as the state treasurer deems expedient in the following ((defined securities or classes of investments)):

(1) Certificates, notes, or bonds of the United States, or other obligations of the United States or its agencies, or of any corporation wholly owned by the government of the United States or United States dollar denominated bonds, notes, or other obligations that are issued or guaranteed by supranational institutions, provided that, at the time of investment, the institution has the United States government as its largest shareholder;

(2) In state, county, municipal, or school district bonds, notes, or in warrants of taxing districts of the state. Such bonds and warrants shall be only those found to be within the limit of indebtedness prescribed by law for the taxing district issuing them and to be general obligations. The state treasurer may purchase such bonds or warrants directly from the taxing district or in the open market at such prices and upon such terms as it may determine, and may sell them at such times as it deems advisable;

(3) ((In motor vehicle fund warrants when authorized by agreement between the state treasurer and the department of transportation requiring repayment of invested funds from any moneys in the motor vehicle fund available for state highway construction;

(4)) In federal home loan bank notes and bonds, federal land bank bonds and federal national mortgage association notes, debentures and guaranteed certificates of participation, or the obligations of any other government sponsored corporation whose obligations are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system;

((5)) (4) Bankers' acceptances purchased on the secondary market;

((6) Negotiable certificates of deposit of any national or state commercial or mutual savings bank or savings and loan association doing business in the United States: PROVIDED, That the treasurer shall adhere to the investment policies and procedures adopted by the state investment board;

(7)) (5) Commercial paper(: PROVIDED,) purchased on the secondary market, provided that the state treasurer ((shall)) adheres to the investment policies and procedures adopted by the state investment board;

(6) General obligation bonds of any state and general obligation bonds of local governments of other states, which bonds have at the time of investment one of the three highest credit ratings of a nationally recognized rating agency; and

(7) Corporate notes purchased on the secondary market, provided that the state treasurer adheres to the investment policies and procedures adopted by the state investment board.

Sec. 19. RCW 43.250.020 and 2010 1st sp.s. c 10 s 2 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section shall apply throughout this chapter.

(1) "Authorized tribal official" means any officer or employee of a qualifying federally recognized tribe who has been expressly designated by tribal constitution, ordinance, or resolution as the officer having the authority to invest the funds of the qualifying federally recognized tribe or federally recognized political subdivisions thereof.

(2) "Eligible governmental entity" means any county, city, town, municipal corporation, quasi-municipal corporation, public corporation, political subdivision, or special purpose taxing district in the state, an instrumentality of any of the foregoing governmental entities created under chapter 39.34 RCW, any agency of state government, any entity issuing or executing and delivering bonds or certificates of participation with respect to financing contracts approved by the state finance committee under RCW 39.94.040, and any qualifying federally recognized tribe or federally recognized political subdivisions thereof.

(3) "Financial officer" means the board-appointed treasurer of a community or technical college district, the state board for community and technical colleges, or a public four-year institution of higher education.

(4) "Funds" means:

(a) Funds of an eligible governmental entity under the control of or in the custody of any government finance official or local

funds, as defined by the office of financial management publication "Policies, Regulations and Procedures," under the control of or in the custody of a financial officer by virtue of the official's authority that are not immediately required to meet current demands(;

(b) State funds deposited in the investment pool by the state treasurer that are the proceeds of bonds, notes, or other evidences of indebtedness authorized by the state finance committee under chapter 39.42 RCW, or the proceeds of bonds or certificates of participation with respect to financing contracts approved by the state finance committee under RCW 39.94.040, or payments pursuant to financing contracts under chapter 39.94 RCW, when the investments are made in order to comply with the Internal Revenue Code of 1986, as amended); and

((c)) (b) Tribal funds under the control of or in the custody of any qualifying federally recognized tribe or federally recognized political subdivisions thereof, where the tribe warrants that the use or disposition of the funds are either not subject to, or are used and deposited with federal approval, and where the tribe warrants that the funds are not immediately required to meet current demands.

(5) "Government finance official" means any officer or employee of an eligible governmental entity who has been designated by statute or by local charter, ordinance, resolution, or other appropriate official action, as the officer having the authority to invest the funds of the eligible governmental entity. However, the county treasurer shall be deemed the only government finance official for all public agencies for which the county treasurer has exclusive statutory authority to invest the funds thereof.

(6) "Public funds investment account" or "investment pool" means the aggregate of all funds as defined in subsection (4) of this section that are placed in the custody of the state treasurer for investment and reinvestment.

(7) "Qualifying federally recognized tribe or federally recognized political subdivisions thereof" means any federally recognized tribe, located in the state of Washington, authorized and empowered by its constitution or ordinance to invest its surplus funds pursuant to this section, and whose authorized tribal official has executed a deposit agreement with the office of the treasurer.

NEW SECTION. Sec. 20. RCW 43.250.090 (Administration of chapter—Rules) and 1986 c 294 s 9 are each repealed.

NEW SECTION. Sec. 21. A new section is added to chapter 28B.10 RCW to read as follows:

(1) The following definitions apply throughout this section unless the context clearly requires otherwise.

(a) "Bond" means any agreement which may or may not be represented by a physical instrument, including but not limited to bonds, notes, warrants, or certificates of indebtedness, that evidences an obligation under which the issuer agrees to pay a specified amount of money, with or without interest, at a designated time or times either to registered owners or bearers.

(b) "Local government" means any county, city, town, special purpose district, political subdivision, municipal corporation, or quasi-municipal corporation, including any public corporation, authority, or other instrumentality created by such an entity.

(c) "State" includes any state in the United States, other than the state of Washington.

(2) In addition to any other statutorily authorized investments permissible pursuant to chapters 28B.20, 28B.30, 28B.35, 28B.40, and 28B.50 RCW, institutions of higher education may invest in:

(a) Bonds of the state of Washington and any local government in the state of Washington, which bonds have at the time of investment one of the three highest credit ratings of a nationally recognized rating agency;

(b) General obligation bonds of a state and general obligation bonds of a local government of a state, which bonds have at the time of investment one of the three highest credit ratings of a nationally recognized rating agency;

(c) Subject to compliance with RCW 39.56.030, registered warrants of a local government in the same county as the institution of higher education making the investment;

(d) Certificates, notes, or bonds of the United States, or other obligations of the United States or its agencies, or of any corporation wholly owned by the government of the United States; or United States dollar denominated bonds, notes, or other obligations that are issued or guaranteed by supranational institutions, provided that, at the time of investment, the institution has the United States government as its largest shareholder;

(e) Federal home loan bank notes and bonds, federal land bank bonds and federal national mortgage association notes, debentures and guaranteed certificates of participation, or the obligations of any other government sponsored corporation whose obligations are or may become eligible as collateral for advances to member banks as determined by the board of governors of the federal reserve system;

(f) Bankers' acceptances purchased on the secondary market;

(g) Commercial paper purchased in the secondary market, provided that any institution of higher education that invests in such commercial paper must adhere to the investment policies and procedures adopted by the state investment board; and

(h) Corporate notes purchased on the secondary market, provided that any institution of higher education that invests in such notes must adhere to the investment policies and procedures adopted by the state investment board.

(3) Nothing in this section limits the investment authority granted pursuant to chapters 28B.20, 28B.30, 28B.35, 28B.40, and 28B.50 RCW."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Benton moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6349.

Senators Benton and Mullet spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Benton that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6349.

The motion by Senator Benton carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 6349 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6349, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6349, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland,

Conway, Dammeier, Dangel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SENATE BILL NO. 6349, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 2, 2016

MR. PRESIDENT:

The House passed ENGROSSED SENATE BILL NO. 6413 with the following amendment(s): 6413.E AMH JUDI H4586.1

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 59.18.030 and 2015 c 264 s 1 are each reenacted and amended to read as follows:

As used in this chapter:

(1) "Certificate of inspection" means an unsworn statement, declaration, verification, or certificate made in accordance with the requirements of RCW 9A.72.085 by a qualified inspector that states that the landlord has not failed to fulfill any substantial obligation imposed under RCW 59.18.060 that endangers or impairs the health or safety of a tenant, including (a) structural members that are of insufficient size or strength to carry imposed loads with safety, (b) exposure of the occupants to the weather, (c) plumbing and sanitation defects that directly expose the occupants to the risk of illness or injury, (d) not providing facilities adequate to supply heat and water and hot water as reasonably required by the tenant, (e) providing heating or ventilation systems that are not functional or are hazardous, (f) defective, hazardous, or missing electrical wiring or electrical service, (g) defective or hazardous exits that increase the risk of injury to occupants, and (h) conditions that increase the risk of fire.

(2) "Commercially reasonable manner," with respect to a sale of a deceased tenant's personal property, means a sale where every aspect of the sale, including the method, manner, time, place, and other terms, must be commercially reasonable. If commercially reasonable, a landlord may sell the tenant's property by public or private proceedings, by one or more contracts, as a unit or in parcels, and at any time and place and on any terms.

(3) "Designated person" means a person designated by the tenant under RCW 59.18.590.

(4) "Distressed home" has the same meaning as in RCW 61.34.020.

(5) "Distressed home conveyance" has the same meaning as in RCW 61.34.020.

(6) "Distressed home purchaser" has the same meaning as in RCW 61.34.020.

(7) "Dwelling unit" is a structure or that part of a structure which is used as a home, residence, or sleeping place by one person or by two or more persons maintaining a common household, including but not limited to single-family residences and units of multiplexes, apartment buildings, and mobile homes.

(8) "Gang" means a group that: (a) Consists of three or more persons; (b) has identifiable leadership or an identifiable name, sign, or symbol; and (c) on an ongoing basis, regularly conspires and acts in concert mainly for criminal purposes.

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

(9) "Gang-related activity" means any activity that occurs within the gang or advances a gang purpose.

(10) "In danger of foreclosure" means any of the following:

(a) The homeowner has defaulted on the mortgage and, under the terms of the mortgage, the mortgagee has the right to accelerate full payment of the mortgage and repossess, sell, or cause to be sold the property;

(b) The homeowner is at least thirty days delinquent on any loan that is secured by the property; or

(c) The homeowner has a good faith belief that he or she is likely to default on the mortgage within the upcoming four months due to a lack of funds, and the homeowner has reported this belief to:

(i) The mortgagee;

(ii) A person licensed or required to be licensed under chapter 19.134 RCW;

(iii) A person licensed or required to be licensed under chapter 19.146 RCW;

(iv) A person licensed or required to be licensed under chapter 18.85 RCW;

(v) An attorney-at-law;

(vi) A mortgage counselor or other credit counselor licensed or certified by any federal, state, or local agency; or

(vii) Any other party to a distressed property conveyance.

(11) "Landlord" means the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part, and in addition means any person designated as representative of the owner, lessor, or sublessor including, but not limited to, an agent, a resident manager, or a designated property manager.

(12) "Mortgage" is used in the general sense and includes all instruments, including deeds of trust, that are used to secure an obligation by an interest in real property.

(13) "Owner" means one or more persons, jointly or severally, in whom is vested:

(a) All or any part of the legal title to property; or

(b) All or part of the beneficial ownership, and a right to present use and enjoyment of the property.

(14) "Person" means an individual, group of individuals, corporation, government, or governmental agency, business trust, estate, trust, partnership, or association, two or more persons having a joint or common interest, or any other legal or commercial entity.

(15) "Premises" means a dwelling unit, appurtenances thereto, grounds, and facilities held out for the use of tenants generally and any other area or facility which is held out for use by the tenant.

(16) "Property" or "rental property" means all dwelling units on a contiguous quantity of land managed by the same landlord as a single, rental complex.

(17) "Prospective landlord" means a landlord or a person who advertises, solicits, offers, or otherwise holds a dwelling unit out as available for rent.

(18) "Prospective tenant" means a tenant or a person who has applied for residential housing that is governed under this chapter.

(19) "Qualified inspector" means a United States department of housing and urban development certified inspector; a Washington state licensed home inspector; an American society of home inspectors certified inspector; a private inspector certified by the national association of housing and redevelopment officials, the American association of code enforcement, or other comparable professional association as approved by the local municipality; a municipal code enforcement officer; a Washington licensed structural engineer; or a Washington licensed architect.

(20) "Reasonable attorneys' fees," where authorized in this chapter, means an amount to be determined including the following factors: The time and labor required, the novelty and difficulty of the questions involved, the skill requisite to perform the legal service properly, the fee customarily charged in the locality for similar legal services, the amount involved and the results obtained, and the experience, reputation and ability of the lawyer or lawyers performing the services.

(21) "Reasonable manner," with respect to disposing of a deceased tenant's personal property, means to dispose of the property by donation to a not-for-profit charitable organization, by removal of the property by a trash hauler or recycler, or by any other method that is reasonable under the circumstances.

(22) "Rental agreement" means all agreements which establish or modify the terms, conditions, rules, regulations, or any other provisions concerning the use and occupancy of a dwelling unit.

(23) A "single-family residence" is a structure maintained and used as a single dwelling unit. Notwithstanding that a dwelling unit shares one or more walls with another dwelling unit, it shall be deemed a single-family residence if it has direct access to a street and shares neither heating facilities nor hot water equipment, nor any other essential facility or service, with any other dwelling unit.

(24) A "tenant" is any person who is entitled to occupy a dwelling unit primarily for living or dwelling purposes under a rental agreement.

(25) "Tenant representative" means:

(a) A personal representative of a deceased tenant's estate if known to the landlord;

(b) If the landlord has no knowledge that a personal representative has been appointed for the deceased tenant's estate, a person claiming to be a successor of the deceased tenant who has provided the landlord with proof of death and an affidavit made by the person that meets the requirements of RCW 11.62.010(2);

(c) In the absence of a personal representative under (a) of this subsection or a person claiming to be a successor under (b) of this subsection, a designated person; or

(d) In the absence of a personal representative under (a) of this subsection, a person claiming to be a successor under (b) of this subsection, or a designated person under (c) of this subsection, any person who provides the landlord with reasonable evidence that he or she is a successor of the deceased tenant as defined in RCW 11.62.005. The landlord has no obligation to identify all of the deceased tenant's successors.

(26) "Tenant screening" means using a consumer report or other information about a prospective tenant in deciding whether to make or accept an offer for residential rental property to or from a prospective tenant.

(27) "Tenant screening report" means a consumer report as defined in RCW 19.182.010 and any other information collected by a tenant screening service.

(28) "Comprehensive reusable tenant screening report" means a tenant screening report prepared by a consumer reporting agency at the direction of and paid for by the prospective tenant and made available directly to a prospective landlord at no charge, which contains all of the following: (a) A consumer credit report prepared by a consumer reporting agency within the past thirty days; (b) the prospective tenant's criminal history; (c) the prospective tenant's eviction history; (d) an employment verification; and (e) the prospective tenant's address and rental history.

(29) "Criminal history" means a report containing or summarizing (a) the prospective tenant's criminal convictions and

pending cases, the final disposition of which antedates the report by no more than seven years, and (b) the results of a sex offender registry and United States department of the treasury's office of foreign assets control search, all based on at least seven years of address history and alias information provided by the prospective tenant or available in the consumer credit report.

(30) "Eviction history" means a report containing or summarizing the contents of any records of unlawful detainer actions concerning the prospective tenant that are reportable in accordance with state law, are lawful for landlords to consider, and are obtained after a search based on at least seven years of address history and alias information provided by the prospective tenant or available in the consumer credit report.

Sec. 2. RCW 59.18.257 and 2012 c 41 s 3 are each amended to read as follows:

(1)(a) Prior to obtaining any information about a prospective tenant, the prospective landlord shall first notify the prospective tenant in writing, or by posting, of the following:

(i) What types of information will be accessed to conduct the tenant screening;

(ii) What criteria may result in denial of the application; ((and))

(iii) If a consumer report is used, the name and address of the consumer reporting agency and the prospective tenant's rights to obtain a free copy of the consumer report in the event of a denial or other adverse action, and to dispute the accuracy of information appearing in the consumer report; and

(iv) Whether or not the landlord will accept a comprehensive reusable tenant screening report made available to the landlord by a consumer reporting agency. If the landlord indicates its willingness to accept a comprehensive reusable tenant screening report, the landlord may access the landlord's own tenant screening report regarding a prospective tenant as long as the prospective tenant is not charged for the landlord's own tenant screening report.

(b)(i) The landlord may charge a prospective tenant for costs incurred in obtaining a tenant screening report only if the prospective landlord provides the information as required in (a) of this subsection.

(ii) If a prospective landlord conducts his or her own screening of tenants, the prospective landlord may charge his or her actual costs in obtaining the background information only if the prospective landlord provides the information as required in (a) of this subsection. The amount charged may not exceed the customary costs charged by a screening service in the general area. The prospective landlord's actual costs include costs incurred for long distance phone calls and for time spent calling landlords, employers, and financial institutions.

(c) If a prospective landlord takes an adverse action, the prospective landlord shall provide a written notice of the adverse action to the prospective tenant that states the reasons for the adverse action. The adverse action notice must contain the following information in a substantially similar format, including additional information as may be required under chapter 19.182 RCW:

"ADVERSE ACTION NOTICE

Name

Address

City/State/Zip Code

This notice is to inform you that your application has been:

..... Rejected

..... Approved with conditions:

..... Residency requires an increased deposit

..... Residency requires a qualified guarantor

..... Residency requires last month's rent

..... Residency requires an increased monthly rent of \$.....

..... Other:

Adverse action on your application was based on the following:

..... Information contained in a consumer report (The prospective landlord must include the name, address, and phone number of the consumer reporting agency that furnished the consumer report that contributed to the adverse action.)

..... The consumer credit report did not contain sufficient information

..... Information received from previous rental history or reference

..... Information received in a criminal record

..... Information received in a civil record

..... Information received from an employment verification

Dated this day of, ((20))....(year)

Agent/Owner Signature"

(2) Any landlord who maintains a web site advertising the rental of a dwelling unit or as a source of information for current or prospective tenants must include a statement on the property's home page stating whether or not the landlord will accept a comprehensive reusable tenant screening report made available to the landlord by a consumer reporting agency. If the landlord indicates its willingness to accept a comprehensive reusable tenant screening report, the landlord may access the landlord's own tenant screening report regarding a prospective tenant as long as the prospective tenant is not charged for the landlord's own tenant screening report.

(3) Any landlord or prospective landlord who violates subsection (1) of this section may be liable to the prospective tenant for an amount not to exceed one hundred dollars. The prevailing party may also recover court costs and reasonable attorneys' fees.

((3) A stakeholder work group comprised of landlords, tenant advocates, and representatives of consumer reporting and tenant screening companies shall convene for the purposes of addressing the issues of tenant screening including, but not limited to: A tenant's cost of obtaining a tenant screening report; the portability of tenant screening reports; criteria used to evaluate a prospective tenant's background, including which court records may or may not be considered; and the regulation of tenant screening services. Specific recommendations on these issues are due to the legislature by December 1, 2012.))

(4) This section does not limit a prospective tenant's rights or the duties of a screening service as otherwise provided in chapter 19.182 RCW.

NEW SECTION. Sec. 3. A new section is added to chapter 59.18 RCW to read as follows:

(1) A court may order an unlawful detainer action to be of limited dissemination for one or more persons if: (a) The court finds that the plaintiff's case was sufficiently without basis in fact or law; (b) the tenancy was reinstated under RCW 59.18.410 or other law; or (c) other good cause exists for limiting dissemination of the unlawful detainer action.

(2) An order to limit dissemination of an unlawful detainer action must be in writing.

(3) When an order for limited dissemination of an unlawful detainer action has been entered with respect to a person, a tenant screening service provider must not: (a) Disclose the existence of that unlawful detainer action in a tenant screening report pertaining to the person for whom dissemination has been limited, or (b) use the unlawful detainer action as a factor in determining any score or recommendation to be included in a tenant screening report pertaining to the person for whom dissemination has been limited.

Sec. 4. RCW 59.18.280 and 2010 c 8 s 19027 are each amended to read as follows:

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

(1) Within ((fourteen)) twenty-one days after the termination of the rental agreement and vacation of the premises or, if the tenant abandons the premises as defined in RCW 59.18.310, within ((fourteen)) twenty-one days after the landlord learns of the abandonment, the landlord shall give a full and specific statement of the basis for retaining any of the deposit together with the payment of any refund due the tenant under the terms and conditions of the rental agreement.

(a) No portion of any deposit shall be withheld on account of wear resulting from ordinary use of the premises.

(b) The landlord complies with this section if the required statement or payment, or both, are delivered to the tenant personally or deposited in the United States mail properly addressed to the tenant's last known address with first-class postage prepaid within the ((fourteen)) twenty-one days.

((The notice shall be delivered to the tenant personally or by mail to his or her last known address.)) (2) If the landlord fails to give such statement together with any refund due the tenant within the time limits specified above he or she shall be liable to the tenant for the full amount of the deposit. The landlord is also barred in any action brought by the tenant to recover the deposit from asserting any claim or raising any defense for retaining any of the deposit unless the landlord shows that circumstances beyond the landlord's control prevented the landlord from providing the statement within the ((fourteen)) twenty-one days or that the tenant abandoned the premises as defined in RCW 59.18.310. The court may in its discretion award up to two times the amount of the deposit for the intentional refusal of the landlord to give the statement or refund due. In any action brought by the tenant to recover the deposit, the prevailing party shall additionally be entitled to the cost of suit or arbitration including a reasonable attorneys' fee.

(3) Nothing in this chapter shall preclude the landlord from proceeding against, and the landlord shall have the right to proceed against a tenant to recover sums exceeding the amount of the tenant's damage or security deposit for damage to the property for which the tenant is responsible together with reasonable attorneys' fees."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Benton moved that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6413.

Senators Benton and Mullet spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Benton that the Senate concur in the House amendment(s) to Engrossed Senate Bill No. 6413.

The motion by Senator Benton carried and the Senate concurred in the House amendment(s) to Engrossed Senate Bill No. 6413 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6413, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6413, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dinsel, Darneille, Erickson, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SENATE BILL NO. 6413, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House passed SENATE BILL NO. 5180 with the following amendment(s): 5180 AMH POLL H4712.1; 5180 AMH KUDE CLOD 103

Beginning on page 8, line 28, after "(1)" strike all material through "confidential." on page 10, line 10 and insert "(a) The opinion and memorandum in support of the opinion submitted to the commissioner under RCW 48.74.025 are confidential and privileged, are exempt from disclosure pursuant to chapter 42.56 RCW, are not subject to subpoena, and are not subject to discovery or admissible in evidence in any private civil action, only if and to the extent that the opinion and memorandum supporting the opinion independently qualify for exemption from disclosure as documents, materials, or information in the possession of the commissioner pursuant to a financial conduct examination.

(b) If independently qualifying for exemption from disclosure, as provided in (a) of this subsection, the provisions of RCW 48.02.065 apply to the opinion and memorandum in support of the opinion to the same extent as documents, materials, and information in possession of the commissioner pursuant to a financial conduct examination.

(2) In addition to the provisions of RCW 48.02.065, (a) through (c) of this subsection apply to the opinion and memorandum in support of the opinion submitted to the commissioner under RCW 48.74.025.

(a) A memorandum in support of the opinion, and any other material provided by the company to the commissioner in connection with the memorandum, may be subject to subpoena for the purpose of defending an action seeking damages from the actuary submitting the memorandum by reason of an action required by this section or by rules adopted under this section.

(b) A memorandum or other material may otherwise be released by the commissioner with the written consent of the company or to the American academy of actuaries upon request stating that the memorandum or other material is required for the purpose of professional disciplinary proceedings and setting forth procedures satisfactory to the commissioner for preserving the confidentiality of the memorandum or other material.

(c) Once any portion of the confidential memorandum is cited by the company in its marketing or is cited before a governmental agency other than a state insurance department or is released by the company to the news media, all portions of the confidential memorandum are no longer confidential.

(3) Included in those agencies or organizations with which the commissioner may share the opinion and memorandum in support of the opinion, as provided in this section and RCW 48.02.065, is

the office of the attorney general for purposes of investigating any consumer protection or antitrust action."

Beginning on page 38, line 28, strike all of sections 19, 20, and 21 and insert the following:

"**Sec. 19.** RCW 42.56.400 and 2015 c 122 s 13 and 2015 c 17 s 10 are each reenacted and amended to read as follows:

The following information relating to insurance and financial institutions is exempt from disclosure under this chapter:

(1) Records maintained by the board of industrial insurance appeals that are related to appeals of crime victims' compensation claims filed with the board under RCW 7.68.110;

(2) Information obtained and exempted or withheld from public inspection by the health care authority under RCW 41.05.026, whether retained by the authority, transferred to another state purchased health care program by the authority, or transferred by the authority to a technical review committee created to facilitate the development, acquisition, or implementation of state purchased health care under chapter 41.05 RCW;

(3) The names and individual identification data of either all owners or all insureds, or both, received by the insurance commissioner under chapter 48.102 RCW;

(4) Information provided under RCW 48.30A.045 through 48.30A.060;

(5) Information provided under RCW 48.05.510 through 48.05.535, 48.43.200 through 48.43.225, 48.44.530 through 48.44.555, and 48.46.600 through 48.46.625;

(6) Examination reports and information obtained by the department of financial institutions from banks under RCW 30A.04.075, from savings banks under RCW 32.04.220, from savings and loan associations under RCW 33.04.110, from credit unions under RCW 31.12.565, from check cashers and sellers under RCW 31.45.030(3), and from securities brokers and investment advisers under RCW 21.20.100, all of which is confidential and privileged information;

(7) Information provided to the insurance commissioner under RCW 48.110.040(3);

(8) Documents, materials, or information obtained by the insurance commissioner under RCW 48.02.065, all of which are confidential and privileged;

(9) Documents, materials, or information obtained by the insurance commissioner under RCW 48.31B.015(2) (l) and (m), 48.31B.025, 48.31B.030, and 48.31B.035, all of which are confidential and privileged;

(10) Data filed under RCW 48.140.020, 48.140.030, 48.140.050, and 7.70.140 that, alone or in combination with any other data, may reveal the identity of a claimant, health care provider, health care facility, insuring entity, or self-insurer involved in a particular claim or a collection of claims. For the purposes of this subsection:

(a) "Claimant" has the same meaning as in RCW 48.140.010(2).

(b) "Health care facility" has the same meaning as in RCW 48.140.010(6).

(c) "Health care provider" has the same meaning as in RCW 48.140.010(7).

(d) "Insuring entity" has the same meaning as in RCW 48.140.010(8).

(e) "Self-insurer" has the same meaning as in RCW 48.140.010(11);

(11) Documents, materials, or information obtained by the insurance commissioner under RCW 48.135.060;

(12) Documents, materials, or information obtained by the insurance commissioner under RCW 48.37.060;

(13) Confidential and privileged documents obtained or produced by the insurance commissioner and identified in RCW 48.37.080;

(14) Documents, materials, or information obtained by the insurance commissioner under RCW 48.37.140;

(15) Documents, materials, or information obtained by the insurance commissioner under RCW 48.17.595;

(16) Documents, materials, or information obtained by the insurance commissioner under RCW 48.102.051(1) and 48.102.140 (3) and (7)(a)(ii);

(17) Documents, materials, or information obtained by the insurance commissioner in the commissioner's capacity as receiver under RCW 48.31.025 and 48.99.017, which are records under the jurisdiction and control of the receivership court. The commissioner is not required to search for, log, produce, or otherwise comply with the public records act for any records that the commissioner obtains under chapters 48.31 and 48.99 RCW in the commissioner's capacity as a receiver, except as directed by the receivership court;

(18) Documents, materials, or information obtained by the insurance commissioner under RCW 48.13.151;

(19) Data, information, and documents provided by a carrier pursuant to section 1, chapter 172, Laws of 2010;

(20) Information in a filing of usage-based insurance about the usage-based component of the rate pursuant to RCW 48.19.040(5)(b);

(21) Data, information, and documents, other than those described in RCW 48.02.210(2), that are submitted to the office of the insurance commissioner by an entity providing health care coverage pursuant to RCW 28A.400.275 and 48.02.210;

(22) Data, information, and documents obtained by the insurance commissioner under RCW 48.29.017; ((and))

(23) Documents, materials, or information obtained by the insurance commissioner under chapter 48.05A RCW; and

(24) Documents, materials, or information obtained by the insurance commissioner under RCW 48.74.025, sections 6, 13(6), 14(2) (b) and (c), and 15 of this act to the extent such documents, materials, or information independently qualify for exemption from disclosure as documents, materials, or information in possession of the commissioner pursuant to a financial conduct examination and exempt from disclosure under RCW 48.02.065.

NEW SECTION. Sec. 21 Sections 1 through 19 of this act take effect January 1, 2017."

Correct the title. On page 24, line 35, after "reserves" insert ", consistent with the commissioner's superseding authority to establish reserves pursuant to section 13(7) of this act,"

BARBARA BAKER, Chief Clerk

MOTION

Senator Benton moved that the Senate concur in the House amendment(s) to Senate Bill No. 5180.

Senators Benton and Mullet spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Benton that the Senate concur in the House amendment(s) to Senate Bill No. 5180.

The motion by Senator Benton carried and the Senate concurred in the House amendment(s) to Senate Bill No. 5180 by voice vote.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5180, as amended by the House.

The Secretary called the roll on the final passage of Senate Bill No. 5180, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SENATE BILL NO. 5180, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

It was my intention to vote 'No' on SB 5180. I'm concerned that changing the way reserves will be calculated from an experience-based reserve to a reserve based on projected revenues could jeopardize the solvency of insurance plans by allowing insufficient reserves based on overly optimistic revenue projections.

SENATOR Hasegawa, 11 Legislative District

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6327 with the following amendment(s): 6327-S AMH HCW H4594.1Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.41.020 and 2015 c 23 s 5 are each reenacted and amended to read as follows:

Unless the context clearly indicates otherwise, the following terms, whenever used in this chapter, shall be deemed to have the following meanings:

(1) "Aftercare" means the assistance provided by a lay caregiver to a patient under this chapter after the patient's discharge from a hospital. The assistance may include, but is not limited to, assistance with activities of daily living, wound care, medication assistance, and the operation of medical equipment. "Aftercare" includes assistance only for conditions that were present at the time of the patient's discharge from the hospital. "Aftercare" does not include:

(a) Assistance related to conditions for which the patient did not receive medical care, treatment, or observation in the hospital; or

(b) Tasks the performance of which requires licensure as a health care provider.

(2) "Department" means the Washington state department of health.

((2)) (3) "Discharge" means a patient's release from a hospital following the patient's admission to the hospital.

(4) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine.

((3)) (5) "Emergency care to victims of sexual assault" means medical examinations, procedures, and services provided by a hospital emergency room to a victim of sexual assault following an alleged sexual assault.

((4)) (6) "Emergency contraception" means any health care treatment approved by the food and drug administration that prevents pregnancy, including but not limited to administering two increased doses of certain oral contraceptive pills within seventy-two hours of sexual contact.

((5)) (7) "Hospital" means any institution, place, building, or agency which provides accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care, of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis. "Hospital" as used in this chapter does not include hotels, or similar places furnishing only food and lodging, or simply domiciliary care; nor does it include clinics, or physician's offices where patients are not regularly kept as bed patients for twenty-four hours or more; nor does it include nursing homes, as defined and which come within the scope of chapter 18.51 RCW; nor does it include birthing centers, which come within the scope of chapter 18.46 RCW; nor does it include psychiatric hospitals, which come within the scope of chapter 71.12 RCW; nor any other hospital, or institution specifically intended for use in the diagnosis and care of those suffering from mental illness, intellectual disability, convulsive disorders, or other abnormal mental condition. Furthermore, nothing in this chapter or the rules adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any hospital conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well recognized church or religious denominations.

((6)) (8) "Lay caregiver" means any individual designated as such by a patient under this chapter who provides aftercare assistance to a patient in the patient's residence. "Lay caregiver" does not include a long-term care worker as defined in RCW 74.39A.009.

(9) "Originating site" means the physical location of a patient receiving health care services through telemedicine.

((7)) (10) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

((8)) (11) "Secretary" means the secretary of health.

((9)) (12) "Sexual assault" has the same meaning as in RCW 70.125.030.

((10)) (13) "Telemedicine" means the delivery of health care services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. "Telemedicine" does not include the use of audio-only telephone, facsimile, or email.

((11)) (14) "Victim of sexual assault" means a person who alleges or is alleged to have been sexually assaulted and who presents as a patient.

NEW SECTION. Sec. 2. A new section is added to chapter 70.41 RCW to read as follows:

(1) In addition to the requirements in RCW 70.41.320, hospital discharge policies must ensure that the discharge plan is appropriate for the patient's physical condition, emotional and social needs, and, if a lay caregiver is designated takes into consideration, to the extent possible, the lay caregiver's abilities as disclosed to the hospital.

(2) As part of a patient's individualized treatment plan, discharge criteria must include, but not be limited to, the following components:

- (a) The details of the discharge plan;
- (b) Hospital staff assessment of the patient's ability for self-care after discharge;
- (c) An opportunity for the patient to designate a lay caregiver;
- (d) Documentation of any designated lay caregiver's contact information;
- (e) A description of aftercare tasks necessary to promote the patient's ability to stay at home;
- (f) An opportunity for the patient and, if designated, the patient's lay caregiver to participate in the discharge planning;
- (g) Instruction or training provided to the patient and, if designated, the patient's lay caregiver, prior to discharge, to perform aftercare tasks. Instruction or training may include education and counseling about the patient's medications, including dosing and proper use of medication delivery devices when applicable; and
- (h) Notification to a lay caregiver, if designated, of the patient's discharge or transfer.

(3) In the event that a hospital is unable to contact a designated lay caregiver, the lack of contact may not interfere with, delay, or otherwise affect the medical care provided to the patient, or an appropriate discharge of the patient.

NEW SECTION. Sec. 3. A new section is added to chapter 70.41 RCW to read as follows:

Section 2 of this act does not require a hospital to adopt discharge policies or criteria that:

- (1) Delay a patient's discharge or transfer to another facility or to home; or
- (2) Require the disclosure of protected health information to a lay caregiver without obtaining a patient's consent as required by state and federal laws governing health information privacy and security, including chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and related regulations.

NEW SECTION. Sec. 4. A new section is added to chapter 70.41 RCW to read as follows:

Nothing in section 2 of this act may be construed to:

- (1) Interfere with the rights or duties of an agent operating under a valid health care directive under RCW 70.122.030;
- (2) Interfere with designations made by a patient pursuant to a physician order for life-sustaining treatment under RCW 43.70.480;
- (3) Interfere with the rights or duties of an authorized surrogate decision maker under RCW 7.70.065;
- (4) Establish a new requirement to reimburse or otherwise pay for services performed by the lay caregiver for aftercare;
- (5) Create a private right of action against a hospital or any of its directors, trustees, officers, employees, or agents, or any contractors with whom the hospital has a contractual relationship;
- (6) Hold liable, in any way, a hospital, hospital employee, or any consultants or contractors with whom the hospital has a contractual relationship for the services rendered or not rendered by the lay caregiver to the patient at the patient's residence;
- (7) Obligate a designated lay caregiver to perform any aftercare tasks for any patient;
- (8) Require a patient to designate any individual as a lay caregiver as defined in RCW 70.41.020;
- (9) Obviate the obligation of a health carrier as defined in RCW 48.43.005 or any other entity issuing health benefit plans to provide coverage required under a health benefit plan; and
- (10) Impact, impede, or otherwise disrupt or reduce the reimbursement obligations of a health carrier or any other entity issuing health benefit plans.

Sec. 5. RCW 70.41.320 and 1998 c 245 s 127 are each amended to read as follows:

(1) Hospitals and acute care facilities shall:

(a) Work cooperatively with the department of social and health services, area agencies on aging, and local long-term care information and assistance organizations in the planning and implementation of patient discharges to long-term care services.

(b) Establish and maintain a system for discharge planning and designate a person responsible for system management and implementation.

(c) Establish written policies and procedures to:

(i) Identify patients needing further nursing, therapy, or supportive care following discharge from the hospital;

(ii) Subject to section 2 of this act, develop a documented discharge plan for each identified patient, including relevant patient history, specific care requirements, and date such follow-up care is to be initiated;

(iii) Coordinate with patient, family, caregiver, lay caregiver as provided in section 2 of this act, a long-term care worker as defined in RCW 74.39A.009, a home and community-based service provider such as an adult family home as defined in RCW 70.128.010, an assisted living facility as defined in RCW 18.20.020, or a home care agency as defined in RCW 70.127.010, and appropriate members of the health care team;

(iv) Provide any patient, regardless of income status, written information and verbal consultation regarding the array of long-term care options available in the community, including the relative cost, eligibility criteria, location, and contact persons;

(v) Promote an informed choice of long-term care services on the part of patients, family members, and legal representatives; ((and))

(vi) Coordinate with the department and specialized case management agencies, including area agencies on aging and other appropriate long-term care providers, as necessary, to ensure timely transition to appropriate home, community residential, or nursing facility care; and

(vii) Inform the patient or his or her surrogate decision maker designated under RCW 7.70.065 if it is necessary to complete a valid disclosure authorization as required by state and federal laws governing health information privacy and security, including chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and related regulations, in order to allow disclosure of health care information, including the discharge plan, to an individual or entity that will be involved in the patient's care upon discharge, including a lay caregiver as defined in RCW 70.41.020, a long-term care worker as defined in RCW 74.39A.009, a home and community-based service provider such as an adult family home as defined in RCW 70.128.010, an assisted living facility as defined in RCW 18.20.020, or a home care agency as defined in RCW 70.127.010. If a valid disclosure authorization is obtained, the hospital may release information as designated by the patient for care coordination or other specified purposes.

(d) Work in cooperation with the department which is responsible for ensuring that patients eligible for medicaid long-term care receive prompt assessment and appropriate service authorization.

(2) In partnership with selected hospitals, the department of social and health services shall develop and implement pilot projects in up to three areas of the state with the goal of providing information about appropriate in-home and community services to individuals and their families early during the individual's hospital stay.

The department shall not delay hospital discharges but shall assist and support the activities of hospital discharge planners. The department also shall coordinate with home health and

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

hospice agencies whenever appropriate. The role of the department is to assist the hospital and to assist patients and their families in making informed choices by providing information regarding home and community options.

In conducting the pilot projects, the department shall:

(a) Assess and offer information regarding appropriate in-home and community services to individuals who are medicaid clients or applicants; and

(b) Offer assessment and information regarding appropriate in-home and community services to individuals who are reasonably expected to become medicaid recipients within one hundred eighty days of admission to a nursing facility."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Bailey moved that the Senate refuse to concur in the House amendment(s) to Substitute Senate Bill No. 6327 and ask the House to recede therefrom.

Senator Bailey spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Bailey that the Senate refuse to concur in the House amendment(s) to Substitute Senate Bill No. 6327 and ask the House to recede therefrom.

The motion by Senator Bailey carried and the Senate refused to concur in the House amendment(s) to Substitute Senate Bill No. 6327 and asked the House to recede therefrom by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700, by House Committee on Public Safety (originally sponsored by Representatives Goodman, Klippert, Orwall, Hayes, Kuderer, Pettigrew, Muri, Ortiz-Self and Kilduff)

Concerning impaired driving.

The measure was read the second time.

MOTION

Senator Padden moved that the following committee striking amendment by the Committee on Transportation be adopted. Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 36.28A.320 and 2015 2nd sp.s. c 3 s 16 are each amended to read as follows:

There is hereby established in the custody of the state ((treasury)) treasurer the 24/7 sobriety account. The account shall be maintained and administered by the criminal justice training commission to reimburse the state for costs associated with establishing and operating the 24/7 sobriety program and the Washington association of sheriffs and police chiefs for ongoing 24/7 sobriety program administration costs. An appropriation is not required for expenditures and the account is not subject to allotment procedures under chapter 43.88 RCW. Funds in the account may not lapse and must carry forward from biennium to

biennium. Interest earned by the account must be retained in the account. The criminal justice training commission may accept for deposit in the account money from donations, gifts, grants, participation fees, and user fees or payments.

Sec. 2. RCW 43.79A.040 and 2013 c 251 s 5 and 2013 c 88 s 1 are each reenacted and amended to read as follows:

(1) Money in the treasurer's trust fund may be deposited, invested, and reinvested by the state treasurer in accordance with RCW 43.84.080 in the same manner and to the same extent as if the money were in the state treasury, and may be commingled with moneys in the state treasury for cash management and cash balance purposes.

(2) All income received from investment of the treasurer's trust fund must be set aside in an account in the treasury trust fund to be known as the investment income account.

(3) The investment income account may be utilized for the payment of purchased banking services on behalf of treasurer's trust funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasurer or affected state agencies. The investment income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments must occur prior to distribution of earnings set forth in subsection (4) of this section.

(4)(a) Monthly, the state treasurer must distribute the earnings credited to the investment income account to the state general fund except under (b), (c), and (d) of this subsection.

(b) The following accounts and funds must receive their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The 24/7 sobriety account, the Washington promise scholarship account, the Washington advanced college tuition payment program account, the accessible communities account, the community and technical college innovation account, the agricultural local fund, the American Indian scholarship endowment fund, the foster care scholarship endowment fund, the foster care endowed scholarship trust fund, the contract harvesting revolving account, the Washington state combined fund drive account, the commemorative works account, the county enhanced 911 excise tax account, the toll collection account, the developmental disabilities endowment trust fund, the energy account, the fair fund, the family leave insurance account, the food animal veterinarian conditional scholarship account, the fruit and vegetable inspection account, the future teachers conditional scholarship account, the game farm alternative account, the GET ready for math and science scholarship account, the Washington global health technologies and product development account, the grain inspection revolving fund, the industrial insurance rainy day fund, the juvenile accountability incentive account, the law enforcement officers' and firefighters' plan 2 expense fund, the local tourism promotion account, the multiagency permitting team account, the pilotage account, the produce railcar pool account, the regional transportation investment district account, the rural rehabilitation account, the stadium and exhibition center account, the youth athletic facility account, the self-insurance revolving fund, the children's trust fund, the Washington horse racing commission Washington bred owners' bonus fund and breeder awards account, the Washington horse racing commission class C purse fund account, the individual development account program account, the Washington horse racing commission operating account, the life sciences discovery fund, the Washington state heritage center account, the reduced cigarette ignition propensity account, the center for childhood deafness and hearing loss account, the school for the blind account, the Millersylvania park trust fund, the public employees'

and retirees' insurance reserve fund, and the radiation perpetual maintenance fund.

(c) The following accounts and funds must receive eighty percent of their proportionate share of earnings based upon each account's or fund's average daily balance for the period: The advanced right-of-way revolving fund, the advanced environmental mitigation revolving account, the federal narcotics asset forfeitures account, the high occupancy vehicle account, the local rail service assistance account, and the miscellaneous transportation programs account.

(d) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the custody of the state treasurer that deposits funds into a fund or account in the custody of the state treasurer pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no trust accounts or funds shall be allocated earnings without the specific affirmative directive of this section.

Sec. 3. RCW 46.01.260 and 2015 2nd sp.s. c 3 s 10 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the director may destroy applications for vehicle registrations, copies of vehicle registrations issued, applications for drivers' licenses, copies of issued drivers' licenses, certificates of title and registration or other documents, and records or supporting papers on file in the department that have been microfilmed or photographed or are more than five years old. The director may destroy applications for vehicle registrations that are renewal applications when the computer record of the applications has been updated.

(2)(a) The director shall not destroy records of convictions or adjudications of RCW 46.61.502, 46.61.503, 46.61.504, 46.61.520, and 46.61.522, ((or)) records of deferred prosecutions granted under RCW 10.05.120, or any other records of a prior offense as defined in RCW 46.61.5055 and shall maintain such records permanently on file.

(b) ((The director shall not, within fifteen years from the date of conviction or adjudication, destroy records if the offense was originally charged as one of the offenses designated in (a) of this subsection, convictions or adjudications of the following offenses: RCW 46.61.500 or 46.61.5249 or any other violation that was originally charged as one of the offenses designated in (a) of this subsection.

(c))) For purposes of RCW 46.52.101 and 46.52.130, offenses subject to this subsection shall be considered "alcohol-related" offenses.

Sec. 4. RCW 46.64.025 and 2012 c 82 s 5 are each amended to read as follows:

Whenever any person served with a traffic citation or a traffic-related criminal complaint willfully fails to appear at a requested hearing for a moving violation or fails to comply with the terms of a notice of traffic citation for a moving violation or a traffic-related criminal complaint, the court in which the defendant failed to appear shall promptly give notice of such fact to the department of licensing. Whenever thereafter the case in which the defendant failed to appear is adjudicated, the court hearing the case shall promptly file with the department a certificate showing that the case has been adjudicated. For the purposes of this section, "moving violation" is defined by rule pursuant to RCW 46.20.2891.

Sec. 5. RCW 46.20.291 and 2007 c 393 s 2 are each amended to read as follows:

The department is authorized to suspend the license of a driver upon a showing by its records or other sufficient evidence that the licensee:

(1) Has committed an offense for which mandatory revocation or suspension of license is provided by law;

(2) Has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any person or serious property damage;

(3) Has been convicted of offenses against traffic regulations governing the movement of vehicles, or found to have committed traffic infractions, with such frequency as to indicate a disrespect for traffic laws or a disregard for the safety of other persons on the highways;

(4) Is incompetent to drive a motor vehicle under RCW 46.20.031(3);

(5) Has failed to respond to a notice of traffic infraction, failed to appear at a requested hearing, violated a written promise to appear in court, or has failed to comply with the terms of a notice of traffic infraction, criminal complaint, or citation, as provided in RCW 46.20.289;

(6) Is subject to suspension under RCW 46.20.305 or 9A.56.078;

(7) Has committed one of the prohibited practices relating to drivers' licenses defined in RCW 46.20.0921; or

(8) Has been certified by the department of social and health services as a person who is not in compliance with a child support order or a residential or visitation order as provided in RCW 74.20A.320.

Sec. 6. RCW 46.20.289 and 2012 c 82 s 3 are each amended to read as follows:

The department shall suspend all driving privileges of a person when the department receives notice from a court under RCW 46.63.070(6), 46.63.110(6), or 46.64.025 that the person has failed to respond to a notice of traffic infraction for a moving violation, failed to appear at a requested hearing for a moving violation, violated a written promise to appear in court for a notice of infraction for a moving violation, or has failed to comply with the terms of a notice of traffic infraction, criminal complaint, or citation for a moving violation, or when the department receives notice from another state under Article IV of the nonresident violator compact under RCW 46.23.010 or from a jurisdiction that has entered into an agreement with the department under RCW 46.23.020, other than for a standing, stopping, or parking violation, provided that the traffic infraction or traffic offense is committed on or after July 1, 2005. A suspension under this section takes effect pursuant to the provisions of RCW 46.20.245, and remains in effect until the department has received a certificate from the court showing that the case has been adjudicated, and until the person meets the requirements of RCW 46.20.311. In the case of failure to respond to a traffic infraction issued under RCW 46.55.105, the department shall suspend all driving privileges until the person provides evidence from the court that all penalties and restitution have been paid. A suspension under this section does not take effect if, prior to the effective date of the suspension, the department receives a certificate from the court showing that the case has been adjudicated.

Sec. 7. RCW 9.94A.533 and 2015 c 134 s 2 are each amended to read as follows:

(1) The provisions of this section apply to the standard sentence ranges determined by RCW 9.94A.510 or 9.94A.517.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

offender score and the seriousness level of the completed crime, and multiplying the range by seventy-five percent.

(3) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any firearm enhancements based on the classification of the completed felony crime. If the offender is being sentenced for more than one offense, the firearm enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a firearm enhancement. If the offender or an accomplice was armed with a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any firearm enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Five years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) Three years for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Eighteen months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced for any firearm enhancements under (a), (b), and/or (c) of this subsection and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (4)(a), (b), and/or (c) of this section, or both, all firearm enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all firearm enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(((3))) (1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The firearm enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(4) The following additional times shall be added to the standard sentence range for felony crimes committed after July 23, 1995, if the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for one of the crimes listed in this subsection as eligible for any deadly weapon enhancements based on the classification of the completed felony crime. If the

offender is being sentenced for more than one offense, the deadly weapon enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a deadly weapon enhancement. If the offender or an accomplice was armed with a deadly weapon other than a firearm as defined in RCW 9.41.010 and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection as eligible for any deadly weapon enhancements, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(a) Two years for any felony defined under any law as a class A felony or with a statutory maximum sentence of at least twenty years, or both, and not covered under (f) of this subsection;

(b) One year for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both, and not covered under (f) of this subsection;

(c) Six months for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both, and not covered under (f) of this subsection;

(d) If the offender is being sentenced under (a), (b), and/or (c) of this subsection for any deadly weapon enhancements and the offender has previously been sentenced for any deadly weapon enhancements after July 23, 1995, under (a), (b), and/or (c) of this subsection or subsection (3)(a), (b), and/or (c) of this section, or both, all deadly weapon enhancements under this subsection shall be twice the amount of the enhancement listed;

(e) Notwithstanding any other provision of law, all deadly weapon enhancements under this section are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(((3))) (1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(f) The deadly weapon enhancements in this section shall apply to all felony crimes except the following: Possession of a machine gun, possessing a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, and use of a machine gun in a felony;

(g) If the standard sentence range under this section exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a deadly weapon enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(5) The following additional times shall be added to the standard sentence range if the offender or an accomplice committed the offense while in a county jail or state correctional facility and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section:

(a) Eighteen months for offenses committed under RCW 69.50.401(2) (a) or (b) or 69.50.410;

(b) Fifteen months for offenses committed under RCW 69.50.401(2) (c), (d), or (e);

(c) Twelve months for offenses committed under RCW 69.50.4013.

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(6) An additional twenty-four months shall be added to the standard sentence range for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435 or 9.94A.827. All enhancements under this subsection shall run consecutively to all other sentencing provisions, for all offenses sentenced under this chapter.

(7) An additional two years shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502 for each prior offense as defined in RCW 46.61.5055.

Notwithstanding any other provision of law, all impaired driving enhancements under this subsection ((shall be)) are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other impaired driving enhancements, for all offenses sentenced under this chapter.

An offender serving a sentence under this subsection may be granted an extraordinary medical placement when authorized under RCW 9.94A.728(1)(c).

(8)(a) The following additional times shall be added to the standard sentence range for felony crimes committed on or after July 1, 2006, if the offense was committed with sexual motivation, as that term is defined in RCW 9.94A.030. If the offender is being sentenced for more than one offense, the sexual motivation enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to a sexual motivation enhancement. If the offender committed the offense with sexual motivation and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW, the following additional times shall be added to the standard sentence range determined under subsection (2) of this section based on the felony crime of conviction as classified under RCW 9A.28.020:

(i) Two years for any felony defined under the law as a class A felony or with a statutory maximum sentence of at least twenty years, or both;

(ii) Eighteen months for any felony defined under any law as a class B felony or with a statutory maximum sentence of ten years, or both;

(iii) One year for any felony defined under any law as a class C felony or with a statutory maximum sentence of five years, or both;

(iv) If the offender is being sentenced for any sexual motivation enhancements under (a)(i), (ii), and/or (iii) of this subsection and the offender has previously been sentenced for any sexual motivation enhancements on or after July 1, 2006, under (a)(i), (ii), and/or (iii) of this subsection, all sexual motivation enhancements under this subsection shall be twice the amount of the enhancement listed;

(b) Notwithstanding any other provision of law, all sexual motivation enhancements under this subsection are mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions, including other sexual motivation enhancements, for all offenses sentenced under this chapter. However, whether or not a mandatory minimum term has expired, an offender serving a sentence under this subsection may be:

(i) Granted an extraordinary medical placement when authorized under RCW 9.94A.728(((3))) (1)(c); or

(ii) Released under the provisions of RCW 9.94A.730;

(c) The sexual motivation enhancements in this subsection apply to all felony crimes;

(d) If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence unless the offender is a persistent offender. If the addition of a sexual motivation enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced;

(e) The portion of the total confinement sentence which the offender must serve under this subsection shall be calculated before any earned early release time is credited to the offender;

(f) Nothing in this subsection prevents a sentencing court from imposing a sentence outside the standard sentence range pursuant to RCW 9.94A.535.

(9) An additional one-year enhancement shall be added to the standard sentence range for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089 committed on or after July 22, 2007, if the offender engaged, agreed, or offered to engage the victim in the sexual conduct in return for a fee. If the offender is being sentenced for more than one offense, the one-year enhancement must be added to the total period of total confinement for all offenses, regardless of which underlying offense is subject to the enhancement. If the offender is being sentenced for an anticipatory offense for the felony crimes of RCW 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, or 9A.44.089, and the offender attempted, solicited another, or conspired to engage, agree, or offer to engage the victim in the sexual conduct in return for a fee, an additional one-year enhancement shall be added to the standard sentence range determined under subsection (2) of this section. For purposes of this subsection, "sexual conduct" means sexual intercourse or sexual contact, both as defined in chapter 9A.44 RCW.

(10)(a) For a person age eighteen or older convicted of any criminal street gang-related felony offense for which the person compensated, threatened, or solicited a minor in order to involve the minor in the commission of the felony offense, the standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by one hundred twenty-five percent. If the standard sentence range under this subsection exceeds the statutory maximum sentence for the offense, the statutory maximum sentence is the presumptive sentence unless the offender is a persistent offender.

(b) This subsection does not apply to any criminal street gang-related felony offense for which involving a minor in the commission of the felony offense is an element of the offense.

(c) The increased penalty specified in (a) of this subsection is unavailable in the event that the prosecution gives notice that it will seek an exceptional sentence based on an aggravating factor under RCW 9.94A.535.

(11) An additional twelve months and one day shall be added to the standard sentence range for a conviction of attempting to elude a police vehicle as defined by RCW 46.61.024, if the conviction included a finding by special allegation of endangering one or more persons under RCW 9.94A.834.

(12) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.831.

(13) An additional twelve months shall be added to the standard sentence range for vehicular homicide committed while under the influence of intoxicating liquor or any drug as defined

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

by RCW 46.61.520 or for vehicular assault committed while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.522, or for any felony driving under the influence (RCW 46.61.502(6)) or felony physical control under the influence (RCW 46.61.504(6)) for each child passenger under the age of sixteen who is an occupant in the defendant's vehicle. These enhancements shall be mandatory, shall be served in total confinement, and shall run consecutively to all other sentencing provisions. If the addition of a minor child enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.

(14) An additional twelve months shall be added to the standard sentence range for an offense that is also a violation of RCW 9.94A.832.

Sec. 8. RCW 46.61.506 and 2015 2nd sp.s. c 3 s 22 are each amended to read as follows:

(1) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by any person while driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or any drug, if the person's alcohol concentration is less than 0.08 or the person's THC concentration is less than 5.00, it is evidence that may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor or any drug.

(2)(a) The breath analysis of the person's alcohol concentration shall be based upon grams of alcohol per two hundred ten liters of breath.

(b) The blood analysis of the person's THC concentration shall be based upon nanograms per milliliter of whole blood.

(c) The foregoing provisions of this section shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor or any drug.

(3) Analysis of the person's blood or breath to be considered valid under the provisions of this section or RCW 46.61.502 or 46.61.504 shall have been performed according to methods approved by the state toxicologist and by an individual possessing a valid permit issued by the state toxicologist for this purpose. The state toxicologist is directed to approve satisfactory techniques or methods, to supervise the examination of individuals to ascertain their qualifications and competence to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the state toxicologist.

(4)(a) A breath test performed by any instrument approved by the state toxicologist shall be admissible at trial or in an administrative proceeding if the prosecution or department produces prima facie evidence of the following:

(i) The person who performed the test was authorized to perform such test by the state toxicologist;

(ii) The person being tested did not vomit or have anything to eat, drink, or smoke for at least fifteen minutes prior to administration of the test;

(iii) The person being tested did not have any foreign substances, not to include dental work, fixed or removable, in his or her mouth at the beginning of the fifteen-minute observation period;

(iv) Prior to the start of the test, the temperature of any liquid simulator solution utilized as an external standard, as measured by a thermometer approved of by the state toxicologist was thirty-four degrees centigrade plus or minus 0.3 degrees centigrade;

(v) The internal standard test resulted in the message "verified";

(vi) The two breath samples agree to within plus or minus ten percent of their mean to be determined by the method approved by the state toxicologist;

(vii) The result of the test of the liquid simulator solution external standard or dry gas external standard result did lie between .072 to .088 inclusive; and

(viii) All blank tests gave results of .000.

(b) For purposes of this section, "prima facie evidence" is evidence of sufficient circumstances that would support a logical and reasonable inference of the facts sought to be proved. In assessing whether there is sufficient evidence of the foundational facts, the court or administrative tribunal is to assume the truth of the prosecution's or department's evidence and all reasonable inferences from it in a light most favorable to the prosecution or department.

(c) Nothing in this section shall be deemed to prevent the subject of the test from challenging the reliability or accuracy of the test, the reliability or functioning of the instrument, or any maintenance procedures. Such challenges, however, shall not preclude the admissibility of the test once the prosecution or department has made a prima facie showing of the requirements contained in (a) of this subsection. Instead, such challenges may be considered by the trier of fact in determining what weight to give to the test result.

(5) When a blood test is administered under the provisions of RCW 46.20.308, the withdrawal of blood for the purpose of determining its alcoholic or drug content may be performed only by a physician licensed under chapter 18.71 RCW; an osteopathic physician licensed under chapter 18.57 RCW; a registered nurse, licensed practical nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW; a physician assistant licensed under chapter 18.71A RCW; an osteopathic physician assistant licensed under chapter 18.57A RCW; an advanced emergency medical technician or paramedic licensed under chapter 18.73 RCW; until July 1, 2016, a health care assistant certified under chapter 18.135 RCW; or a medical assistant-certified or medical assistant-phlebotomist certified under chapter 18.360 RCW. Proof of qualification to draw blood may be established through the department of health's provider credential search. This limitation shall not apply to the taking of breath specimens.

(6) The person tested may have a licensed or certified health care provider listed in subsection (5) of this section, or a qualified technician, chemist, or other qualified person of his or her own choosing administer one or more tests in addition to any administered at the direction of a law enforcement officer. The test will be admissible if the person establishes the general acceptability of the testing technique or method. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

(7) Upon the request of the person who shall submit to a test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to him or her or his or her attorney.

Sec. 9. RCW 10.31.100 and 2014 c 202 s 307, 2014 c 100 s 2, and 2014 c 5 s 1 are each reenacted and amended to read as follows:

A police officer having probable cause to believe that a person has committed or is committing a felony shall have the authority to arrest the person without a warrant. A police officer may arrest a person without a warrant for committing a misdemeanor or gross misdemeanor only when the offense is committed in the presence of an officer, except as provided in subsections (1) through (11) of this section.

(1) Any police officer having probable cause to believe that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis, or involving the acquisition, possession, or consumption of alcohol by a person under the age of twenty-one years under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070 or 9A.52.080, shall have the authority to arrest the person.

(2) A police officer shall arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that:

(a) An order has been issued of which the person has knowledge under RCW 26.44.063, or chapter 7.92, 7.90, 9A.46, 10.99, 26.09, 26.10, 26.26, 26.50, or 74.34 RCW restraining the person and the person has violated the terms of the order restraining the person from acts or threats of violence, or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location or, in the case of an order issued under RCW 26.44.063, imposing any other restrictions or conditions upon the person; or

(b) A foreign protection order, as defined in RCW 26.52.010, has been issued of which the person under restraint has knowledge and the person under restraint has violated a provision of the foreign protection order prohibiting the person under restraint from contacting or communicating with another person, or excluding the person under restraint from a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location, or a violation of any provision for which the foreign protection order specifically indicates that a violation will be a crime; or

(c) The person is sixteen years or older and within the preceding four hours has assaulted a family or household member as defined in RCW 10.99.020 and the officer believes: (i) A felonious assault has occurred; (ii) an assault has occurred which has resulted in bodily injury to the victim, whether the injury is observable by the responding officer or not; or (iii) that any physical action has occurred which was intended to cause another person reasonably to fear imminent serious bodily injury or death. Bodily injury means physical pain, illness, or an impairment of physical condition. When the officer has probable cause to believe that family or household members have assaulted each other, the officer is not required to arrest both persons. The officer shall arrest the person whom the officer believes to be the primary physical aggressor. In making this determination, the officer shall make every reasonable effort to consider: (i) The intent to protect victims of domestic violence under RCW 10.99.010; (ii) the comparative extent of injuries inflicted or serious threats creating fear of physical injury; and (iii) the history of domestic violence of each person involved, including whether the conduct was part of an ongoing pattern of abuse.

(3) Any police officer having probable cause to believe that a person has committed or is committing a violation of any of the following traffic laws shall have the authority to arrest the person:

(a) RCW 46.52.010, relating to duty on striking an unattended car or other property;

(b) RCW 46.52.020, relating to duty in case of injury to or death of a person or damage to an attended vehicle;

(c) RCW 46.61.500 or 46.61.530, relating to reckless driving or racing of vehicles;

(d) RCW 46.61.502 or 46.61.504, relating to persons under the influence of intoxicating liquor or drugs;

(e) RCW 46.61.503 or 46.25.110, relating to persons having alcohol or THC in their system;

(f) RCW 46.20.342, relating to driving a motor vehicle while operator's license is suspended or revoked;

(g) RCW 46.61.5249, relating to operating a motor vehicle in a negligent manner.

(4) A law enforcement officer investigating at the scene of a motor vehicle accident may arrest the driver of a motor vehicle involved in the accident if the officer has probable cause to believe that the driver has committed in connection with the accident a violation of any traffic law or regulation.

(5)(a) A law enforcement officer investigating at the scene of a motor vessel accident may arrest the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a criminal violation of chapter 79A.60 RCW.

(b) A law enforcement officer investigating at the scene of a motor vessel accident may issue a citation for an infraction to the operator of a motor vessel involved in the accident if the officer has probable cause to believe that the operator has committed, in connection with the accident, a violation of any boating safety law of chapter 79A.60 RCW.

(6) Any police officer having probable cause to believe that a person has committed or is committing a violation of RCW 79A.60.040 shall have the authority to arrest the person.

(7) An officer may act upon the request of a law enforcement officer in whose presence a traffic infraction was committed, to stop, detain, arrest, or issue a notice of traffic infraction to the driver who is believed to have committed the infraction. The request by the witnessing officer shall give an officer the authority to take appropriate action under the laws of the state of Washington.

(8) Any police officer having probable cause to believe that a person has committed or is committing any act of indecent exposure, as defined in RCW 9A.88.010, may arrest the person.

(9) A police officer may arrest and take into custody, pending release on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that an order has been issued of which the person has knowledge under chapter 10.14 RCW and the person has violated the terms of that order.

(10) Any police officer having probable cause to believe that a person has, within twenty-four hours of the alleged violation, committed a violation of RCW 9A.50.020 may arrest such person.

(11) A police officer having probable cause to believe that a person illegally possesses or illegally has possessed a firearm or other dangerous weapon on private or public elementary or secondary school premises shall have the authority to arrest the person.

For purposes of this subsection, the term "firearm" has the meaning defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

(12) A law enforcement officer having probable cause to believe that a person has committed a violation under RCW 77.15.160(4) may issue a citation for an infraction to the person in connection with the violation.

(13) A law enforcement officer having probable cause to believe that a person has committed a criminal violation under RCW 77.15.809 or 77.15.811 may arrest the person in connection with the violation.

(14) Except as specifically provided in subsections (2), (3), (4), and (7) of this section, nothing in this section extends or otherwise affects the powers of arrest prescribed in Title 46 RCW.

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

(15) No police officer may be held criminally or civilly liable for making an arrest pursuant to subsection (2) or (9) of this section if the police officer acts in good faith and without malice.

(16)(a) Except as provided in (b) of this subsection, a police officer shall arrest and keep in custody, until release by a judicial officer on bail, personal recognizance, or court order, a person without a warrant when the officer has probable cause to believe that the person has violated RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and the police officer has knowledge that the person has a prior offense as defined in RCW 46.61.5055 within ten years.

(b) A police officer is not required to keep in custody a person under (a) of this subsection if the person requires immediate medical attention and is admitted to a hospital.

Sec. 10. RCW 10.01.230 and 2011 c 293 s 15 are each amended to read as follows:

(1) The Washington traffic safety commission may develop and maintain a registry of qualified victim impact panels. When imposing a requirement that an offender attend a victim impact panel under RCW 46.61.5152, the court may refer the offender to a victim impact panel that is listed in the registry. The Washington traffic safety commission may consult with victim impact panel organizations to develop and maintain a registry.

(2) To be listed on the registry, the victim impact panel must meet the following minimum standards:

(a) The victim impact panel must address the effects of driving while impaired on individuals and families and address alternatives to drinking and driving and drug use and driving;

(b) The victim impact panel ((should strive to)) shall have at least two different speakers, one of whom is a victim survivor of an impaired driving crash, to present their stories in person. A victim survivor may be the panel facilitator. The victim impact panel should be a minimum of sixty minutes of presentation, not including registration and administration time;

(c) The victim impact panel shall have policies and procedures to recruit, screen, train, and provide feedback and ongoing support to the panelists. The panel shall take reasonable steps to verify the authenticity of each panelist's story;

(d) Pursuant to (b) of this subsection, the victim impact panel shall use in-person speakers for each presentation for a minimum of sixty minutes of presentation. The victim impact panel may supplement the in-person presentations with prerecorded videos, but in no case shall the videos shown exceed fifteen minutes of presentation;

(e) The victim impact panel shall charge a reasonable fee to all persons required to attend, unless otherwise ordered by the court;

((e)) (f) The victim impact panel shall have a policy to prohibit admittance of anyone under the influence of alcohol or drugs, or anyone whose actions or behavior are otherwise inappropriate. The victim impact panel may institute additional admission requirements;

((f)) (g) The victim impact panel shall maintain attendance records for at least five years;

((g)) (h) The victim impact panel shall make reasonable efforts to use a facility that meets standards established by the Americans with disabilities act;

((h)) (i) The victim impact panel may provide referral information to other community services; and

((i)) (j) The victim impact panel shall have a designated facilitator who is responsible for the compliance with these minimum standards and who is responsible for maintaining appropriate records and communication with the referring courts and probationary departments regarding attendance or nonattendance.

Sec. 11. RCW 10.05.140 and 2013 2nd sp. s. c 35 s 21 are each amended to read as follows:

As a condition of granting a deferred prosecution petition, the court shall order that the petitioner shall not operate a motor vehicle upon the public highways without a valid operator's license and proof of liability insurance. The amount of liability insurance shall be established by the court at not less than that established by RCW 46.29.490. As a condition of granting a deferred prosecution petition on any alcohol-dependency based case, the court shall also order the installation of an ignition interlock under RCW 46.20.720. The required periods of use of the interlock shall be not less than the periods provided for in RCW 46.20.720((3)). As a condition of granting a deferred prosecution petition, the court may order the petitioner to make restitution and to pay costs as defined in RCW 10.01.160. To help ensure continued sobriety and reduce the likelihood of reoffense, the court may order reasonable conditions during the period of the deferred prosecution including, but not limited to, attendance at self-help recovery support groups for alcoholism or drugs, complete abstinence from alcohol and all nonprescribed mind-altering drugs, periodic urinalysis or breath analysis, and maintaining law-abiding behavior. The court may terminate the deferred prosecution program upon violation of the deferred prosecution order.

Sec. 12. RCW 46.20.311 and 2006 c 73 s 15 are each amended to read as follows:

(1)(a) The department shall not suspend a driver's license or privilege to drive a motor vehicle on the public highways for a fixed period of more than one year, except as specifically permitted under RCW 46.20.267, 46.20.342, or other provision of law.

(b) Except for a suspension under RCW 46.20.267, 46.20.289, 46.20.291(5), 46.61.740, or 74.20A.320, whenever the license or driving privilege of any person is suspended by reason of a conviction, a finding that a traffic infraction has been committed, pursuant to chapter 46.29 RCW, or pursuant to RCW 46.20.291 or 46.20.308, the suspension shall remain in effect until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW.

(c) If the suspension is the result of a nonfelony violation of RCW 46.61.502 or 46.61.504, the department shall determine the person's eligibility for licensing based upon the reports provided by the alcoholism agency or probation department designated under RCW 46.61.5056 and shall deny reinstatement until enrollment and participation in an approved program has been established and the person is otherwise qualified. If the suspension is the result of a violation of RCW 46.61.502(6) or 46.61.504(6), the department shall determine the person's eligibility for licensing based upon the reports provided by the alcohol or drug dependency agency required under RCW 46.61.524 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified. If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504, and the person is required pursuant to RCW 46.20.720 to drive only a motor vehicle equipped with a functioning ignition interlock, the department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person seeking reinstatement. The department may waive the requirement for written verification under this subsection if it determines to its satisfaction that a device previously verified as having been installed on a vehicle owned or operated by the person is still installed and functioning or as permitted by RCW 46.20.720(8). If, based upon notification from the interlock

provider or otherwise, the department determines that an interlock required under RCW 46.20.720 is no longer installed or functioning as required, the department shall suspend the person's license or privilege to drive. Whenever the license or driving privilege of any person is suspended or revoked as a result of noncompliance with an ignition interlock requirement, the suspension shall remain in effect until the person provides notice issued by a company doing business in the state that a vehicle owned or operated by the person is equipped with a functioning ignition interlock device.

(d) Whenever the license or driving privilege of any person is suspended as a result of certification of noncompliance with a child support order under chapter 74.20A RCW ((or a residential or visitation order)), the suspension shall remain in effect until the person provides a release issued by the department of social and health services stating that the person is in compliance with the order.

(e)(i) The department shall not issue to the person a new, duplicate, or renewal license until the person pays a reissue fee of seventy-five dollars.

(ii) If the suspension is the result of a violation of RCW 46.61.502 or 46.61.504, or is the result of administrative action under RCW 46.20.308, the reissue fee shall be one hundred fifty dollars.

(2)(a) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked, unless the revocation was for a cause which has been removed, is not entitled to have the license or privilege renewed or restored until: (i) After the expiration of one year from the date the license or privilege to drive was revoked; (ii) after the expiration of the applicable revocation period provided by RCW 46.20.3101 or 46.61.5055; (iii) after the expiration of two years for persons convicted of vehicular homicide; or (iv) after the expiration of the applicable revocation period provided by RCW 46.20.265.

(b)(i) After the expiration of the appropriate period, the person may make application for a new license as provided by law together with a reissue fee in the amount of seventy-five dollars.

(ii) If the revocation is the result of a violation of RCW 46.20.308, 46.61.502, or 46.61.504, the reissue fee shall be one hundred fifty dollars. If the revocation is the result of a nonfelony violation of RCW 46.61.502 or 46.61.504, the department shall determine the person's eligibility for licensing based upon the reports provided by the alcoholism agency or probation department designated under RCW 46.61.5056 and shall deny reissuance of a license, permit, or privilege to drive until enrollment and participation in an approved program has been established and the person is otherwise qualified. If the suspension is the result of a violation of RCW 46.61.502(6) or 46.61.504(6), the department shall determine the person's eligibility for licensing based upon the reports provided by the alcohol or drug dependency agency required under RCW 46.61.524 and shall deny reinstatement until satisfactory progress in an approved program has been established and the person is otherwise qualified. If the revocation is the result of a violation of RCW 46.61.502 or 46.61.504, and the person is required pursuant to RCW 46.20.720 to drive only a motor vehicle equipped with a functioning ignition interlock or other biological or technical device, the department shall determine the person's eligibility for licensing based upon written verification by a company doing business in the state that it has installed the required device on a vehicle owned or operated by the person applying for a new license. The department may waive the requirement for written verification under this subsection if it determines to its satisfaction that a device previously verified as having been installed on a vehicle owned or operated by the person is still

installed and functioning or as permitted by RCW 46.20.720(8). If, following issuance of a new license, the department determines, based upon notification from the interlock provider or otherwise, that an interlock required under RCW 46.20.720 is no longer functioning, the department shall suspend the person's license or privilege to drive until the department has received written verification from an interlock provider that a functioning interlock is installed.

(c) Except for a revocation under RCW 46.20.265, the department shall not then issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant the privilege of driving a motor vehicle on the public highways, and until the person gives and thereafter maintains proof of financial responsibility for the future as provided in chapter 46.29 RCW. For a revocation under RCW 46.20.265, the department shall not issue a new license unless it is satisfied after investigation of the driving ability of the person that it will be safe to grant that person the privilege of driving a motor vehicle on the public highways.

(3)(a) Whenever the driver's license of any person is suspended pursuant to Article IV of the nonresident violators compact or RCW 46.23.020 or 46.20.289 or 46.20.291(5), the department shall not issue to the person any new or renewal license until the person pays a reissue fee of seventy-five dollars.

(b) If the suspension is the result of a violation of the laws of this or any other state, province, or other jurisdiction involving (i) the operation or physical control of a motor vehicle upon the public highways while under the influence of intoxicating liquor or drugs, or (ii) the refusal to submit to a chemical test of the driver's blood alcohol content, the reissue fee shall be one hundred fifty dollars.

Sec. 13. RCW 46.20.385 and 2015 2nd sp.s. c 3 s 3 are each amended to read as follows:

(1)(a) Any person licensed under this chapter or who has a valid driver's license from another state, who is convicted of: (i) A violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance, or (ii) a violation of RCW 46.61.520(1)(a) or an equivalent local or out-of-state statute or ordinance, or (iii) a conviction for a violation of RCW 46.61.520(1) (b) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520(1)(a), or (iv) RCW 46.61.522(1)(b) or an equivalent local or out-of-state statute or ordinance, or (v) RCW 46.61.522(1) (a) or (c) if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522(1)(b) committed while under the influence of intoxicating liquor or any drug, or (vi) who has had or will have his or her license suspended, revoked, or denied under RCW 46.20.3101, or who is otherwise permitted under subsection (8) of this section, may submit to the department an application for an ignition interlock driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is eligible to receive the license, may issue an ignition interlock driver's license.

(b) A person may apply for an ignition interlock driver's license anytime, including immediately after receiving the notices under RCW 46.20.308 or after his or her license is suspended, revoked, or denied.

(c) An applicant under this subsection shall provide proof to the satisfaction of the department that a functioning ignition interlock device has been installed on all vehicles operated by the person.

(i) The department shall require the person to maintain the device on all vehicles operated by the person and shall restrict the person to operating only vehicles equipped with the device, for the remainder of the period of suspension, revocation, or denial, unless otherwise permitted under RCW 46.20.720(6). ((Subject

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

to the provisions of RCW 46.20.720(3)(b)(ii), the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department with a declaration pursuant to RCW 9A.72.085 from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours.)

(ii) Subject to any periodic renewal requirements established by the department under this section and subject to any applicable compliance requirements under this chapter or other law, an ignition interlock driver's license granted upon a suspension or revocation under RCW 46.61.5055 or 46.20.3101 extends through the remaining portion of any concurrent or consecutive suspension or revocation that may be imposed as the result of administrative action and criminal conviction arising out of the same incident.

((iii) The time period during which the person is licensed under this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is required under RCW 46.20.720, 46.61.5055, 10.05.140, 46.61.500(3), and 46.61.5249(4). Beginning with incidents occurring on or after September 1, 2011, when calculating the period of time for the restriction under RCW 46.20.720 (2) or (3), the department must also give the person a day-for-day credit for the time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates. For the purposes of this subsection (1)(c)(iii), the term "all vehicles" does not include vehicles that would be subject to the employer exception under RCW 46.20.720(3).))

(2) An applicant for an ignition interlock driver's license who qualifies under subsection (1) of this section is eligible to receive a license only if the applicant files satisfactory proof of financial responsibility under chapter 46.29 RCW.

(3) Upon receipt of evidence that a holder of an ignition interlock driver's license granted under this subsection no longer has a functioning ignition interlock device installed on all vehicles operated by the driver, the director shall give written notice by first-class mail to the driver that the ignition interlock driver's license shall be canceled. If at any time before the cancellation goes into effect the driver submits evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver, the cancellation shall be stayed. If the cancellation becomes effective, the driver may obtain, at no additional charge, a new ignition interlock driver's license upon submittal of evidence that a functioning ignition interlock device has been installed on all vehicles operated by the driver.

(4) A person aggrieved by the decision of the department on the application for an ignition interlock driver's license may request a hearing as provided by rule of the department.

(5) The director shall cancel an ignition interlock driver's license after receiving notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, no longer meets the eligibility requirements, or has been convicted of or found to have committed a separate offense or any other act or omission that under this chapter would warrant suspension or revocation of a regular driver's license. The department must give notice of the cancellation as provided under RCW 46.20.245. A person whose ignition interlock driver's license has been canceled under this section may reapply for a new ignition interlock driver's license if he or she is otherwise

qualified under this section and pays the fee required under RCW 46.20.380.

(6)(a) Unless costs are waived by the ignition interlock company or the person is indigent under RCW 10.101.010, the applicant shall pay the cost of installing, removing, and leasing the ignition interlock device and shall pay an additional fee of twenty dollars per month. Payments shall be made directly to the ignition interlock company. The company shall remit the additional twenty dollar fee to the department.

(b) The department shall deposit the proceeds of the twenty dollar fee into the ignition interlock device revolving account. Expenditures from the account may be used only to administer and operate the ignition interlock device revolving account program. The department shall adopt rules to provide monetary assistance according to greatest need and when funds are available.

(7) The department shall adopt rules to implement ignition interlock licensing. The department shall consult with the administrative office of the courts, the state patrol, the Washington association of sheriffs and police chiefs, ignition interlock companies, and any other organization or entity the department deems appropriate.

(8)(a) Any person licensed under this chapter who is convicted of a violation of RCW 46.61.500 when the charge was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, may submit to the department an application for an ignition interlock driver's license under this section.

(b) A person who does not have any driver's license under this chapter, but who would otherwise be eligible under this section to apply for an ignition interlock license, may submit to the department an application for an ignition interlock license. The department may require the person to take any driver's licensing examination under this chapter and may require the person to also apply and qualify for a temporary restricted driver's license under RCW 46.20.391.

Sec. 14. RCW 46.20.720 and 2013 2nd sp.s. c 35 s 19 are each amended to read as follows:

(1) ((The court may order that after a period of suspension, revocation, or denial of driving privileges, and for up to as long as the court has jurisdiction, any person convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle may drive only a motor vehicle equipped with a functioning ignition interlock. The court shall establish a specific calibration setting at which the interlock will prevent the vehicle from being started. The court shall also establish the period of time for which interlock use will be required.

(2) Under RCW 46.61.5055 and subject to the exceptions listed in that statute, the court shall order any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person. The court shall order any person participating in a deferred prosecution program under RCW 10.05.020 for a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to have a functioning ignition interlock device installed on all motor vehicles operated by the person.

(3)(a) The department shall require that, after any applicable period of suspension, revocation, or denial of driving privileges, a person may drive only a motor vehicle equipped with a functioning ignition interlock device if the person is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance. The department shall require

that a person may drive only a motor vehicle equipped with a functioning ignition interlock device if the person is convicted of a violation of RCW 46.61.5249 or 46.61.500 and is required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person.

(b)(i) Except as provided in (b)(ii) of this subsection, the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department with a declaration pursuant to RCW 9A.72.085 from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours.

(ii) The employer exemption does not apply:

(A) When the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment;

(B) For the first thirty days after an ignition interlock device has been installed as the result of a first conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance; or

(C) For the first three hundred sixty-five days after an ignition interlock device has been installed as the result of a second or subsequent conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance.

(c) The ignition interlock device shall be calibrated to prevent the motor vehicle from being started when the breath sample provided has an alcohol concentration of 0.025 or more. Subject to the provisions of subsections (4) and (5) of this section, the period of time of the restriction will be no less than:

(i) For a person who has not previously been restricted under this section, a period of one year;

(ii) For a person who has previously been restricted under (c)(i) of this subsection, a period of five years;

(iii) For a person who has previously been restricted under (c)(ii) of this subsection, a period of ten years.

(4) A restriction imposed under subsection (3) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying that there have been none of the following incidents in the four consecutive months prior to the date of release:

(a) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;

(b) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;

(c) Failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; or

(d) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device.

(5) For a person required to install an ignition interlock device pursuant to RCW 46.61.5249(4) or 46.61.500(3), the period of time of the restriction shall be for six months and shall be subject to subsection (4) of this section.

(6) In addition to any other costs associated with the use of an ignition interlock device imposed on the person restricted under this section, the person shall pay an additional fee of twenty dollars per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional twenty dollar fee to the department to be deposited into the ignition interlock device revolving account.)) Ignition interlock restriction. The department shall require that a person may drive only a motor vehicle equipped with a functioning ignition interlock device:

(a) Pretrial release. Upon receipt of notice from a court that an ignition interlock device restriction has been imposed under RCW 10.21.055;

(b) Ignition interlock driver's license. As required for issuance of an ignition interlock driver's license under RCW 46.20.385;

(c) Deferred prosecution. Upon receipt of notice from a court that the person is participating in a deferred prosecution program under RCW 10.05.020 for a violation of:

(i) RCW 46.61.502 or 46.61.504 or an equivalent local ordinance; or

(ii) RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person would be required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person in the event of a conviction;

(d) Post conviction. After any applicable period of suspension, revocation, or denial of driving privileges:

(i) Due to a conviction of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local or out-of-state statute or ordinance; or

(ii) Due to a conviction of a violation of RCW 46.61.5249 or 46.61.500 or an equivalent local ordinance if the person is required under RCW 46.61.5249(4) or 46.61.500(3) (a) or (b) to install an ignition interlock device on all vehicles operated by the person; or

(e) Court order. Upon receipt of an order by a court having jurisdiction that a person charged or convicted of any offense involving the use, consumption, or possession of alcohol while operating a motor vehicle may drive only a motor vehicle equipped with a functioning ignition interlock. The court shall establish a specific calibration setting at which the ignition interlock will prevent the vehicle from being started. The court shall also establish the period of time for which ignition interlock use will be required.

(2) Calibration. Unless otherwise specified by the court for a restriction imposed under subsection (1)(e) of this section, the ignition interlock device shall be calibrated to prevent the motor vehicle from being started when the breath sample provided has an alcohol concentration of 0.025 or more.

(3) Duration of restriction. A restriction imposed under:

(a) Subsection (1)(a) of this section shall remain in effect until:

(i) The court has authorized the removal of the device under RCW 10.21.055; or

(ii) The department has imposed a restriction under subsection (1)(b), (c), or (d) of this section arising out of the same incident.

(b) Subsection (1)(b) of this section remains in effect during the validity of any ignition interlock driver's license that has been issued to the person.

(c) Subsection (1)(c)(i) or (d)(i) of this section shall be for no less than:

(i) For a person who has not previously been restricted under this subsection, a period of one year;

(ii) For a person who has previously been restricted under (c)(i) of this subsection, a period of five years;

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

(iii) For a person who has previously been restricted under (c)(ii) of this subsection, a period of ten years.

The restriction of a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance and who committed the offense while a passenger under the age of sixteen was in the vehicle shall be extended for an additional six-month period as required by RCW 46.61.5055(6)(a).

(d) Subsection (1)(c)(ii) or (d)(ii) of this section shall be for a period of no less than six months.

(e) Subsection (1)(e) of this section shall remain in effect for the period of time specified by the court.

The period of restriction under (c) and (d) of this subsection based on incidents occurring on or after the effective date of this section must be tolled for any period in which the person does not have an ignition interlock device installed on a vehicle owned or operated by the person.

(4) Requirements for removal. A restriction imposed under subsection (1)(c) or (d) of this section shall remain in effect until the department receives a declaration from the person's ignition interlock device vendor, in a form provided or approved by the department, certifying that there have been none of the following incidents in the four consecutive months prior to the date of release:

(a) Any attempt to start the vehicle with a breath alcohol concentration of 0.04 or more unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.04 and the digital image confirms the same person provided both samples;

(b) Failure to take any random test unless a review of the digital image confirms that the vehicle was not occupied by the driver at the time of the missed test;

(c) Failure to pass any random retest with a breath alcohol concentration of 0.025 or lower unless a subsequent test performed within ten minutes registers a breath alcohol concentration lower than 0.025, and the digital image confirms the same person provided both samples; or

(d) Failure of the person to appear at the ignition interlock device vendor when required for maintenance, repair, calibration, monitoring, inspection, or replacement of the device.

(5) Day-for-day credit. (a) The time period during which a person has an ignition interlock device installed in order to meet the requirements of subsection (1)(b) of this section shall apply on a day-for-day basis toward satisfying the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident.

(b) The department must also give the person a day-for-day credit for any time period, beginning from the date of the incident, during which the person kept an ignition interlock device installed on all vehicles the person operates, other than those subject to the employer exemption under subsection (6) of this section.

(c) If the day-for-day credit granted under this subsection equals or exceeds the period of time the ignition interlock device restriction is imposed under subsection (1)(c) or (d) of this section arising out of the same incident, and the person has already met the requirements for removal of the device under subsection (4) of this section, the department may waive the requirement that a device be installed or that the person again meet the requirements for removal.

(6) Employer exemption. (a) Except as provided in (b) of this subsection, the installation of an ignition interlock device is not necessary on vehicles owned, leased, or rented by a person's employer and on those vehicles whose care and/or maintenance is the temporary responsibility of the employer, and driven at the direction of a person's employer as a requirement of employment during working hours. The person must provide the department

with a declaration pursuant to RCW 9A.72.085 from his or her employer stating that the person's employment requires the person to operate a vehicle owned by the employer or other persons during working hours.

(b) The employer exemption does not apply when the employer's vehicle is assigned exclusively to the restricted driver and used solely for commuting to and from employment.

(7) Ignition interlock device revolving account. In addition to any other costs associated with the use of an ignition interlock device imposed on the person restricted under this section, the person shall pay an additional fee of twenty dollars per month. Payments must be made directly to the ignition interlock company. The company shall remit the additional twenty dollar fee to the department to be deposited into the ignition interlock device revolving account. The department may waive the monthly fee if the person is indigent under RCW 10.101.010.

(8) Foreign jurisdiction. For a person restricted under this section who is residing outside of the state of Washington, the department may accept verification of installation of an ignition interlock device by an ignition interlock company authorized to do business in the jurisdiction in which the person resides, provided the device meets any applicable requirements of that jurisdiction. The department may waive the monthly fee required by subsection (7) of this section if collection of the fee would be impractical in the case of a person residing in another jurisdiction.

Sec. 15. RCW 46.20.308 and 2015 2nd sp.s. c 3 s 5 are each amended to read as follows:

(1) Any person who operates a motor vehicle within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a test or tests of his or her breath for the purpose of determining the alcohol concentration in his or her breath if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug or was in violation of RCW 46.61.503.

(2) The test or tests of breath shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or any drug or the person to have been driving or in actual physical control of a motor vehicle while having alcohol in a concentration in violation of RCW 46.61.503 in his or her system and being under the age of twenty-one. Prior to administering a breath test pursuant to this section, the officer shall inform the person of his or her right under this section to refuse the breath test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver, in substantially the following language, that:

(a) If the driver refuses to take the test, the driver's license, permit, or privilege to drive will be revoked or denied for at least one year; and

(b) If the driver refuses to take the test, the driver's refusal to take the test may be used in a criminal trial; and

(c) If the driver submits to the test and the test is administered, the driver's license, permit, or privilege to drive will be suspended, revoked, or denied for at least ninety days if:

(i) The driver is age twenty-one or over and the test indicates either that the alcohol concentration of the driver's breath is 0.08 or more; or

(ii) The driver is under age twenty-one and the test indicates either that the alcohol concentration of the driver's breath is 0.02 or more; or

(iii) The driver is under age twenty-one and the driver is in violation of RCW 46.61.502 or 46.61.504; and

(d) If the driver's license, permit, or privilege to drive is suspended, revoked, or denied the driver may be eligible to immediately apply for an ignition interlock driver's license.

(3) If, following his or her arrest and receipt of warnings under subsection (2) of this section, the person arrested exercises the right, granted herein, by refusing upon the request of a law enforcement officer to submit to a test or tests of his or her breath, no test shall be given except as otherwise authorized by law.

(4) Nothing in subsection (1), (2), or (3) of this section precludes a law enforcement officer from obtaining a person's blood to test for alcohol, marijuana, or any drug, pursuant to a search warrant, a valid waiver of the warrant requirement, when exigent circumstances exist, or under any other authority of law. Any blood drawn for the purpose of determining the person's alcohol, marijuana levels, or any drug, is drawn pursuant to this section when the officer has reasonable grounds to believe that the person is in physical control or driving a vehicle under the influence or in violation of RCW 46.61.503.

(5) If, after arrest and after any other applicable conditions and requirements of this section have been satisfied, a test or tests of the person's blood or breath is administered and the test results indicate that the alcohol concentration of the person's breath or blood is 0.08 or more, or the THC concentration of the person's blood is 5.00 or more, if the person is age twenty-one or over, or that the alcohol concentration of the person's breath or blood is 0.02 or more, or the THC concentration of the person's blood is above 0.00, if the person is under the age of twenty-one, or the person refuses to submit to a test, the arresting officer or other law enforcement officer at whose direction any test has been given, or the department, where applicable, if the arrest results in a test of the person's blood, shall:

(a) Serve notice in writing on the person on behalf of the department of its intention to suspend, revoke, or deny the person's license, permit, or privilege to drive as required by subsection (6) of this section;

(b) Serve notice in writing on the person on behalf of the department of his or her right to a hearing, specifying the steps he or she must take to obtain a hearing as provided by subsection (7) of this section;

(c) Serve notice in writing that the license or permit, if any, is a temporary license that is valid for ((sixty)) thirty days from the date of arrest or from the date notice has been given in the event notice is given by the department following a blood test, or until the suspension, revocation, or denial of the person's license, permit, or privilege to drive is sustained at a hearing pursuant to subsection (7) of this section, whichever occurs first. No temporary license is valid to any greater degree than the license or permit that it replaces; and

(d) Immediately notify the department of the arrest and transmit to the department within seventy-two hours, except as delayed as the result of a blood test, a sworn report or report under a declaration authorized by RCW 9A.72.085 that states:

(i) That the officer had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drugs, or both, or was under the age of twenty-one years and had been driving or was in actual physical control of a motor vehicle while having an alcohol or THC concentration in violation of RCW 46.61.503;

(ii) That after receipt of any applicable warnings required by subsection (2) of this section the person refused to submit to a test of his or her breath, or a test was administered and the results indicated that the alcohol concentration of the person's breath or blood was 0.08 or more, or the THC concentration of the person's

blood was 5.00 or more, if the person is age twenty-one or over, or that the alcohol concentration of the person's breath or blood was 0.02 or more, or the THC concentration of the person's blood was above 0.00, if the person is under the age of twenty-one; and

(iii) Any other information that the director may require by rule.

(6) The department of licensing, upon the receipt of a sworn report or report under a declaration authorized by RCW 9A.72.085 under subsection (5)(d) of this section, shall suspend, revoke, or deny the person's license, permit, or privilege to drive or any nonresident operating privilege, as provided in RCW 46.20.3101, such suspension, revocation, or denial to be effective beginning ((sixty)) thirty days from the date of arrest or from the date notice has been given in the event notice is given by the department following a blood test, or when sustained at a hearing pursuant to subsection (7) of this section, whichever occurs first.

(7) A person receiving notification under subsection (5)(b) of this section may, within ((twenty)) seven days after the notice has been given, request in writing a formal hearing before the department. The person shall pay a fee of three hundred seventy-five dollars as part of the request. If the request is mailed, it must be postmarked within ((twenty)) seven days after receipt of the notification. Upon timely receipt of such a request for a formal hearing, including receipt of the required three hundred seventy-five dollar fee, the department shall afford the person an opportunity for a hearing. The department may waive the required three hundred seventy-five dollar fee if the person is an indigent as defined in RCW 10.101.010. Except as otherwise provided in this section, the hearing is subject to and shall be scheduled and conducted in accordance with RCW 46.20.329 and 46.20.332. The hearing shall be conducted in the county of the arrest, except that all or part of the hearing may, at the discretion of the department, be conducted by telephone or other electronic means. The hearing shall be held within ((sixty)) thirty days, excluding Saturdays, Sundays, and legal holidays, following the date of timely receipt of such request for a formal hearing before the department or thirty days, excluding Saturdays, Sundays, and legal holidays following ((the arrest or following)) the date notice has been given in the event notice is given by the department following a blood test, unless otherwise agreed to by the department and the person, in which case the action by the department shall be stayed, and any valid temporary license under subsection (5) of this section extended, if the person is otherwise eligible for licensing. Unless otherwise agreed to by the department and the person, the department must give five days notice of the hearing to the person. For the purposes of this section, the scope of the hearing shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or any drug or had been driving or was in actual physical control of a motor vehicle within this state while having alcohol in his or her system in a concentration of 0.02 or more, or THC in his or her system in a concentration above 0.00, if the person was under the age of twenty-one, whether the person was placed under arrest, and (a) whether the person refused to submit to the test or tests upon request of the officer after having been informed that such refusal would result in the revocation of the person's license, permit, or privilege to drive, or (b) if a test or tests were administered, whether the applicable requirements of this section were satisfied before the administration of the test or tests, whether the person submitted to the test or tests, or whether a test was administered pursuant to a search warrant, a valid waiver of the warrant requirement, when exigent circumstances exist, or under any other authority of law as permitted under this section, and whether the test or tests indicated that the alcohol

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

concentration of the person's breath or blood was 0.08 or more, or the THC concentration of the person's blood was 5.00 or more, if the person was age twenty-one or over at the time of the arrest, or that the alcohol concentration of the person's breath or blood was 0.02 or more, or the THC concentration of the person's blood was above 0.00, if the person was under the age of twenty-one at the time of the arrest. Where a person is found to be in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug or was under the age of twenty-one at the time of the arrest and was in physical control of a motor vehicle while having alcohol in his or her system in a concentration of 0.02 or THC concentration above 0.00, the person may petition the hearing officer to apply the affirmative defense found in RCW 46.61.504(3) and 46.61.503(2). The driver has the burden to prove the affirmative defense by a preponderance of the evidence. The sworn report or report under a declaration authorized by RCW 9A.72.085 submitted by a law enforcement officer is prima facie evidence that the officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drugs, or both, or the person had been driving or was in actual physical control of a motor vehicle within this state while having alcohol in his or her system in a concentration of 0.02 or more, or THC in his or her system in a concentration above 0.00, and was under the age of twenty-one and that the officer complied with the requirements of this section.

A hearing officer shall conduct the hearing, may issue subpoenas for the attendance of witnesses and the production of documents, and shall administer oaths to witnesses. The hearing officer shall not issue a subpoena for the attendance of a witness at the request of the person unless the request is accompanied by the fee required by RCW 5.56.010 for a witness in district court. The sworn report or report under a declaration authorized by RCW 9A.72.085 of the law enforcement officer and any other evidence accompanying the report shall be admissible without further evidentiary foundation and the certifications authorized by the criminal rules for courts of limited jurisdiction shall be admissible without further evidentiary foundation. The person may be represented by counsel, may question witnesses, may present evidence, and may testify. The department shall order that the suspension, revocation, or denial either be rescinded or sustained.

(8) If the suspension, revocation, or denial is sustained after such a hearing, the person whose license, privilege, or permit is suspended, revoked, or denied has the right to file a petition in the superior court of the county of arrest to review the final order of revocation by the department in the same manner as an appeal from a decision of a court of limited jurisdiction. Notice of appeal must be filed within thirty days after the date the final order is served or the right to appeal is waived. Notwithstanding RCW 46.20.334, RALJ 1.1, or other statutes or rules referencing de novo review, the appeal shall be limited to a review of the record of the administrative hearing. The appellant must pay the costs associated with obtaining the record of the hearing before the hearing officer. The filing of the appeal does not stay the effective date of the suspension, revocation, or denial. A petition filed under this subsection must include the petitioner's grounds for requesting review. Upon granting petitioner's request for review, the court shall review the department's final order of suspension, revocation, or denial as expeditiously as possible. The review must be limited to a determination of whether the department has committed any errors of law. The superior court shall accept those factual determinations supported by substantial evidence in the record: (a) That were expressly made by the department; or (b)

that may reasonably be inferred from the final order of the department. The superior court may reverse, affirm, or modify the decision of the department or remand the case back to the department for further proceedings. The decision of the superior court must be in writing and filed in the clerk's office with the other papers in the case. The court shall state the reasons for the decision. If judicial relief is sought for a stay or other temporary remedy from the department's action, the court shall not grant such relief unless the court finds that the appellant is likely to prevail in the appeal and that without a stay the appellant will suffer irreparable injury. If the court stays the suspension, revocation, or denial it may impose conditions on such stay.

(9)(a) If a person whose driver's license, permit, or privilege to drive has been or will be suspended, revoked, or denied under subsection (6) of this section, other than as a result of a breath test refusal, and who has not committed an offense for which he or she was granted a deferred prosecution under chapter 10.05 RCW, petitions a court for a deferred prosecution on criminal charges arising out of the arrest for which action has been or will be taken under subsection (6) of this section, or notifies the department of licensing of the intent to seek such a deferred prosecution, then the license suspension or revocation shall be stayed pending entry of the deferred prosecution. The stay shall not be longer than one hundred fifty days after the date charges are filed, or two years after the date of the arrest, whichever time period is shorter. If the court stays the suspension, revocation, or denial, it may impose conditions on such stay. If the person is otherwise eligible for licensing, the department shall issue a temporary license, or extend any valid temporary license under subsection (5) of this section, for the period of the stay. If a deferred prosecution treatment plan is not recommended in the report made under RCW 10.05.050, or if treatment is rejected by the court, or if the person declines to accept an offered treatment plan, or if the person violates any condition imposed by the court, then the court shall immediately direct the department to cancel the stay and any temporary license or extension of a temporary license issued under this subsection.

(b) A suspension, revocation, or denial imposed under this section, other than as a result of a breath test refusal, shall be stayed if the person is accepted for deferred prosecution as provided in chapter 10.05 RCW for the incident upon which the suspension, revocation, or denial is based. If the deferred prosecution is terminated, the stay shall be lifted and the suspension, revocation, or denial reinstated. If the deferred prosecution is completed, the stay shall be lifted and the suspension, revocation, or denial canceled.

(c) The provisions of (b) of this subsection relating to a stay of a suspension, revocation, or denial and the cancellation of any suspension, revocation, or denial do not apply to the suspension, revocation, denial, or disqualification of a person's commercial driver's license or privilege to operate a commercial motor vehicle.

(10) When it has been finally determined under the procedures of this section that a nonresident's privilege to operate a motor vehicle in this state has been suspended, revoked, or denied, the department shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he or she has a license.

Sec. 16. RCW 10.21.055 and 2015 2nd sp.s. c 3 s 2 are each amended to read as follows:

(1)(a) When any person charged with a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, in which the person has a prior offense as defined in RCW 46.61.5055 and the current offense involves alcohol, is released from custody at

arraignment or trial on bail or personal recognizance, the court authorizing the release shall require, as a condition of release that person comply with one of the following four requirements:

(i) Have a functioning ignition interlock device installed on all motor vehicles operated by the person, with proof of installation filed with the court by the person or the certified interlock provider within five business days of the date of release from custody or as soon thereafter as determined by the court based on availability within the jurisdiction; or

(ii) Comply with 24/7 sobriety program monitoring, as defined in RCW 36.28A.330; or

(iii) Have an ignition interlock device on all motor vehicles operated by the person pursuant to (a)(i) of this subsection and submit to 24/7 sobriety program monitoring pursuant to (a)(ii) of this subsection, if available, or alcohol monitoring, at the expense of the person, as provided in RCW 46.61.5055(5) (b) and (c); or

(iv) Have an ignition interlock device on all motor vehicles operated by the person and that such person agrees not to operate any motor vehicle without an ignition interlock device as required by the court. Under this subsection (1)(a)(iv), the person must file a sworn statement with the court upon release at arraignment that states the person will not operate any motor vehicle without an ignition interlock device while the ignition interlock restriction is imposed by the court. Such person must also submit to 24/7 sobriety program monitoring pursuant to (a)(ii) of this subsection, if available, or alcohol monitoring, at the expense of the person, as provided in RCW 46.61.5055(5) (b) and (c).

(b) The court shall immediately notify the department of licensing when an ignition interlock restriction is imposed: (i) As a condition of release pursuant to (a) of this subsection; or (ii) in instances where a person is charged with, or convicted of, a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, and the offense involves alcohol. If the court imposes an ignition interlock restriction, the department of licensing shall attach or imprint a notation on the driving record of any person restricted under this section stating that the person may operate only a motor vehicle equipped with a functioning ignition interlock device.

(2)(a) Upon acquittal or dismissal of all pending or current charges relating to a violation of RCW 46.61.502, 46.61.504, 46.61.520, or 46.61.522, or equivalent local ordinance, the court shall authorize removal of the ignition interlock device and lift any requirement to comply with electronic alcohol/drug monitoring imposed under subsection (1) of this section. Nothing in this section limits the authority of the court or department under RCW 46.20.720.

(b) If the court authorizes removal of an ignition interlock device imposed under (((a) of)) this ((subsection)) section, the court shall immediately notify the department of licensing regarding the lifting of the ignition interlock restriction and the department of licensing shall release any attachment, imprint, or notation on such person's driving record relating to the ignition interlock requirement imposed under this section.

(3) When an ignition interlock restriction imposed as a condition of release is canceled, the court shall provide a defendant with a written order confirming release of the restriction. The written order shall serve as proof of release of the restriction until which time the department of licensing updates the driving record.

Sec. 17. RCW 46.61.5055 and 2015 2nd sp.s. c 3 s 9 are each amended to read as follows:

(1) No prior offenses in seven years. Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has no prior offense within seven years shall be punished as follows:

(a) Penalty for alcohol concentration less than 0.15. In the case of a person whose alcohol concentration was less than 0.15,

or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one day nor more than three hundred sixty-four days. Twenty-four consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(a)(i), the court may order not less than fifteen days of electronic home monitoring or a ninety day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program monitoring as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device or other separate alcohol monitoring device to include an alcohol detection breathalyzer, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than three hundred fifty dollars nor more than five thousand dollars. Three hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) Penalty for alcohol concentration at least 0.15. In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than two days nor more than three hundred sixty-four days. Forty-eight consecutive hours of the imprisonment may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based. In lieu of the mandatory minimum term of imprisonment required under this subsection (1)(b)(i), the court may order not less than thirty days of electronic home monitoring or a one hundred twenty day period of 24/7 sobriety program monitoring. The court may consider the offender's pretrial 24/7 sobriety program testing as fulfilling a portion of posttrial sentencing. The offender shall pay the cost of electronic home monitoring. The county or municipality in which the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device to include an alcohol detection breathalyzer or other separate alcohol monitoring device, and the court may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(2) One prior offense in seven years. Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who has one prior offense within seven years shall be punished as follows:

(a) Penalty for alcohol concentration less than 0.15. In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than thirty days nor more than three hundred sixty-four days and sixty days of electronic home monitoring. In lieu of the mandatory minimum term of sixty days electronic home monitoring, the court may order at least an additional four days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Thirty days of imprisonment and sixty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than five hundred dollars nor more than five thousand dollars. Five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) Penalty for alcohol concentration at least 0.15. In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than forty-five days nor more than three hundred sixty-four days and ninety days of electronic home monitoring. In lieu of the mandatory minimum term of ninety days electronic home monitoring, the court may order at least an additional six days in jail or, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and the court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Forty-five days of imprisonment and ninety days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than seven hundred fifty dollars nor more than five thousand dollars. Seven hundred fifty dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(3) Two or three prior offenses in seven years. Except as provided in RCW 46.61.502(6) or 46.61.504(6), a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 and who

has two or three prior offenses within seven years shall be punished as follows:

(a) Penalty for alcohol concentration less than 0.15. In the case of a person whose alcohol concentration was less than 0.15, or for whom for reasons other than the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than ninety days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred twenty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred twenty days of electronic home monitoring, the court may order at least an additional eight days in jail. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The offender shall pay for the cost of the electronic monitoring. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. Ninety days of imprisonment and one hundred twenty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand dollars nor more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent; or

(b) Penalty for alcohol concentration at least 0.15. In the case of a person whose alcohol concentration was at least 0.15, or for whom by reason of the person's refusal to take a test offered pursuant to RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) By imprisonment for not less than one hundred twenty days nor more than three hundred sixty-four days, if available in that county or city, a six-month period of 24/7 sobriety program monitoring pursuant to RCW 36.28A.300 through 36.28A.390, and one hundred fifty days of electronic home monitoring. In lieu of the mandatory minimum term of one hundred fifty days of electronic home monitoring, the court may order at least an additional ten days in jail. The offender shall pay for the cost of the electronic monitoring. The court shall order an expanded alcohol assessment and treatment, if deemed appropriate by the assessment. The county or municipality where the penalty is being imposed shall determine the cost. The court may also require the offender's electronic home monitoring device include an alcohol detection breathalyzer or other separate alcohol monitoring device, and may restrict the amount of alcohol the offender may consume during the time the offender is on electronic home monitoring. One hundred twenty days of imprisonment and one hundred fifty days of electronic home monitoring may not be suspended unless the court finds that the imposition of this mandatory minimum sentence would impose a substantial risk to the offender's physical or mental well-being. Whenever the mandatory minimum sentence is suspended, the court shall state in writing the reason for granting the suspension and the facts upon which the suspension is based; and

(ii) By a fine of not less than one thousand five hundred dollars nor more than five thousand dollars. One thousand five hundred dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(4) Four or more prior offenses in ten years. A person who is convicted of a violation of RCW 46.61.502 or 46.61.504 shall be punished under chapter 9.94A RCW if:

(a) The person has four or more prior offenses within ten years; or

(b) The person has ever previously been convicted of:

(i) A violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(ii) A violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(iii) An out-of-state offense comparable to the offense specified in (b)(i) or (ii) of this subsection; or

(iv) A violation of RCW 46.61.502(6) or 46.61.504(6).

(5) Monitoring.

(a) Ignition interlock device. The court shall require any person convicted of a violation of RCW 46.61.502 or 46.61.504 or an equivalent local ordinance to comply with the rules and requirements of the department regarding the installation and use of a functioning ignition interlock device installed on all motor vehicles operated by the person.

(b) Monitoring devices. If the court orders that a person refrain from consuming any alcohol, the court may order the person to submit to alcohol monitoring through an alcohol detection breathalyzer device, transdermal sensor device, or other technology designed to detect alcohol in a person's system. The person shall pay for the cost of the monitoring, unless the court specifies that the cost of monitoring will be paid with funds that are available from an alternative source identified by the court. The county or municipality where the penalty is being imposed shall determine the cost.

(c) ((Ignition interlock device substituted for)) 24/7 sobriety program monitoring. In any county or city where a 24/7 sobriety program is available and verified by the Washington association of sheriffs and police chiefs, the court shall:

(i) Order the person to install and use a functioning ignition interlock or other device in lieu of such period of 24/7 sobriety program monitoring;

(ii) Order the person to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section; or

(iii) Order the person to install and use a functioning ignition interlock or other device in addition to a period of 24/7 sobriety program monitoring pursuant to subsections (1) through (3) of this section.

(6) Penalty for having a minor passenger in vehicle. If a person who is convicted of a violation of RCW 46.61.502 or 46.61.504 committed the offense while a passenger under the age of sixteen was in the vehicle, the court shall:

(a) Order the use of an ignition interlock or other device for an additional six months;

(b) In any case in which the person has no prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional twenty-four hours of imprisonment and a fine of not less than one thousand dollars and not more than five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(c) In any case in which the person has one prior offense within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional five days of imprisonment and a fine of not less than two thousand dollars and not more than

five thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent;

(d) In any case in which the person has two or three prior offenses within seven years, and except as provided in RCW 46.61.502(6) or 46.61.504(6), order an additional ten days of imprisonment and a fine of not less than three thousand dollars and not more than ten thousand dollars. One thousand dollars of the fine may not be suspended unless the court finds the offender to be indigent.

(7) Other items courts must consider while setting penalties. In exercising its discretion in setting penalties within the limits allowed by this section, the court shall particularly consider the following:

(a) Whether the person's driving at the time of the offense was responsible for injury or damage to another or another's property;

(b) Whether at the time of the offense the person was driving or in physical control of a vehicle with one or more passengers;

(c) Whether the driver was driving in the opposite direction of the normal flow of traffic on a multiple lane highway, as defined by RCW 46.04.350, with a posted speed limit of forty-five miles per hour or greater; and

(d) Whether a child passenger under the age of sixteen was an occupant in the driver's vehicle.

(8) Treatment and information school. An offender punishable under this section is subject to the alcohol assessment and treatment provisions of RCW 46.61.5056.

(9) Driver's license privileges of the defendant. The license, permit, or nonresident privilege of a person convicted of driving or being in physical control of a motor vehicle while under the influence of intoxicating liquor or drugs must:

(a) Penalty for alcohol concentration less than 0.15. If the person's alcohol concentration was less than 0.15, or if for reasons other than the person's refusal to take a test offered under RCW 46.20.308 there is no test result indicating the person's alcohol concentration:

(i) Where there has been no prior offense within seven years, be suspended or denied by the department for ninety days or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a ninety day period of 24/7 sobriety program monitoring. In no circumstances shall the license suspension be for fewer than two days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for two years; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for three years;

(b) Penalty for alcohol concentration at least 0.15. If the person's alcohol concentration was at least 0.15:

(i) Where there has been no prior offense within seven years, be revoked or denied by the department for one year or until the person is evaluated by an alcoholism agency or probation department pursuant to RCW 46.20.311 and the person completes or is enrolled in a one hundred twenty day period of 24/7 sobriety program monitoring. In no circumstances shall the license revocation be for fewer than four days;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for nine hundred days; or

(iii) Where there have been two or more prior offenses within seven years, be revoked or denied by the department for four years; or

(c) Penalty for refusing to take test. If by reason of the person's refusal to take a test offered under RCW 46.20.308, there is no test result indicating the person's alcohol concentration:

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

(i) Where there have been no prior offenses within seven years, be revoked or denied by the department for two years;

(ii) Where there has been one prior offense within seven years, be revoked or denied by the department for three years; or

(iii) Where there have been two or more previous offenses within seven years, be revoked or denied by the department for four years.

The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this subsection for a suspension, revocation, or denial imposed under RCW 46.20.3101 arising out of the same incident.

Upon receipt of a notice from the court under RCW 36.28A.390 that a participant has been removed from a 24/7 sobriety program, the department must resume any suspension, revocation, or denial that had been terminated early under this subsection due to participation in the program, granting credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under RCW 46.20.3101 or this section arising out of the same incident.

Upon its own motion or upon motion by a person, a court may find, on the record, that notice to the department under RCW 46.20.270 has been delayed for three years or more as a result of a clerical or court error. If so, the court may order that the person's license, permit, or nonresident privilege shall not be revoked, suspended, or denied for that offense. The court shall send notice of the finding and order to the department and to the person. Upon receipt of the notice from the court, the department shall not revoke, suspend, or deny the license, permit, or nonresident privilege of the person for that offense.

For purposes of this subsection (9), the department shall refer to the driver's record maintained under RCW 46.52.120 when determining the existence of prior offenses.

(10) Probation of driving privilege. After expiration of any period of suspension, revocation, or denial of the offender's license, permit, or privilege to drive required by this section, the department shall place the offender's driving privilege in probationary status pursuant to RCW 46.20.355.

(11) Conditions of probation. (a) In addition to any nonsuspendable and nondeferrable jail sentence required by this section, whenever the court imposes up to three hundred sixty-four days in jail, the court shall also suspend but shall not defer a period of confinement for a period not exceeding five years. The court shall impose conditions of probation that include: (i) Not driving a motor vehicle within this state without a valid license to drive; (ii) not driving a motor vehicle within this state without proof of liability insurance or other financial responsibility for the future pursuant to RCW 46.30.020; (iii) not driving or being in physical control of a motor vehicle within this state while having an alcohol concentration of 0.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving; (iv) not refusing to submit to a test of his or her breath or blood to determine alcohol or drug concentration upon request of a law enforcement officer who has reasonable grounds to believe the person was driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drug; and (v) not driving a motor vehicle in this state without a functioning ignition interlock device as required by the department under RCW 46.20.720((3)). The court may impose conditions of probation that include nonrepetition, installation of an ignition interlock device on the probationer's motor vehicle, alcohol or drug treatment, supervised probation, or other conditions that may be appropriate. The sentence may be imposed in whole or in part upon violation of a condition of probation during the suspension period.

(b) For each violation of mandatory conditions of probation under (a)(i), (ii), (iii), (iv), or (v) of this subsection, the court shall order the convicted person to be confined for thirty days, which shall not be suspended or deferred.

(c) For each incident involving a violation of a mandatory condition of probation imposed under this subsection, the license, permit, or privilege to drive of the person shall be suspended by the court for thirty days or, if such license, permit, or privilege to drive already is suspended, revoked, or denied at the time the finding of probation violation is made, the suspension, revocation, or denial then in effect shall be extended by thirty days. The court shall notify the department of any suspension, revocation, or denial or any extension of a suspension, revocation, or denial imposed under this subsection.

(12) Waiver of electronic home monitoring. A court may waive the electronic home monitoring requirements of this chapter when:

(a) The offender does not have a dwelling, telephone service, or any other necessity to operate an electronic home monitoring system. However, if a court determines that an alcohol monitoring device utilizing wireless reporting technology is reasonably available, the court may require the person to obtain such a device during the period of required electronic home monitoring;

(b) The offender does not reside in the state of Washington; or

(c) The court determines that there is reason to believe that the offender would violate the conditions of the electronic home monitoring penalty.

Whenever the mandatory minimum term of electronic home monitoring is waived, the court shall state in writing the reason for granting the waiver and the facts upon which the waiver is based, and shall impose an alternative sentence with similar punitive consequences. The alternative sentence may include, but is not limited to, use of an ignition interlock device, the 24/7 sobriety program monitoring, additional jail time, work crew, or work camp.

Whenever the combination of jail time and electronic home monitoring or alternative sentence would exceed three hundred sixty-four days, the offender shall serve the jail portion of the sentence first, and the electronic home monitoring or alternative portion of the sentence shall be reduced so that the combination does not exceed three hundred sixty-four days.

(13) Extraordinary medical placement. An offender serving a sentence under this section, whether or not a mandatory minimum term has expired, may be granted an extraordinary medical placement by the jail administrator subject to the standards and limitations set forth in RCW 9.94A.728(1)(c).

(14) Definitions. For purposes of this section and RCW 46.61.502 and 46.61.504:

(a) A "prior offense" means any of the following:

(i) A conviction for a violation of RCW 46.61.502 or an equivalent local ordinance;

(ii) A conviction for a violation of RCW 46.61.504 or an equivalent local ordinance;

(iii) A conviction for a violation of RCW 46.25.110 or an equivalent local ordinance;

(iv) A conviction for a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(v) A conviction for a violation of RCW 79A.60.040(1) or an equivalent local ordinance committed in a reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 79A.60.040(2) or an equivalent local ordinance;

(vi) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed while under the influence of intoxicating liquor or any drug;

(vii) A conviction for a violation of RCW 47.68.220 or an equivalent local ordinance committed in a careless or reckless manner if the conviction is the result of a charge that was originally filed as a violation of RCW 47.68.220 or an equivalent local ordinance while under the influence of intoxicating liquor or any drug;

(viii) A conviction for a violation of RCW 46.09.470(2) or an equivalent local ordinance;

(ix) A conviction for a violation of RCW 46.10.490(2) or an equivalent local ordinance;

(x) A conviction for a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.520 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug;

(xi) A conviction for a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug, or a conviction for a violation of RCW 46.61.522 committed in a reckless manner or with the disregard for the safety of others if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.522 committed while under the influence of intoxicating liquor or any drug;

(xii) A conviction for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050 or an equivalent local ordinance, if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xiii) An out-of-state conviction for a violation that would have been a violation of (a)(i), (ii), (x), (xi), or (xii) of this subsection if committed in this state;

(xiv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.502, 46.61.504, or an equivalent local ordinance;

(xv) A deferred prosecution under chapter 10.05 RCW granted in a prosecution for a violation of RCW 46.61.5249, or an equivalent local ordinance, if the charge under which the deferred prosecution was granted was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or of RCW 46.61.520 or 46.61.522;

(xvi) A deferred prosecution granted in another state for a violation of driving or having physical control of a vehicle while under the influence of intoxicating liquor or any drug if the out-of-state deferred prosecution is equivalent to the deferred prosecution under chapter 10.05 RCW, including a requirement that the defendant participate in a chemical dependency treatment program; or

(xvii) A deferred sentence imposed in a prosecution for a violation of RCW 46.61.5249, 46.61.500, or 9A.36.050, or an equivalent local ordinance, if the charge under which the deferred sentence was imposed was originally filed as a violation of RCW 46.61.502 or 46.61.504, or an equivalent local ordinance, or a violation of RCW 46.61.520 or 46.61.522;

If a deferred prosecution is revoked based on a subsequent conviction for an offense listed in this subsection (14)(a), the subsequent conviction shall not be treated as a prior offense of the revoked deferred prosecution for the purposes of sentencing;

(b) "Treatment" means alcohol or drug treatment approved by the department of social and health services;

(c) "Within seven years" means that the arrest for a prior offense occurred within seven years before or after the arrest for the current offense; and

(d) "Within ten years" means that the arrest for a prior offense occurred within ten years before or after the arrest for the current offense.

(15) All fines imposed by this section apply to adult offenders only.

Sec. 18. RCW 46.20.3101 and 2013 c 3 s 32 are each amended to read as follows:

Pursuant to RCW 46.20.308, the department shall suspend, revoke, or deny the arrested person's license, permit, or privilege to drive as follows:

(1) In the case of a person who has refused a test or tests:

(a) For a first refusal within seven years, where there has not been a previous incident within seven years that resulted in administrative action under this section, revocation or denial for one year;

(b) For a second or subsequent refusal within seven years, or for a first refusal where there has been one or more previous incidents within seven years that have resulted in administrative action under this section, revocation or denial for two years or until the person reaches age twenty-one, whichever is longer.

(2) In the case of an incident where a person has submitted to or been administered a test or tests indicating that the alcohol concentration of the person's breath or blood was 0.08 or more, or that the THC concentration of the person's blood was 5.00 or more:

(a) For a first incident within seven years, where there has not been a previous incident within seven years that resulted in administrative action under this section, suspension for ninety days, unless the person successfully completes or is enrolled in a pretrial 24/7 sobriety program;

(b) For a second or subsequent incident within seven years, revocation or denial for two years.

(3) In the case of an incident where a person under age twenty-one has submitted to or been administered a test or tests indicating that the alcohol concentration of the person's breath or blood was 0.02 or more, or that the THC concentration of the person's blood was above 0.00:

(a) For a first incident within seven years, suspension or denial for ninety days;

(b) For a second or subsequent incident within seven years, revocation or denial for one year or until the person reaches age twenty-one, whichever is longer.

(4) The department shall grant credit on a day-for-day basis for any portion of a suspension, revocation, or denial already served under this section for a suspension, revocation, or denial imposed under RCW 46.61.5055 arising out of the same incident.

Sec. 19. RCW 36.28A.390 and 2015 2nd sp.s. c 3 s 19 are each amended to read as follows:

(1) A general authority Washington peace officer, as defined in RCW 10.93.020, who has probable cause to believe that a participant has violated the terms of participation in the 24/7 sobriety program may immediately take the participant into custody and cause him or her to be held until an appearance before a judge on the next judicial day.

(2) A participant who violates the terms of participation in the 24/7 sobriety program or does not pay the required fees or associated costs pretrial or posttrial shall, at a minimum:

(a) Receive a written warning notice for a first violation;

(b) Serve ((the lesser of two days imprisonment or if posttrial, the entire remaining sentence imposed by the court)) a minimum of one day imprisonment for a second violation;

(c) Serve ((the lesser of five days imprisonment or if posttrial, the entire remaining sentence imposed by the court)) a minimum of three days imprisonment for a third violation;

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

(d) Serve ((the lesser of ten days imprisonment or if posttrial, the entire remaining sentence imposed by the court)) a minimum of five days imprisonment for a fourth violation; and

(e) Serve a minimum of seven days imprisonment for a fifth or subsequent violation ((pretrial, the participant shall abide by the order of the court. For posttrial participants, the participant shall serve the entire remaining sentence imposed by the court)).

(3) The court may remove a participant from the 24/7 sobriety program at any time for noncompliance with the terms of participation. If a participant is removed from the 24/7 sobriety program, the court shall send written notice to the department of licensing within five business days.

NEW SECTION. Sec. 20. RCW 36.28A.310 (24/7 sobriety program pilot project) and 2013 2nd sp.s. c 35 s 24 are each repealed.

NEW SECTION. Sec. 21. Section 15 of this act takes effect January 1, 2019."

On page 1, line 1 of the title, after "driving;" strike the remainder of the title and insert "amending RCW 36.28A.320, 46.01.260, 46.64.025, 46.20.291, 46.20.289, 9.94A.533, 46.61.506, 10.01.230, 10.05.140, 46.20.311, 46.20.385, 46.20.720, 46.20.308, 10.21.055, 46.61.5055, 46.20.3101, and 36.28A.390; reenacting and amending RCW 43.79A.040 and 10.31.100; repealing RCW 36.28A.310; and providing an effective date."

Senator Padden spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to Engrossed Substitute House Bill No. 2700 and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Substitute House Bill No. 2700 as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2700 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2700 as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700, as amended by the Senate, having received the constitutional

majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Mullet: "Thank you, Mr. President. I'm looking for Senator Benton, oh, he's back there. So, I don't know if everyone's aware, on Financial Institutions and Housing, we think Senator Benton may have set the record for the longest continuing years of service on that committee. We think its twenty years in the Senate, two years in the House, and we got a little gift for him from the Democrats on 'FiHi'. What I want to say, what I respect and admire about Senator Benton on that committee is, it's a tremendous amount of intellectual curiosity, because sometimes you see the reports in this committee and the staff briefing takes five minutes, the bill report is five pages long, and nobody knows what the hell the bill does. Senator Benton will continue to ask questions until he can figure out what the bill actually does and it's very nice to have him on the committee because you don't have to be the one asking those questions. So that for me, is what he's always brought to that committee the four years I've been on it. And I will say that intellectual curiosity carries over off the dais because my office upstairs, we actually have the best coffee in the capitol and there's a lot of people in the chamber who will fly by and grab their cup of coffee and Senator Benton brings that same intellectual curiosity when he talks to my staff when he comes by for his coffee. He's very open, very chatty, and asks a lot of questions about what's going on in their life and he tells his stories. I don't know if he views this as a compliment or not, but they call him 'Uncle Benton,' 'Uncle Don,' because he's like that uncle you have growing up who just comes by your house randomly and tells funny stories. But I've always found that very refreshing that he takes a lot of time to talk to the people in my office the four years I've been down here. And I'll say the final thing that I've appreciated that's separate from a lot of this, the first year I was here, we were at a thing, in one of the alleys south of here, it was a barbeque in the evening and we all have professional lives outside of the senate. His is in marketing. So I told him, I own a pizza restaurant, I need advice on how to market for my restaurant, because I had a lot of anxiety about all the restaurants that were opening up in Issaquah, and he gave me good advice. He said, don't worry about all these restaurants opening up, because when you as a family go out, you're not picking between forty restaurants, basically your brain bandwidth can only pick between the amount of restaurants you can count on one hand. He said as long as you keep your pizza restaurant as one of those fingers on their hand, it doesn't matter how many restaurants open in Issaquah, you'll do just fine. I actually got back from that session of my first year here, relayed that message to my staff, and our pizza sales are up twenty-five percent these last three years. So I will promise Senator Benton in his retirement, a free pizza if he's ever in Issaquah because he helped me out. So thank you very much, I appreciate all your service."

PERSONAL PRIVILEGE

Senator Schoesler: "Well thank you, Mr. President. As we're all aware, Senator Benton is leaving. I would suggest to Senator Benton though, the chocolates may contain Ex-Lax. They may have one last surprise for you before you leave us. But, in all honesty, I have known Senator Benton since he was a very strong, ambitious, conservative, elected to the House in 1994 and Don has brought with him, a very strong and passionate support of property rights. He's brought forward leadership on

limiting property taxes. I think those are key issues Don has worked closely with the House and the Senate on. I think the Chelsea Harrison Act, many, many years of hard work to bring that into law for crime victims over the years. Don has also never forgot about the unborn and the fragile in our state or our veterans. Watching Don speak on veteran's issues stirs emotion in his heart for having known so many veterans in his family and his community, many of whom didn't come back to us and Don was always there for them in their time, in district or on the floor with those issues. And I think championing the obvious tax issues, the property rights, the unborn, the medically fragile, and of course veterans, that I've seen him become so emotional over, is an impressive stamp on Don Benton's career."

PERSONAL PRIVILEGE

Senator Hobbs: "You know, some people might be surprised I'm standing up and I'm going to say some nice things about Don Benton, because some of you on Transportation have witnessed the stabbing of Steve Hobbs by Don Benton. But the great thing about Don Benton is he stabs you from the front. As you know, some of you stab from behind, but the good thing about Don is for as many times I've been stabbed, not that often, he's there to give you a big hug, he's there to work with you, and we've worked close together. Some people are saying, 'Wow, I can't believe you just took that' but I was laughing the whole time because I was saying classic Don, classic Don. But I've got to tell you, we've worked great together, and you represent your caucus well and you balance things out. I'll tell you if it wasn't for Don Benton working together on the Foreclosure Fairness Act, I don't think we would have gotten it out. And he brought votes along for that, and not only that but when it comes to the homelessness and the voucher bill that we had out, that we had to push out twice, Don Benton was there and he helped negotiate that with me and the stakeholders, and we had some good policies out there. I'm going to miss you, I'm going to miss the good conversations we've had. I don't know why you have to be this close, it's kind of a Ross Hunter thing. I don't get it, but at least you have good breath, you never had bad breath, but I don't understand. You can actually stand this far away and I can hear you. I won't miss the stabbings by the way, but I will miss the good conversations and the good work that you and I did together for the people of this state. I wish you well on your retirement, thank you."

PERSONAL PRIVILEGE

Senator Dansel: "Thank you, Mr. President. Well, Don Benton, we call him 'Diamond D,' or the other day, I called him 'The Donald' and he was standing next to Mark Schoesler, and I called him 'The Donald' and 'Little Marko.' I did, but it was my first year here and I didn't understand why we were doing something and I was really, really upset that a bill had come out. I think it was my first year here or last year, I can't remember. But I was in the lobby over here really just going crazy and saying 'I can't believe they are doing this.' 'This is ridiculous.' 'How come we can't get one of my bills?' Mike Hewitt would it call it whining I think, is what I was doing. And there's Don Benton and we kind of, it was getting close to the roll call so we were making our way over to the side here and there's Don Benton, and he's every step of the way encouraging me, going 'I know, I tell you what it is, it's highway robbery.' 'I just can't believe they are doing this to you.' And so anyway, Benton comes before Dansel in alphabetical order, so literally I'm sitting there going 'this is amazing I can't believe it, and he's egging me on going 'Yeah, this is the most horrible thing,' and then this guy here goes

'Benton,' and he goes 'Aye.' I just couldn't believe my ears. I go, 'Don, what are you doing?' And he says, 'I know it's not good for you but I have to vote for it because it's got something for something in my district' and I think I'll remember that always. He was really, really against it until he voted for it. And that's 'Diamond D.' But more than anything I will say this, nobody ever wondered where Don stood on an issue, in the caucus or outside of, and that includes his constituents, and he always had a way of making people know with no uncertain terms if you were doing something that wasn't necessarily right. And he got on me a couple of times and said, 'Why are you voting for this?' And he explained it to me in a way that I could understand it better. And also the final thing I'll say is that he was actually the first one who introduced himself to me after I got elected and I thought that was kind of a cool thing. I had never met this guy before, but then again Senator Hobbs is right, I mean he introduced himself like right there, and I'm like alright, here we go. But, we're going to miss you and I thank you for your many years of service Diamond D Don Benton."

PERSONAL PRIVILEGE

Senator Liias: "Thank you, Mr. President. I've appreciated the opportunity to trade parliamentary jabs with the good senator. I will say I think the best interaction we had, and it was during this session, I won't reveal exactly when, but I raised a Point of Order to one of his motions and he came up to me a few days later and said, I was in a discussion and people were criticizing me for the Point of Order that was sustained, and he said, 'Don't criticize him, because if I were in the minority, that's exactly what I would have done too.' So I think if you live by the rules, you die by the rules, and he plays fairly, and I'm going to miss that rigorous analysis of our work and holding us honest for the rules we've set for ourselves. We wish Senator Benton well."

PERSONAL PRIVILEGE

Senator Hargrove: "Thank you, Mr. President. Well when Don got here, I'd already been here for several decades. But you know, I've worked with him on a lot of sex offender issues, and back in the nineties when we were working with Jeanine Long and Val Stevens on the committee work, and you know Don didn't always start out with the most reasonable ideas. I remember a bill that required all sex offenders to be castrated. But he was the necessary goad that pushed us along, and I really think we have some of the best sex offender policy in the nation, and a lot of that was because Don was there to kind of pushing and goading and pushing, and we ended up actually doing things. And probably doing things in a way that protected the public way better than if we didn't have that person goading and pushing. So that's on a policy side. I can just imagine Don Benton introducing himself to Senator Dansel. If they were this close, their stomachs would have been touching. That's quite a sight. I keep my distance. The other thing is someone said you don't need to get that close because you can be this far away and hear Don Benton. Well, when Don Benton speaks on the floor, you can hear him in Lacey and Tumwater. He definitely makes himself heard, he feels very strongly about, as was mentioned, veterans, the property tax burden on people, property rights, and I particularly appreciate the work we did together on sex offender issues. So thank you Don. We're going to miss you."

PERSONAL PRIVILEGE

Senator Baumgartner: "I just wanted to say some nice things about Don, but I'll start by saying this, Don Benton is the first

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

person, the only person I've ever known, who could show up for a meeting an hour late, and as soon as he gets there, be ticked off at everybody else in the meeting who doesn't know what's going on. I mean it's just amazing. But Don is absolutely one of my favorite people in the legislature, you've always been one of the people I've learned from the most. I try to learn from everybody out here and I truly have. But Don, the things I've learned from Don, are just a core conviction, and a big heart for his principles, and he really does have one of the biggest hearts out here, and he really does serve the people with a big heart and I truly appreciate that. Another issue I've learned a lot about is parliamentary procedure, and what do we do here with the chess piece and how to move, and Mr. President, one of the things you said when we first got here was hey learn the rules, not a lot of senators learn the rules and try to use the rules, and I appreciate that Don tries to use the rules to advance his policy ideas and I think it's very noble. I just, I really appreciate the rhetorical flair and the speaking ability of Don Benton and the intensity and the endurance with which he carries it out. Actually, I jokingly tell my father who watches TVW quite regularly, that if I was a genie and could grant a wish, I would send Don Benton to the big senate, just for a day, so he could filibuster, because I imagine this guy could lay it out there with pageantry and with intensity and probably turn D.C. upside down with your abilities to do that. And I'll just say, in closing, that you know when we got to the legislature we were in the minority, and when you're in the minority it's challenging and Don Benton doing that move to the ninth order when we came out of that caucus room and wondering can we stick together, how's this going to work and that unknowing and that little chance to see if we could govern with some of our principles was my single favorite moment in the legislature and I will for the rest of my days when I think about politics, think about Don Benton moving to the ninth order and putting us Republicans in the driver's seat out here. And I really appreciate that you did that Don, thank you so much."

PERSONAL PRIVILEGE

Senator Keiser: "Thank you, Mr. President. Well, Don on the floor and the little red book is a classic. I'll always remember Don lecturing us about the Constitution and telling us about the rules, and absolutely being certain that you're right, and we're wrong. But my oh my are you a student and a scholar of this little red book. And I have to give you kudos for your use of the procedures and the rules and our Constitution. But I also want to give you thanks because you do have a big heart Don, and we've worked together on a lot of things, and we've made some good stuff and I always will be thankful for your vote, you and Senator Bob Oke, helping me with the paid family leave."

PERSONAL PRIVILEGE

Senator Fain: "I appreciated Senator Hobbs' comments about Senator Benton stabbing from the front. I am probably one of the members on this floor who has been the recipient of most of Senator Benton's stabs, whether it be out here, in committee, in caucus, so many hours of my life have been drained away fighting this man. But what is most remarkable about that experience is that we will be fighting to a degree. Senator Litzow I think can remember a moment from our first year when there was a particularly heated moment and there were some words that were exchanged that will certainly not be repeated on the floor. But the ability for Senator Benton to just turn on a dime, where you're discussing one issue with one set of impacts and one set of constituencies, and one set of passion that he has

and then, and you're yelling, and you're nose to nose, as he is with every conversation, and all of a sudden you need to talk about something else where you two are aligned. And it goes from this rabid dog to the most helpful person in the universe, and I think that is what most characterizes my relationship with Don Benton over these past few years, is that you could fight, and fight, and fight, and then we'd have something that we'd need to accomplish together and we'd say okay we're not fighting about this right now, so let's go and join forces and we'll get this thing done and then we'll go back to fighting a little bit later on. I think that's remarkable. I would certainly prefer that we lower the volume and increase the distance a little bit, but I think it's remarkable. I think it is a testament to how this chamber is supposed to operate. That you deal with an issue that is in front of you with passion and with vigor and then when you move yourself to the next issue. You are able to divorce yourself from that previous acrimony and move on to that next thing. And Don Benton is one of the best at epitomizing that. I will also say that, you know it's funny, am I going to miss Don Benton? I don't know the answer to that question yet. But I bet you sometime next year, when I've lost my foil and I'm looking for someone to blame for something, and you are not here, I am going to miss you a ton. The other thing that I'm going to miss more than anything is you Mr. President, and one of the favorite things you have said throughout these very, very many years. And that of course is, 'Senator Benton's point is not well taken'."

PERSONAL PRIVILEGE

Senator Angel: "Well I want to talk about Senator Benton, too. Dog gone it, I sit next to him in the caucus room, and my apologies to Senator Parlette, because I scoot over as much as I could because when it's lunch time, this man needs space on that table. Watching him though, sitting as his Vice Chair on Financial Institutions, it's been a real learning experience. And as the ranking member knows there are times we've got something coming up, and Senator Benton opens that meeting with his rules of protocol, and then he says I've got to take a phone call and he hands me the gavel. And then we're trying to figure out some of those tough bills, but I'll tell you what, he comes back and he asks those tough questions and it's been a pleasure to watch him work and I envy, I envy, the parliamentary knowledge you have, and the institutional knowledge you have, in being here all these years. And I'm going to do better at reading that red book, so you will truly be missed and God bless you."

PERSONAL PRIVILEGE

Senator Billig: "Thank you, Mr. President. Well, I too wanted to say a couple of words about Senator Benton because I will miss him when he's gone. My first introduction with Senator Benton was when I was a freshman in the House and I'd only been here for a few weeks and Senator Benton had this bill, it had to do with the WIAA if you remember that bill, and it was a bill that was very important for his district. And it came over to the House and it hit a little bit of roadblock in the House, and he was going to talk to the Speaker. And the Speaker decided that this would be a good bill to farm out to the newest member of the House Democratic Caucus. So he said, 'Senator Benton you need to go talk to Representative Billig. He's now in charge of this bill.' So that was my introduction to the tenacity that is Don Benton. And I learned so much in my first year as a legislator about how to pursue a policy that is important to your district. And we worked together on that bill and the policy was not that significant, but the lesson very much was. I also,

because our offices are on the same floor, there have been times when Senator Benton has had to come into my office to talk with me, and my staff refers to him as the Benton Tornado, and he just comes in, makes a beeline, walks right by the staff and he is one of our favorites in the office because of the way he treats the staff. But with all that tenacity, with that headwind and the swiftness that he moves, and sometimes even a little bit of gruffness. Earlier this session I saw another side of Senator Benton. My son, Sam, who was one, he was here and was running up and down the hallway, all around the legislature, and we got lots of nice comments and smiles, but Senator Benton was the only one that got down to his level, out in the hall by our offices, he got down to one knee, was sitting there playing with him, genuinely playing with him. Made Sam's day, made my day, hopefully was a good impact on his day as well. Thank you Don, and we'll miss you."

PERSONAL PRIVILEGE

Senator Ericksen: "Thank you, Mr. President. You know, here in Olympia we have characters of the game. And I say that in all the best ways, there are just characters here that are almost larger than life in terms of how they impact the institution. I just have one quick story I want to share. A few years ago we were sitting over on that side and Don, I think, was preparing to run for a different office, and there was a television camera there from one of the television stations. And Don was giving a very fiery speech, speaking directly into the camera, hitting all of his talking points, making a great speech, and I'm standing next to the reporter, and the reporter says to me, 'Should we tell Don that the camera's not on?' And I said, 'No, no forget it. He's rolling.' It was great, but there were just, for many years, people will talk about Don Benton. There will be a big hole left in the institution, whether you get along with him every day or not get along with him every day. It is just really the thing that makes the institution such a special place. And I say character of the game in the best way, because he provides different aspects to it that many of us can't bring to it. It's not just the showmanship, it's not just the bluster on the floor speeches, it's the knowledge of the institution, it's the depth of understanding, it's a great understanding of politics, it's just the straightforward, wonderful conversation that I will truly miss. But you can be guaranteed that we'll be talking here, the people that are here in four years, 'Remember when Don Benton did that? Remember Don Benton?' And you will definitely be missed and you are bigger than the institution and you are a great part of it, and no one has stood up more for the pillars of the institution than Don Benton."

PERSONAL PRIVILEGE

Senator McAuliffe: "Thank you, Mr. President. Well, I have worked with Senator Benton for a very, very long time and it's always been a privilege. And one of the things that he does that I admire, is when he comes to your desk to talk to you, he has the most gentle voice. And it's very inspiring when he starts to talk about things he really cares about, and that he's passionate about. So one of the things he cared about at one point in our journey together was fairness in food. So when the capitol was under construction after the earthquake, they were going to shut down our senate dining room. And Senator Benton had a letter that said he wanted to keep Jean- Pierre, our chef in the dining room, open. So we all signed the letter. Oh not all of us? I thought he got us all. I guess not. But, at any rate, I was out doorbelling the very next interim period and I heard a man yell through the door, 'I'm not voting for her, she has a French chef!' So thank you, Senator Benton."

PERSONAL PRIVILEGE

Senator Honeyford: "Don and I both came in in 1994 in the big landslide when we had sixty-one members I believe that first year, and I've been serving with him ever since. You went to the senate before I did, but I was just going to mention the French chef as something I'll always remember, and your letter that I did not sign. But I believe we are the last two from that class of '94 and so with your leaving that makes me the last man standing and I expect the appropriate bottle to be delivered to my office."

PERSONAL PRIVILEGE

Senator Hasegawa: "Thank you, Mr. President. So my predecessor, Margarita Prentice, showed me a picture some time ago, and she was really proud of this picture and it was a picture you know of her, she stands about this tall, with her finger pointing up like this at Senator Benton. She used it as a teaching moment to say you know you can argue and disagree but it's a fellowship, and you can get along and become friends and disagree agreeably. You need to get to know Senator Benton because he really is an honest person, straightforward, somebody that you can work with to try and solve problems. So that was the best bit of advice that she gave me was in reaching out to Senator Benton. We've actually been able to work to solve a lot of problems, you know he's not just adversarial. If there's a way to find a solution he wants to work to figure out what the solution is. So he's been a cosigner on many amendments on the link deposit bill and this parking mitigation thing and I just want to say that. Oh, there's one other thing that you may not know about Senator Benton because we are a kindred spirit in a certain sense. He's a former Teamster organizer, so we would go out and share some old war stories from back in the day, most of which I probably should not mention on the floor unless the statute of limitations has passed. But we would have great conversations over big meals, another thing that we are kindred spirits in, so I just want to say Don I am going to miss you and it has really been a privilege to get to know you better and work with you in the past."

PERSONAL PRIVILEGE

Senator Roach: "Well, I wanted to say a few words about Don Benton. He's been a very good friend of mine for a number of years, I actually preceded him in being here. The first recollection I have of him, is he had this bill over in the House dealing with a World War II memorial and I didn't know this guy over in the House. I'd been in the Senate for a couple of years, and dog gone it, I had the same bill over here in the Senate. All I can say is he worked his bill harder. It's his bill and he reminds me constantly that that is his memorial in terms of getting something done. But I think that should have been the inkling that this guy has not only a lot of passion, but is an extremely hard worker, an extremely hard worker. There have been so many things that have been said today, but I'll give you a couple because I've known Don for so long. We share a lot of the same political views absolutely. We're both passionate about things. We like to do things that are right, and Don is motivated by doing what he thinks is right and what he thinks is right is a very high standard, and I really appreciate that. He's certainly come to my defense many times. You don't have to worry Senator Fain, when you miss a foil, I'll still be here. You've been working on it for a number of years. So the only difference is, I have an honest man here that will stand up and state things the way they are, and I really appreciate that. So one time Don says to me,

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

‘You know, I’ve got this restaurant down in Vancouver called the Chard House’, and I said, ‘The Chard House?’ I’ve never heard of the thing. I’d never heard of it in my life but apparently they had. They were running this deal that was kind of like a contest, like a prize you got, if you went to every one of the Chard House restaurants, they would give you two, a trip around the world, you could stop wherever you wanted, it was a round the world trip. So Benton’s telling me about this, and he says, ‘You’ve got to go to sixty-five restaurants.’ Sixty-five restaurants! So this man had a business where he’d do the marketing, he’d go all over the country, and he’d stop off and go to these Chard House restaurants. One time I think he and his wife, I’m not sure, but they were down in the Caribbean, he leaves Mary and gets on a plane and goes hopping around to St. Croix, going to St. Thomas, all to do one thing: Eat at a Chard House restaurant and get his little thing stamped I guess. So he went to sixty-five restaurants. I don’t know how much that cost him, certainly much more than a trip, if he’d wanted to pay for it himself, around the world, and he took his daughter Mary or his daughter, excuse me, Jennifer. Just a wonderful young woman that Don has always been so proud of. He’s a father, no one’s mentioned that yet, wonderful times with his kids, and when you talk to him he’s out riding on the quads and everything with his sons, taking them out and doing the shooting, spending time with his family which is a lesson we all know and need to be reminded of it. And so I think he’s, there’s a lot of things I could say, he is a world traveler and he and I have a little contest going, which is who can go to the most countries. I know how many I’ve been to and I’ve told him, but he won’t really tell me how many he’s been to, so guess what? That tells me. I think I’ve been to more so that’s what that means. That’s what that means. We did take a wonderful trade mission with Senator Paull Shin. We went to South Korea, we went to China, we went to Thailand, on a wonderful trip meeting with local businesses, businesses that had an interest in the United States of America, meeting with leaders and hopefully doing a good job for America as we were ambassadors. I appreciate those kinds of things. Most of all, he’s a friend, most of all, he’s a friend and you can look around the room, I’ve done it many times, and who would you have Thanksgiving dinner with, you know? But I would have Thanksgiving dinner with Don Benton and it’s because we are good friends, and I’m going to miss that. It’ll force me, Don, to become better friends with others here. I think it will force me, I may even like Senator Braun you know? Over there, wants to take the whole labor movement and go down with it like that. I love you, you know. You were in the service and I appreciate that. What we need to do today I think is learn that a person with passion is bombastic. I’ve always said that, and what a boring life it is if you don’t have passion. If you don’t have beliefs strong enough inside of you, to get out there and preach those things and work those things and run your life that way, I feel sorry for you. Don Benton is a man that has those principles, has those beliefs, good friend, great husband, takes his wife flowers all the time. To think about that I think my husband picks them from the yard. Anyway, I’m going to miss you Don. It’s going to cause a lot of us to be better people. Senator Dansel’s going to be the parliamentarian. We’re going to have people to try to fill this. It’s going to be difficult, but we’re going to rise up to the occasion of being Washington state senators and God bless you as you leave the state senate. We’re your friends.”

PERSONAL PRIVILEGE

Senator Bailey: “I wasn’t going to say anything about Don, but I do have a couple of things to add to what has been said. First of all, I would like to know where to file my L&I claim for

a loss of hearing, and I think I should be getting hazardous duty pay in addition to that because of my proximity to both Senator Benton and Senator Roach. I do have a little loss of hearing, I know, on this side. But I will tell you this, if there’s one person in this body, that I would trust explicitly to know what needs to be done, knows the rules, the go-to person, has always been, for me, Don Benton. I asked him when I found out that he was leaving, if he could do a brain dump, and let me know all the things that he knows about the little red book. But I can tell you he studies it all the time, and he is constantly looking to make sure we follow the rules. I’ve never seen anybody work harder, as exemplified by the number of bills that he turns through this organization. He has always been one that I would seek advice from, and I really have appreciated him. We knew each other before the legislature, before I actually got involved in the legislature, because we shared some commonality in our work outside of the legislature. Probably most people don’t know that, but Don and I do. So with that I really want to wish him well, and I know he’s going to be successful at his other endeavors. Thank you.”

PERSONAL PRIVILEGE

Senator Chase: “Thank you, Mr. President. It is with pleasure that I rise to honor my friend, my conservative friend, from the Seventeenth, and a lot of people say, ‘How can a progressive from the thirty-second be such close friends with a conservative from the seventeenth?’ Well it’s easy, we actually share a lot of the same values. I’m going to miss you so. But even though we share some of the same values, sometimes we take different roadways, different pathways to get there, but he does, it seems to me, exemplify the golden rule, as a way to conduct his life. But I want to tell you, a lot of people don’t realize he’s an environmentalist, you know? He really is. He just showed a lot of people down in Clark County just what kind of environmentalist he is. He’s also a great manager, saved them a lot of money, you know, so we can be very proud about that. One of the things that I muse on, is that it was suggested that four of us could take over the senate and become a great swing caucus. You know we could do that. It would be kind of interesting but we wouldn’t do that because there are rules, and Don being the maven of the rule book, the little red book. I’ve got my little red book to wave it around at you, Don, just so you know I have learned that we do follow the rules here. And I do so appreciate everything that you have done, I appreciate you, thank you.”

REMARKS BY THE PRESIDENT

President Owen: “Well Senator Benton you are proof positive that perception is far greater than reality. They really believe you know the rules.”

INTRODUCTION OF GUESTS

The President welcomed and introduced Mrs. Mary Benton, Senator Benton’s wife; Ms. Jennifer Benton, Senator Benton’s daughter; Mr. Jim Johnson, Ms. Karen Clanton and Mr. Nick Cimmiyotti, Senator Benton’s friends; and Mr. Daniel Bittner, Senator Benton’s longtime legislative aide, who were seated in the gallery.

MOTION

At 12:43 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 12:46 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Dammeier moved adoption of the following resolution:

SENATE RESOLUTION
8735

By Senators Dammeier, Becker, O'Ban, Conway, Darneille, and Keiser

WHEREAS, Bob Neilson was a beloved resident of Puyallup since 1977, using every opportunity to connect with his neighbors next door, in the surrounding communities, and across the county; and

WHEREAS, Mr. Neilson was blessed with a wonderful marriage to his wife, Hope, who stood by him through his service around the world and all of his efforts reaching out to his community; despite countless hours spent away from home, both when he was wearing his Army uniform and when he coordinated support for local high school students, Hope was incredibly supportive of his service; and

WHEREAS, Mr. Neilson traveled the world in service to our country as an officer in the United States Army during a time when our country was deeply engaged in the Cold War; his leadership was invaluable and his sacrifice of service deeply appreciated; and

WHEREAS, Mr. Neilson had a strong and deep faith, and lived James 2:17 by showing his faith in action—he spearheaded his church's men's breakfast and was always reaching out to care for others in need; and

WHEREAS, Mr. Neilson actively reached out to our youth, investing in the next generation of community leaders and linking the students of Puyallup School District with the world around them by bringing a variety of speakers into schools to share their experiences; additionally, he connected students with the community through a variety of service opportunities, promoting the importance of civic responsibility; and

WHEREAS, Mr. Neilson believed passionately in civic engagement and our responsibility as citizens for our government: He actively participated in local grassroots politics, including visiting more than 30,000 homes on behalf of candidates who reflected his priorities and vision for our state and country, and loved talking with folks on their doorsteps about the important issues facing our society; and

WHEREAS, Mr. Neilson made a lasting impact on all who met him, especially in the community of Puyallup; he leaves a tremendous void that cannot be filled, representing the best that we can hope for as a servant leader and serving as a great reminder that we are blessed to have committed citizens such as Bob within our communities;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and cherish the life of Bob Neilson.

Senator Dammeier spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8735.

The motion by Senator Dammeier carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 9, 2016

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5029,
SENATE BILL NO. 5143,
SENATE BILL NO. 5270,
SUBSTITUTE SENATE BILL NO. 5597,
SENATE BILL NO. 5605,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5635,
SUBSTITUTE SENATE BILL NO. 5670,
SUBSTITUTE SENATE BILL NO. 5728,
SENATE BILL NO. 5879,
SUBSTITUTE SENATE BILL NO. 6117,
SUBSTITUTE SENATE BILL NO. 6120,
SENATE BILL NO. 6156,
SUBSTITUTE SENATE BILL NO. 6165,
ENGROSSED SENATE BILL NO. 6166,
SENATE BILL NO. 6171,
SUBSTITUTE SENATE BILL NO. 6179,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6203,
ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 6242,
SENATE BILL NO. 6245,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6248,
SUBSTITUTE SENATE BILL NO. 6283,
SUBSTITUTE SENATE BILL NO. 6314,
SENATE BILL NO. 6325,
SUBSTITUTE SENATE BILL NO. 6338,
SUBSTITUTE SENATE BILL NO. 6358,
SENATE BILL NO. 6400,
SENATE BILL NO. 6405,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6427,
SUBSTITUTE SENATE BILL NO. 6430,
SUBSTITUTE SENATE BILL NO. 6445,
SUBSTITUTE SENATE BILL NO. 6449,
SENATE BILL NO. 6459,
SENATE BILL NO. 6475,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6513,
SUBSTITUTE SENATE BILL NO. 6536,
SUBSTITUTE SENATE BILL NO. 6558,
ENGROSSED SENATE BILL NO. 6589,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6605,
SENATE BILL NO. 6607,
SENATE BILL NO. 6614,
SENATE JOINT MEMORIAL NO. 8019,
SENATE JOINT RESOLUTION NO. 8210.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

Senator Fain announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

MOTION

At 12:52 p.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:16 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MESSAGE FROM THE HOUSE

March 9, 2016

MR. PRESIDENT:

The Speaker has signed:

- ENGROSSED HOUSE BILL NO. 1003,
- SECOND SUBSTITUTE HOUSE BILL NO. 1408,
- SECOND SUBSTITUTE HOUSE BILL NO. 1448,
- ENGROSSED HOUSE BILL NO. 1918,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2061,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2274,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2323,
- HOUSE BILL NO. 2326,
- HOUSE BILL NO. 2356,
- SUBSTITUTE HOUSE BILL NO. 2359,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2375,
- HOUSE BILL NO. 2391,
- HOUSE BILL NO. 2394,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2458,
- ENGROSSED HOUSE BILL NO. 2478,
- SUBSTITUTE HOUSE BILL NO. 2580,
- HOUSE BILL NO. 2694,
- ENGROSSED HOUSE BILL NO. 2749,
- HOUSE BILL NO. 2771,
- HOUSE BILL NO. 2808,
- HOUSE BILL NO. 2842,
- HOUSE BILL NO. 2856,
- SUBSTITUTE HOUSE BILL NO. 2876,
- ENGROSSED HOUSE BILL NO. 2883,
- HOUSE BILL NO. 2918,
- SUBSTITUTE HOUSE BILL NO. 2938,
- ENGROSSED HOUSE BILL NO. 2971.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6676 by Senators Dansel, Hewitt, Ericksen and Honeyford
AN ACT Relating to state agencies; and amending RCW 42.17A.635.

Referred to Committee on Government Operations & Security.

SB 6677 by Senator Miloscia

AN ACT Relating to jail registry information; and amending RCW 70.48.100.

Referred to Committee on Commerce & Labor.

FIRST READING OF HOUSE BILLS

E2SHB 2667 by House Committee on Capital Budget
(originally sponsored by Representatives Farrell, Holy, Pollet, Shea, Nealey, Walsh, Scott, Kagi, Senn, Johnson and Short)

AN ACT Relating to concerning administrative processes of the state parks and recreation commission that require a majority vote of the commission; amending RCW 79A.05.025, 79A.05.175, 79A.05.178, and 79A.05.085; and reenacting and amending RCW 79A.05.030.

BOOST.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated, with the exception of Engrossed Second Substitute House Bill No. 2667 which was placed on the second reading calendar.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5109,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5435,
- SENATE BILL NO. 5689,
- SUBSTITUTE SENATE BILL NO. 5778,
- FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857,
- ENGROSSED SENATE BILL NO. 6091,
- ENGROSSED SENATE BILL NO. 6100,
- SUBSTITUTE SENATE BILL NO. 6160,
- SUBSTITUTE SENATE BILL NO. 6211,
- SUBSTITUTE SENATE BILL NO. 6227,
- SUBSTITUTE SENATE BILL NO. 6238,
- SUBSTITUTE SENATE BILL NO. 6261,
- SUBSTITUTE SENATE BILL NO. 6264,
- SUBSTITUTE SENATE BILL NO. 6273,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6293,
- SUBSTITUTE SENATE BILL NO. 6329,
- SUBSTITUTE SENATE BILL NO. 6337,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6470,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6528,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6534,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6564,
- ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6601,
- ENGROSSED SENATE BILL NO. 6620.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Hill moved adoption of the following resolution:

SENATE RESOLUTION
8736

By Senators Hill, Braun, Hewitt, Hargrove, Conway, Fraser, Hobbs, and Dammeier

WHEREAS, It has been the tradition of the Washington State Senate to honor significant and important contributions made by employees; and

WHEREAS, Steve Jones began his illustrious and lengthy career with the Washington State Legislature in 1976 when he started with the Code Reviser's Office; and

WHEREAS, One of the very first pieces of legislation Steve worked on as a member of the Code Reviser's staff was the bill to close the PERS 1 pension system, and despite repeated investigations there is no evidence that he conspired to set the termination date for PERS 1 after his initial date of employment with the state of Washington; and

WHEREAS, Having secured a plan 1 retirement Steve turned his attention to the state budgets and retained his grip on the state's omnibus operating appropriations act for 37 years; and

WHEREAS, In addition to being recognized as one of the most knowledgeable and accomplished institutional historians of the Senate, Steve also happily serves as a conduit of the latest juicy gossip traveling through the marbled halls of the state capitol; and

WHEREAS, Steve from his days as an undergraduate student at Occidental College has a surprising and almost obsessive knowledge of Original Tommy's chiliburgers in Los Angeles as well as the collected works of avant garde jazz composer and bandleader Don Ellis; and

WHEREAS, Steve has remained on the cutting edge of fashion by wearing a bow tie more than any Senate staffer (including the late Sid Snyder) since the 1940's; and

WHEREAS, Steve for four decades has mastered the rare art of telling lawmakers in the most polite and humorous way possible "Yes, Senator, that is an excellent and innovative idea apart from the slight problem that it is blatantly unconstitutional"; and

WHEREAS, Steve owns the distinction of the shortest kayaking trip to Glacier Bay in Alaska where on just the second day a grizzly bear destroyed their campsite and even the illegal firearm his friend illegally brought into the National Park was not able to distract the bear from ransacking their supplies; and

WHEREAS, Steve is an avid cyclist and regular spectator at the annual Tour de France and was able to finance college educations for both of his children by smuggling cycling memorabilia and souvenirs out of the country and reselling the items on Ebay; and

WHEREAS, Despite being an accomplished hiker and mountain climber as well as a friend of famed mountaineer Fred Beckey, Steve managed to become lost on a backpacking and climbing trip in the North Cascades, spending the night in a creek bed and worrying family and friends until he was rescued somewhere near Stehekin on the north end of Lake Chelan; and

WHEREAS, Over his career Steve has worked with the following Ways and Means Chairs -- Senators McDonald, Rinehart, West, Loveland, Brown, Rossi, Zarelli, Prentice, Murray, and Hill; any of whom could truly serve as the answer to the Sesame Street song "One of these things is not like the others"; and

WHEREAS, During his 28 years working for the Washington State Senate, Steve is recognized as one of the highest respected legal minds, helping countless Senators achieve their public policy goals; and

WHEREAS, The many, many friends he has made during these years in public service will miss him mightily as he is often referred to as the "glue which holds the Senate together," but wish him all the best on his well-deserved retirement;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate give Steve a heartfelt thanks for his years of service and wish him and Kris many days of travel, family, and friends; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Steve Jones.

Senators Hill, Padden, Fraser, Hewitt, Conway, Braun, Hobbs, Hargrove and Parlette spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8736.

The motion by Senator Hill carried and the resolution was adopted by voice vote.

INTRODUCTION OF GUESTS

The President welcomed and introduced Mr. Steve Jones who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Mr. Steve Jones to address the Senate.

REMARKS BY STEVE JONES

Steve Jones: "Thank you. Thank you all for your very, very kind words. I'm not sure I recognized the person that was being described and I'm not going to say very much because I'm going to get very emotional if I do. I arrived in this building forty years ago, a young man with a sunny disposition and a full head of hair and you all have become my friends and my family and I can not imagine being luckier than finding this place and finding a niche that I think I fit into. So I'm very, very honored. It's been a fascinating forty years. Every year has been interesting issues and interesting people and I thank you all very, very much. I'm very touched by your very kind words. Thank you."

PERSONAL PRIVILEGE

Senator Rolfes: "Thank you, Mr. President. Well we don't have a resolution today to honor Senator Karen Fraser because she's running for higher office and that wouldn't be quite right, so we will honor her formally hopefully in January with a resolution honoring her great service to the people of the state of Washington. But as we were honoring Senator Benton and Steve Jones today, it also seems appropriate to pay a little bit of tribute to Karen Fraser who has been in the senate for, I want to say, twenty-two years? Twenty-four years! She was first elected in 1989 and she's been representing the Twenty-second District for twenty-seven years, including the House and the Senate. I know that some of my colleagues are going to want to say something about her as well, but something I would like to say, a couple of things I would like to say, first is, you cannot know a more gracious and kind person than Senator Fraser. And as we look around at colleagues and think about the traditional politician, Karen Fraser is not that person. Karen Fraser approaches everything that I've seen her do in the state Senate, with integrity,

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

and kindness, and passion. And Karen didn't know this, but I sent my intern into her office earlier this session to interview her, to get some important facts and illicit from Karen what she thought was most important in her service to the people of her district. And what she said was her greatest achievement was serving the people of her district to the greatest of her ability for her entire career. She didn't talk about a building or a park or a certain piece of legislation, she talked about the people that she's worked for and, to me Mr. President that is one of the greatest illustrations of public service that we can have. The second thing I want to say about Karen Fraser, and then I'll let others speak, is that we know Karen as a great person and a great woman, what we don't all know about Karen is her athletic achievement. Nobody talks about this, we often don't know what each other do out of session. She's summited four of Washington's major peaks. She's hiked and backpacked throughout the Olympics and the Cascades, she's won numerous awards for racing her sailboat around Puget Sound, and she's completed the Capitol City Marathon twice. This is Senator Fraser. And then the last thing that I want to say, and Senator it's actually very personal, is that we served with you when you lost your husband. And he was a wonderful man with his own incredible life experiences and you were always a great wife, and you continue to be a great mother and grandmother, and a great state senator. And it has been my honor to serve with you and to know you and I think people know that she's running for another office, but she's also retiring from this position which is why we wanted to honor her today as well."

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you, Mr. President. Also speaking with the pending retirement from the Senate of Senator Fraser. Twenty-four years ago when she came to the Senate, I was a newbie in the House. One of the tasks I was assigned to was the Hyogo Friendship Committee with Senator Fraser and we met regularly. One of the things that led to was my daughter taking the trip there. So we go over to the Temple of Justice and there is a cedar tree from Japan that grows sort of odd. That tree was planted by the kids that Senator Fraser put together this program to go. It wouldn't fit hardly in this chamber now, but it was sort of a sickly thing when they planted it there with the kids over twenty years ago. Also, I have fun memories, I don't know if it's fun to Senator Fraser, but in the nineties she chaired the Environment Committee. They worked on a lot of water bills. And the three people that I would see going through those meetings in the wee hours of the morning as session wound down were Senator Fraser, former Representative Gary Chandler, and former Representative Kelli Linville. And I think that had to be one of the ultimate bonding experiences, trying to agree on water policy. They all served this state admirably and Senator Fraser's long record of public service in Thurston County speaks for itself."

PERSONAL PRIVILEGE

Senator Nelson: "Thank you, Mr. President. Well we know Senator Fraser has a strong background in natural resources, water, capital budget, she's had so many accomplishments in serving the Senate. But in our caucus, she's the heart of the caucus. She's the one that calms the waters. She's the one who thinks about the we not the me. She's the one who helps our caucus through tough times. In the last four years, she has served as our caucus chair. And Senator Fraser you

know I will miss you, but you will be missed by all of us, because our heart will be leaving."

PERSONAL PRIVILEGE

Senator Hewitt: "Thank you, Mr. President. Actually this is a shock to me. For some reason I was thinking that you were in the next cycle and that if you didn't win your election you would be right back here again, so I'm a little bit shocked over this. But Senator I want to tell you that you have been probably been my best friend on that side of the aisle. We've shared committees together, spent a lot of time together. You've been to Walla Walla and attended the rodeo and it was kind of fun because I had to explain to her what happens in a rodeo, because you'd never been to a rodeo before. You have been a wonderful person to work with. I wasn't prepared for this, but I just want to tell you how much I admire you and how fun you were to work with on the budget together for a few years, and you've always been there for me as a friend and I'm just kind of shocked. Anyway, thank you Mr. President."

PERSONAL PRIVILEGE

Senator McCoy: "I haven't known Karen as long as some of you, since about '96 was when I first met her when I lobbied this place for Tulalip Tribes. And naturally what I talked to her about was water and so over the years we've talked a lot about water, done a lot of work on water. And we're on a regional committee together, and I chose not to make a trip this one time, but I get a call, it was about eight or nine o'clock at night, and it was Karen, and all she said was, 'John, I need your help. Get here fast.' And I said, 'Where are you?' She was in Bozeman, Montana, at the hotel, and I said, 'Okay I'll be there on the first plane.' All she had to do was ask. Got on a plane and went over and we took care of the issue that was coming to a head. But on other things, when we went on some national trips and she would always bring Tim with her and we would have dinner and that was a great conversation, Tim, Karen, and me. I'm going to miss her, it's just like in the TVW skit, she is Wonder Woman. Thank you."

PERSONAL PRIVILEGE

Senator Pearson: "Thank you, Mr. President. A number of years ago when Senator Warnick and I, we served in the other chamber with the negotiators on the capital budget, we had the privilege of working with Senator Fraser. And that was my first experience working with Senator Fraser, and I thought a very gracious person to work with and had very good ideas. This year I had the privilege, in our Natural Resources & Parks Committee, Senator Fraser came over to our committee and I was really impressed with the knowledge that she had about our state natural resources and I wanted to thank you. Just a wonderful member and, like Senator Hewitt, I didn't know you were going to be leaving or our last meeting we would have properly honored you in committee, but you are a person worth honoring and thank you."

PERSONAL PRIVILEGE

Senator Ranker: "Thank you, Mr. President. So when I came in as a freshman here eight years ago, I was vice chair and then chair of Natural Resources. Karen, Jake, and some others, Morton, Bob Morton, who was an incredible mentor. There was a group of folks on that committee that knew those issues inside

and out, and had been working those issues for so long, and the lessons I learned, from you Karen, were incredible. Lessons that helped me be a better senator, and not just on those issues but on just dealing with the emotions and the craziness around here. A few years back, we were traveling together for a PNWER trip and something very tragic happened and I got to know another side of you. A very deep and personal side of you, and I will never forget. Senator Fraser and I ended up being in a situation where we began a walk at one a.m., out in the middle of nowhere, and finished that walk around three thirty in the morning. Through very dark streets, at one point we thought we saw a bear or something. It was remarkable, but the conversation we had that night I will never forget, just about life, who we are, and what matters, what really matters. And what matters, ladies and gentleman, is that we care about one another, that we treat each other with respect, and that's something I've learned from you time and time again, Karen. You're an incredibly gracious person and your service to this state has been remarkable."

PERSONAL PRIVILEGE

Senator Roach: "Thank you, Mr. President and members of the Senate. Well most of you don't know, I think Senator Fraser and I didn't know until a number of years ago, that we had been walking side by side. We've actually been walking side by side on different sides of the fence for a number of years. Senator Fraser and I were both part of a Women's History Consortium and so I know that we were both in Ellensburg for the IWY, the International Women's Year, I think that was 1977. The issues of the day, you had Phyllis Schafly on the right, you had Bella Abzug, you had Gloria Steinem on the left, the issues were really abortion rights or pro-life. That's where you were. You chose a side on that. Over here equal rights amendment or not, certainly you'd have to agree, someone like me at the time, I was not in favor of the equal rights amendment, but I do want equal rights, you can bet I would be fighting for that. We convened in the gymnasium in Ellensburg and had this IWY conference and delegates were elected, they went to Houston under Jimmy Carter's plan, the International Women's Year, and I went to Houston as a reporter actually, I wasn't a delegate. When we came back from Houston there was a state women's council that Dixie Ray had assembled. There was one conservative, her name was, it was pretty much liberal women, and there was a referendum filed to get rid of the women's council, and Dixie Lee Ray wanted to make it a commission actually, elevate it. So we had Referendum Forty in the state of Washington. I was part of that effort, and I think Senator Fraser was looking for a yes vote, to get rid of the council you needed to vote against. We worked to get it on the ballot and then to get a no vote. That's how the referendum worked. And surprisingly seventy-two percent of the people, including women, voted to get rid of the women's council and commission. Dixie Lee Ray had said on her radio, I was driving my car going to Seattle, said that this, regardless of the outcome of Referendum Forty, the State Women's Council will become a commission, and of course that didn't happen. These were interesting times. This is where two of your senators got their start, and the wonderful thing about this is even though we disagreed about some things, and we still do, even though we did that, we actually have kept the commitment. We haven't left the fight. We're here. I'm here to support the things I believe in. She's here to support the things she believes in, and God bless the differences, and God bless America that we can do that, you know. So I think it's one of these things that I just wanted to share with you, I don't share that history very long. I've been doing this since my early twenties, and I'm sure Senator Fraser's done the same thing and now as we begin to part we have enjoyed

many, many years, a couple decades of serving together in the Washington State Senate and thank you for your friendship and for that time."

PERSONAL PRIVILEGE

Senator Conway: "You know, I know one group that will really miss Senator Karen Fraser and that is the state employees of Thurston County. If there's been one group she has represented about as well as anyone could, it's been Senator Fraser and I saw that when I came on Ways & Means and I watched her in action. I see that every day when the state employees turn to one person on this floor to talk to about their issues, and it's always been Senator Fraser. I can't possibly tell you how important that has been and it will be very hard to replace her in that role. I knew Senator Fraser in the House because I was on the old Committee on Pension Policy, not the select committee that we call today, but the previous committee. And Karen is part of a generation, Helen Sommers and others. Jeanine Long, who really decided that we had to ensure that this pension system, this thing, would be solvent and work for its employees. Karen served on that committee when I first came on and you should know that she was with me on the hiring committee. I see someone up in the audience who hired our great actuary Matt Smith. She was on that hiring committee with me when we made that decision and I think we all recognize how critically important it was to put the right person in charge of that pension system. So, Karen, I know you had a lot of experience in local government because when we served on state government today, she knew local government issues. Because prior to coming here, she was involved in local government here. I consider her Thurston County. If ever there is a person who represents this county in my mind, it's Senator Fraser and thank you Karen for all your service."

PERSONAL PRIVILEGE

Senator Parlette: "Thank you, Mr. President. Well I have really enjoyed, as caucus chair, working with Senator Fraser. This is my tenth year in a row of being caucus chair, as most of you know, that's not really an easy job. My first four years I got to work with Senator Spanel, the next two years was Senator Ed Murray if you could believe it, and after he got done with that he said I hate this job. I don't even know how I got into it, so that was interesting. But Senator Fraser, she likes what she's doing, she's so good at that. Part of the job as caucus chair, you do the Facilities & Operations Committee, takes a little bit of extra time, but she's extremely easy to work with, always looking for the bright side on trying to find a solution. So, Karen I wish you well on whatever the next adventure is, and I have truly enjoyed working with you, thank you."

PERSONAL PRIVILEGE

Senator Darneille: "Thank you, Mr. President. After just watching the TVW show about Batman, I was a little afraid right there, I'm rising to a point of personal privilege. Thank you Mr. President and members of the Senate. I stand today with a little bit of a heavy heart. I have come out of twelve years in the House, and during that time came to know Senator Fraser. She was one of my touchpoints, and is one of my touchpoints, as a fellow Episcopalian, we call ourselves the Frozen Chosen, but she's anything but that. She's so gracious and kind and open to sharing and sort of exalting all of your benefits, all of your points, that you can grow into as a member. I think all of us have learned from her about that gracious gift that she brings of trying to help

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

us. I have often viewed her, that Episcopalian, she also represents that epicenter of our state government, and have just marveled at her over the years. I've watched her really be a force for state employees. And charging us with the task of really understanding all the sacrifices they make to make sure that state government moves efficiently and appropriately. And I want to just say that I have always admired her as a leader on women's rights. She has, while I was in the House, she's risen up on bills that I had, put together a Senate package as well, and so we worked together on women's health issues many, many times. And on violence against women issues, and on issues relating to improving the status of women in our state. She's just been so tireless in those ways and I think that women across our state really owe her a debt of gratitude for raising up issues about equity and fairness and equality and health and stopping violence. I think she's just a wealth of knowledge and her commitment to causes relating to children, causes relating to the poor, were always a real lesson for me. And I want to just end with one example of her gracious demeanor and her kindness, many of you may have known that I served on the Ways & Means Committee, and in fact as vice chair of the Ways & Means Committee in the House for many, many years, eight years total. And I came over here pining, pining to be on the Ways & Means Committee before all of my institutional knowledge went away. So every year when there's been an opening on the committee I've tried to scramble for that opening. This year, Senator Fraser actually stepped aside from her long held position as a member of the Ways & Means Committee, to allow me the opportunity to serve. I've never seen anything like that in my first fifteen years here and I just thought that was an amazing gift and an amazing example of the many gifts she's given to people in this room and people in this body. Those that have come, those that have gone, they have always respected Karen Fraser. And I'm going to miss her a whole lot, thank you."

PERSONAL PRIVILEGE

Senator Jayapal: "Thank you, Mr. President. I came into this body as a newbie last year. I hadn't had any experience in the House. I had no idea what I was doing here. I still sometimes wonder exactly what I'm supposed to be doing, and I was assigned to Senator Fraser as my sort of mentor and guide as the caucus chair. And she has led me with tremendous grace and kindness and knowledge. Sat down with me right when I came in. I actually remember walking through. You showed me the chamber. You showed me the gallery. I looked here I looked at my desk, just filled with the awe and wonder that comes with being a member of this body in this chamber. And she told me she had seated me around people that had a lot of knowledge so that if I had any questions I had Jeanne Kohl-Welles on this side, I had David Frocht here, and I had Karen Keiser right here. And between the three of them they would show me exactly what needed to happen. But she also had several lunches with me and talked me through. Any time I had a question I was able to go to Senator Fraser. And of course because I was made ranking on Accountability & Reform and had never been a ranking member before, she was right there with me to guide me and it was amazing to watch her knowledge on that committee and now on Natural Resources where I'm proud to serve as the ranking member, to see the incredible amounts of knowledge you have Senator Fraser, on so many things around local government around Natural Resources, around Accountability & Reform. I think you give Senator Miloscia a real run for his money every time he brings up Baldrige. You are there to explain exactly why that is not the right way to go forward, and it's been such a

pleasure to watch. I wanted to mention two things; one, that I was deeply grateful for Senator Fraser for referring me to the Japanese Consulate to go on a trip to Japan as one of ten Asian-Pacific Islander leaders from across the country, and that was really because of your advocacy of me. And the other is that my legislative assistant, Yasmin Christopher, who has a very deep, personal story of being trafficked herself with her family, and was at an event with you, I don't know if I've ever even had this conversation with you, and she came back after that event and she said, Senator Fraser is one of the most amazing women I've met. She sat and talked to me in the middle of this big room. We had this long conversation about trafficking and domestic violence and sexual assault and all the things that she has been working on. She said it was so wonderful that a senator of her rank and stature would take that kind of time with me. So Karen, I just want to say, from me personally, thank you for your qualities. I call them the three K's except one of them starts with a C but it sounds like a K - kindness, you have it in deep tremendous, bountiful amounts; knowledge, you have that in deep tremendous, bountiful amounts; and commitment, we'll pretend it's a K, deep commitment to the people of your district, to the people of the state of Washington, and to all of us who have the honor of serving with you in caucus. Thank you so much."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you, Mr. President. It's always sad when someone who has been here longer than you leaves, because there's that institutional knowledge and all the things that, we always go back to the people who have been here a little longer. Just the other day I asked who was that who represented that particular district at that particular time. But I first met Senator Fraser in 1990 when I was running for the House of Representatives, and the Thirty-fifth District had a small sliver at that time in Thurston County. So to run for office in Thurston County as a Democrat, the first requirement is, as a rookie, you have to work in the burger wagon at Lakefair. I did and I chopped onions all afternoon, and when I came home my wife said, 'What have you been doing? That doesn't smell real good.' One thing about the Senator, is I don't think I've ever seen her angry. You know we all get angry at this process, but I don't think Senator Fraser gets angry. She is so even tempered. I remember in the House, there were some people talked about the House days, there was a lot of strong women in the House when I first started. I think back about Maria Cantwell or Mary Margaret Haugen was a very strong, committed person, Jennifer Belcher, Harriet Spanel, Karen Fraser, but Karen brought as well a great knowledge of local government. She had been the mayor of Lacey, a Thurston County Commissioner for, I think, two terms, so that commitment to local government gave her so much knowledge here that she helped many of those small cities, not small anymore Lacey, but many of the small cities and counties to help the legislators help their problems. And I think that was a great gift and we'll miss that ability that you brought to do that. And also last thing to mention Mr. President, everyone knows how committed Senator Fraser is to the environment, but this is a very outdoors woman who spends a lot of time in my county, and probably yours too, hiking, enjoying the Olympics, out on the water. I spent a great afternoon with her, she and her husband one time, on a tugboat out in Budd Bay. But she has been up many of those peaks, and knows the Olympics very, very well. So we'll certainly miss you but I know you won't stop visiting those places and we appreciate you very, very much."

PERSONAL PRIVILEGE

Senator Liias: “I will just make a brief observation, Mr. President. Like Senator Jayapal, I’m new and haven’t had the many, many years to get to know Senator Fraser that my colleagues have, but I’ve learned in this place, that the best way to judge the disposition and the work of any member in the legislature, is how they treat the people around them. And I think it is a testament to Senator Fraser that she has had the same Legislative Assistant for over twenty-seven years, and I think that is a testament to the kindness that she has and also to the amazing work that Brenda does for our caucus. So while our leader talked about losing the heart of the caucus, we’re also losing the mom of the caucus in Brenda who takes care of us and who takes care of all our needs, not just Karen’s needs, but all of our needs. And we will miss them both greatly and I think Brenda’s dedication reminds us all how wonderful Karen is and what a wonderful person she has been for all these twenty-seven years, and we thank and appreciate both of you.”

PERSONAL PRIVILEGE

Senator Hargrove: “Well, as far as Karen Fraser goes, you know, fair, sweet, gentle, blah, blah, blah, blah, everybody knows that stuff. But she is as tough as nails. In 2013 when we did a bipartisan budget slash back and forth. Maybe. Maybe not. I think the governor had her down three times to try to get her to not vote for the budget that we had worked on, and she didn’t break. She knew that we had demanded that the CBA’s be funded. They were funded. She was very strong for state employees, she wanted to make a statement there. She knew all the circumstances around the things we requested. The things we got in the budget, that I had been working on with Senator Nelson, who by the way, was very tough at that point in time, and still is. Freudian slip there. But you know you can’t imagine the pressure at that point in time. The House was having a huge press conference with all the Democrats saying that this is a terrible idea, and she knew exactly what we had built and she has the character to have the toughness to stand with me in a very, very tough and difficult time. And, you know, it’s easy to be friendly and nice and support people when it’s easy, but when it’s really hard, and she still did it. I knew that you have a toughness that I had never seen before in that way, and I just wanted to appreciate that. I also wanted to say a word about Brenda. She’s had needles and thread to sew me up when I’ve been falling apart. She’s had things to get the balls off my coat when they look bad. She’s got stains out of my shirt. I think, I’m trying to think what other parts of my wardrobe you’ve helped work on, Band-Aids, all sorts of things. She’s really helped. Really is the mom who helps take care of all of us around here. Senator Fraser, the wisdom you had in picking her, I think was also excellent. But I just wanted to mention that one point about how tough Senator Karen Fraser is. Thank you.”

PERSONAL PRIVILEGE

Senator Hobbs: “Well you know I kind of wish we did run a resolution of some kind. I’ve known Karen for ten years, since I first got in here, and I’m really excited I’m going to get to know her more after session. Really excited about that. But one thing I do want to mention, is that she is the example of what public service is. The fact that you went to the Evans School, my alum, your alum, I believe Senator Rolfes went there as well, and after that I believe you were on the city council, worked for the county, and now for the state. And you’ve always been there for the state employees, one hundred percent protecting them, the hard working men and women that run our state. I’m also just

impressed with you, the fact that your kindness, even though we may not always agree, and there are certain times that we have disagreed on things, you’ve never said ill will or said anything hateful. I like the fact that, since I’ve been in here, before ten years I don’t know who you were, but I understand you never threw a bomb where you were gavelled down at any time. It’s always nice to see that sometimes. I also want to thank you too. You may not realize this, but you were the capital chair at one point, when I came in here on Ways & Means, and you really helped my constituents out. I really needed for the city of Lake Stevens, a senior center. It was run down. It was leaking. Water was everywhere, and we just couldn’t have the funds to help these senior citizens have a place to meet and have some fellowship, and you were there for me trying to push that, and we got that, and I thank you. And your leadership as our caucus chair, always listening to us gripe and complain. Appreciate that as well. And we had a great time going to Japan on that trade mission, a wonderful, wonderful time. And you’re definitely a wonder woman, and thank you for everything.”

PERSONAL PRIVILEGE

Senator Keiser: “One of the things I’ve found is we get mixed up. Can you believe it? Some people think I’m Senator Fraser, and some people think she’s Senator Keiser. Sometimes I get her mail. Sometimes she gets my mail. I’ve really enjoyed impersonating Senator Fraser because everybody loves Senator Fraser. So it’s a great and wonderful honor to be able to have this sort of doppelganger effect with Senator Fraser as we go out and about to our meetings and to our many, many events. Sometimes, during campaign seasons, we’ve even gotten each other’s checks! It’s the strangest phenomenon and I’m going to miss it terribly. Senator Fraser you have been kind and helpful to me ever since I came to the Senate and you’ve been a mentor to me. I will miss you and one of these days on TVW we’re going to perform that song, Sisters, sisters. Thank you, Mr. President.”

PERSONAL PRIVILEGE

Senator Fraser: “Well first of all this is totally unexpected. Thank you all for your wonderful feedback on my efforts here over the years. I feel very connected with each of you. I really believe in the democratic process and I appreciate everybody here who works so hard to represent your districts and your philosophies and your people, and that’s what makes our legislature great. And I feel so honored and privileged to know each of you and be able to call each of you a friend. And some of you I’ve had more strenuous relationships than others, some of the budget issues and water issues and state employee issues certainly have been part of the strenuous life. And actually I was thinking about how my high school was named after President Roosevelt and the slogan we all grew up with there was: ‘I believe in the strenuous life.’ And we certainly do have one here and it is most stimulating. Now, Senator Rolfes has left the floor. Oh there she is, but there’s a reason she’s our leader on the floor, she’s so strategic. I had no idea that her intern was interviewing me for anything other than an educational project. But it really has been an honor and privilege to represent the people of the Twenty-second District over the years, and yes that has been my highest priority to represent my constituents, but also to look out for people all over the state. And one thing I’ve particularly appreciated about representing the state capitol area, is because there’s so many state employees in my district, and statewide organizations, that people want me to look out for the whole state. And so I’ve felt extra privileged that way, and so I think it’s

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

probably getting close to time for dinner and a few other bills, but I feel very connected with the caucus. I'm still having a hard time realizing that I'm leaving and this is the last of this and the last of that, so I do spend a lot of time in caucus completely focusing on what everyone is saying and doing so that will be a change. There's so much I could say. I've appreciated working with Senator Parlette, cooperating well on our inter-caucus relationships. Since I have just a couple of minutes here I wanted to say thank you to all the staff of the Senate, who are fabulous people and I refer to others about them as the brain trust of the Senate who help us do our good work. And so I've appreciated so many relationships and they are going to continue. And I thank all of you for your kind and generous comments, and I look forward to getting back to each of you, but the day is going along, so we probably need to go along. But before I sit down, I do want to say a special thank you to my special, long-time Executive Assistant Brenda Fitzsimmons who is here. Maybe you could come out and smile. We've been together twenty-eight years, so that's a generation. So thank you so much for your fabulous support. And Michelle Burkheimer also works in our office. So thank you for all that you have done for me and for other members of the Senate here. And I see other Senate staff here from committee services and caucus staff and security and rostrum staff, and you, Mr. President, have always been exceptionally gracious in how, in our relationship and with the entire Senate, and we're kind of going out together here. So thank you very much and I look forward to visiting more. Thank you."

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SECOND SUBSTITUTE HOUSE BILL NO. 2877 and asks the Senate to recede therefrom.

BARBARA BAKER, Chief Clerk

MOTION

Senator O'Ban moved that the Senate recede from its position on Second Substitute House Bill No. 2877 and pass the bill without the Senate amendment(s).

The President declared the question before the Senate to be motion by Senator O'Ban that the Senate recede from its position on Second Substitute House Bill No. 2877 and pass the bill without Senate amendment(s).

The motion by Senator O'Ban carried and the Senate receded from its position on Second Substitute House Bill No. 2877 and passed the bill without the Senate amendment(s) by voice vote.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2877 without the Senate amendment(s).

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2877, without the Senate amendment(s), and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Erickson, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Baumgartner

SECOND SUBSTITUTE HOUSE BILL NO. 2877, without the Senate amendment(s), having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Honeyford: "Well thank you, Mr. President. Many of us will remember Mike Tracy who has worked for PSE for thirty plus years as a lobbyist. I've received word that he is in the ICU and not expected to live, and so I would ask for a moment of silence so we could offer prayers for he and his family."

The Senate rose in recognition of Mr. Mike Tracy's ill health.

MESSAGE FROM THE HOUSE

March 7, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928 and asks the Senate to recede therefrom.

BARBARA BAKER, Chief Clerk

MOTION

Senator Pearson moved that the Senate recede from its position on the Senate amendments to House Bill No. 2928.

The President declared the question before the Senate to be the motion by Senator Pearson that the Senate recede from its position on the Senate amendments to Engrossed Substitute House Bill No. 2928.

The motion by Senator Pearson carried and the Senate receded from its amendments to Engrossed Substitute House Bill No. 2928.

MOTION

On motion of Senator Fain, the rules were suspended and Engrossed Substitute House Bill No. 2928 was returned to second reading for the purposes of amendment.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928, by Representatives Kretz, Blake, Schmick, Dunshee, Short, Haler, Stanford and Chandler

Ensuring that restrictions on outdoor burning for air quality reasons do not impede measures necessary to ensure forest resiliency to catastrophic fires.

The measure was read the second time.

MOTION

Senator Warnick moved that the following striking amendment no. 740 by Senators Warnick, Pearson and Ranker be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The department of natural resources shall conduct a forest resiliency burning pilot project. The goal of the pilot project is to monitor and evaluate the benefits of forest resiliency burning and the impacts on ambient air quality. The department of natural resources is responsible for establishing the processes and procedures necessary to administer the pilot project, including the review and approval of qualifying forest resiliency burning proposals. The department of natural resources may consider forest resiliency burning proposals that include treatments to reduce fuel loads prior to burning, including the thinning of forest stands and grazing to clear brush.

(2)(a) The department of natural resources must, as the primary focus of the pilot project, arrange with interested third parties to perform forest resiliency burning on land prone to forest or wildland fires in coordination with the following forest health collaboratives as recognized by the United States forest service:

- (i) North Central Washington forest health collaborative;
- (ii) Northeast Washington forestry collaborative; and
- (iii) Tapash sustainable forest collaborative.

(b) The department of natural resources must also coordinate with at least one organized group of public agencies and interested stakeholders whose purpose is to protect, conserve, and expand the safe and responsible use of prescribed fire on the Washington landscape.

(3)(a) The department of natural resources must, as part of the pilot project, approve single day or multiple day forest resiliency burns if the burning is unlikely to significantly contribute to an exceedance of air quality standards established by chapter 70.94 RCW. Once approved, forest resiliency burns spanning multiple days may only be revoked or postponed midway through the duration of the approved burn if necessary for the safety of adjacent property or upon a determination by the department of natural resources or the department of ecology that the burn has significantly contributed to an exceedance of air quality standards under chapter 70.94 RCW.

(b) The department of natural resources must approve burns at least twenty-four hours prior to ignition of the fire.

(4) Forest resiliency burning, when conducted under the pilot project authorized by this section, is not subject to the outdoor burning restrictions in RCW 70.94.6512(2) and 70.94.6514.

(5) The implementation of the pilot project authorized in this section is not:

(a) Intended to require the department of natural resources to update the smoke management plan defined in RCW 70.94.6536. However, information obtained through the pilot project's implementation may be used to inform any future updates to the smoke management plan; and

(b) Subject to the provisions of chapter 43.21C RCW.

(6) Forest resiliency burning, and the implementation of the pilot project authorized in this section, must not be conducted at a scale that would require a revision to the state implementation plan under the federal clean air act.

(7) The department of natural resources shall submit a report to the legislature, consistent with RCW 43.01.036, by December 1, 2018. The report must include information and analyses regarding the following elements:

(a) The amount of forest resiliency burns proposed, approved, and conducted;

(b) The quantity and severity of air quality exceedances by pollutant type;

(c) A comparative analysis between the predicted smoke conditions and the actual smoke conditions observed on location by qualified meteorological personnel or trained prescribed burning professionals during the forest resiliency burn; and

(d) Recommendations relating to continuing or expanding forest resiliency burning and creating forest resiliency burning as a new type of outdoor burning permitted by the department of natural resources.

(8) The report to the legislature required by this section may include recommendations for the updating of the smoke management plan defined in RCW 70.94.6536.

(9) For the purposes of this section, "forest resiliency burning" means silvicultural burning carried out under the supervision of qualified silvicultural, ecological, or fire management professionals and used to improve fire dependent ecosystems, mitigate wildfire potential, decrease forest susceptibility to forest insect or disease as defined in RCW 76.06.020, or otherwise enhance forest resiliency to fire.

(10) This section expires July 1, 2019.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 3 of the title, after "fires;" strike the remainder of the title and insert "creating a new section; providing an expiration date; and declaring an emergency."

Senators Warnick and Jayapal spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 740 by Senators Warnick, Pearson and Ranker to Engrossed Substitute House Bill No. 2928.

The motion by Senator Warnick carried and striking amendment no. 740 was adopted by voice vote.

MOTION

On motion of Senator Pearson, the rules were suspended, Engrossed Substitute House Bill No. 2928, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pearson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2928 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2928, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs,

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908 and asks the Senate to recede therefrom.

BARBARA BAKER, Chief Clerk

MOTION

Senator Padden moved that the Senate recede from its position on the Senate amendments to Engrossed Substitute House Bill No. 2908.

The President declared the question before the Senate to be motion by Senator Padden that the Senate recede from its position on the Senate amendments to Engrossed Substitute House Bill No. 2908.

The motion by Senator Padden carried and the Senate receded from its amendments to Engrossed Substitute House Bill No. 2908.

MOTION

On motion of Senator Padden, the rules were suspended and Engrossed Substitute House Bill No. 2908 was returned to second reading for the purposes of amendment.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908, by House Committee on Public Safety (originally sponsored by Representatives Ryu, Ortiz-Self, Walkinshaw, Stanford and Santos)

Establishing the joint legislative task force on community policing standards for a safer Washington. Revised for 1st Substitute: Establishing the joint legislative task force on the use of deadly force in community policing.

The measure was read the second time.

MOTION

Senator Padden moved that the following striking amendment no. 752 by Senators Padden and Pedersen be adopted: Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** The legislature recognizes the invaluable contributions of law enforcement officers, who risk their own lives every day to protect our families and communities. We hold law enforcement to a high standard in their positions of public trust and as the guardians in our communities, and the

legislature applauds their efforts to show respect and compassion to all citizens while holding individuals accountable for their criminal activity.

The legislature acknowledges that officers are often placed in harm's way and must make decisions quickly while under extreme stress. Although regrettable in every case, the use of deadly force may sometimes be necessary to protect the safety of others. The legislature also recognizes that both the people of this state and law enforcement officers themselves rely on and expect accountability, the failure of which damages the public trust in those who serve the public honorably and with compassion.

It is the intent of the legislature to improve our law in a manner that provides clear guidance to law enforcement, respects and supports the role of law enforcement to maintain public safety, and fosters accountability and public trust.

NEW SECTION. Sec. 2. (1) A joint legislative task force on the use of deadly force in community policing is established.

(2) The task force is composed of members as provided in this subsection.

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(c) The president of the senate and the speaker of the house of representatives jointly shall appoint:

(i) Members representing the following:

(A) Washington association of sheriffs and police chiefs;

(B) Washington state patrol;

(C) Washington council of police and sheriffs;

(D) Criminal justice training commission;

(E) Washington association of prosecuting attorneys;

(F) Washington association of criminal defense lawyers, public defender association, or the Washington defender association;

(G) Washington state association of counties;

(H) Association of Washington cities;

(I) National association for the advancement of colored people or its designee;

(J) Northwest immigration rights project;

(K) Black alliance of Thurston county;

(L) Disability rights Washington;

(M) Latino civic alliance;

(N) COMPAS (council of metropolitan police and sheriffs);

(O) Washington state fraternal order of police;

(P) One other association, community organization, advocacy group, or faith-based organization with experience or interest in community policing; and

(Q) One other association representing law enforcement officers who represent traditionally underrepresented communities; and

(ii) A member representing a liberty organization.

(d) The governor shall appoint four members representing the following:

(i) Washington state commission on Hispanic affairs;

(ii) Washington state commission on Asian Pacific American affairs;

(iii) Washington state commission on African-American affairs; and

(iv) Governor's office of Indian affairs.

(3) The task force shall:

(a) Review laws, practices, and training programs regarding the use of deadly force in Washington state and other states;

(b) Review current policies, practices, and tools used by or otherwise available to law enforcement as an alternative to lethal uses of force, including tasers and other nonlethal weapons; and

(c) Recommend best practices to reduce the number of violent interactions between law enforcement officers and members of the public.

(4) The task force may review literature and reports on the use of deadly force, and may consult with persons, organizations, and entities with interest or experience in community policing including, but not limited to, law enforcement, local governments, professional associations, community organizations, advocacy groups, and faith-based organizations.

(5) The legislative membership shall convene the initial meeting of the task force no later than July 1, 2016. The task force shall convene at least four meetings in 2016. The task force shall choose its cochairs from among its legislative membership, which must include one representative from the house of representatives and one senator from the senate.

(6) The task force shall submit a report, which may include findings and recommendations, to the governor and the appropriate committees of the legislature by December 1, 2016. A minority report must be submitted along with the task force's report if requested by any member of the task force.

(7) Staff support for the task force shall be provided by the senate committee services and the house office of program research.

(8) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(9) The expenses of the task force shall be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house executive rules committee, or their successor committees.

(10) This section expires December 31, 2016."

On page 1, line 2 of the title, after "Washington;" strike the remainder of the title and insert "creating new sections; and providing an expiration date."

Senator Padden spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 752 by Senators Padden and Pedersen to Engrossed Substitute House Bill No. 2908.

The motion by Senator Padden carried and striking amendment no. 752 was adopted by voice vote.

MOTION

On motion of Senator Padden, the rules were suspended, Engrossed Substitute House Bill No. 2908, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2908, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2908, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Honeyford and Parlette

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

STATEMENT FOR THE JOURNAL

It was my intention to vote yes on Engrossed Substitute House Bill 2908, police/deadly force and I mistakenly voted no. I was distracted with negotiations off the Senate floor for the final day of regular session.

SENATOR PARLETTE, 12th Legislative District

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to HOUSE BILL NO. 2929 and asks the Senate to recede therefrom.

BARBARA BAKER, Chief Clerk

MOTION

Senator O'Ban moved that the Senate recede from its position on the Senate amendments to House Bill No. 2929.

The President declared the question before the Senate to be motion by Senator O'Ban that the Senate recede from its position on the Senate amendments to House Bill No. 2929.

The motion by Senator O'Ban carried and the Senate receded from its amendments to House Bill No. 2929.

MOTION

On motion of Senator O'Ban, the rules were suspended and House Bill No. 2929 was returned to second reading for the purposes of amendment.

SECOND READING

HOUSE BILL NO. 2929, by Representatives Parker, Ormsby and Pollet

Concerning temporary homeless housing by religious organizations.

The measure was read the second time.

MOTION

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

Senator O'Ban moved that the following amendment no. 751 by Senators O'Ban and Darneille be adopted:

On page 2, line 19, after "fees" insert "on a religious organization"

On page 2, line 22, after "buildings" insert "owned and operated by a religious organization"

On page 2, line 24, after "construction" insert "and are being used for housing the homeless no longer than thirty continuous days at a time. Buildings owned by religious organizations that are being used for housing the homeless under this subsection must install smoke detectors in accordance with the smoke detector manufacturer's recommendations at the request of the fire code official"

On page 3, line 15, after "fees" insert "on a religious organization"

On page 3, line 18, after "buildings" insert "owned and operated by a religious organization"

On page 3, line 20, after "construction" insert "and are being used for housing the homeless no longer than thirty continuous days at a time. Buildings owned by religious organizations that are being used for housing the homeless under this subsection must install smoke detectors in accordance with the smoke detector manufacturer's recommendations at the request of the fire code official"

On page 4, line 11, after "fees" insert "on a religious organization"

On page 4, line 14, after "buildings" insert "owned and operated by a religious organization"

On page 4, line 16, after "construction" insert "and are being used for housing the homeless no longer than thirty continuous days at a time. Buildings owned by religious organizations that are being used for housing the homeless under this subsection must install smoke detectors in accordance with the smoke detector manufacturer's recommendations at the request of the fire code official"

On page 4, after line 27, insert the following:

"NEW SECTION. Sec. 6. The chair and ranking member of the house of representatives local government committee must convene a meeting of stakeholders impacted by the changes made in this act to assess the effectiveness of the provisions of this act no later than November 15, 2017."

On page 1, line 3 of the title, after "19.27 RCW;" strike the remainder of the title and insert "adding a new section to chapter 19.27 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of amendment no. 751 by Senators O'Ban and Darneille to House Bill No. 2929.

The motion by Senator O'Ban carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, House Bill No. 2929, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2929, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2929, as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

HOUSE BILL NO. 2929, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SECOND SUBSTITUTE HOUSE BILL NO. 2449 and asks the Senate to recede therefrom.

BARBARA BAKER, Chief Clerk

MOTION

Senator O'Ban moved that the Senate recede from its position on the Senate amendments to Second Substitute House Bill No. 2449.

Senator O'Ban spoke in favor of the motion.

The President declared the question before the Senate to be motion by Senator O'Ban that the Senate recede from its position on the Senate amendments to Second Substitute House Bill No. 2449.

The motion by Senator O'Ban carried and the Senate receded from its amendments to Second Substitute House Bill No. 2449.

MOTION

On motion of Senator O'Ban, the rules were suspended and Second Substitute House Bill No. 2449 was returned to second reading for the purposes of amendment.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2449, by House Committee on Appropriations (originally sponsored by Representatives Orwall, Magendanz, Kagi, Santos, Senn, Peterson, Appleton, Moscoso, Goodman, Jinkins, Walkinshaw, Stanford, Clibborn, Sells, Fitzgibbon, Kilduff, Ryu, Bergquist, Pollet and S. Hunt)

Providing court-based and school-based intervention and prevention efforts to promote attendance and reduce truancy.

The measure was read the second time.

MOTION

Senator Hargrove moved that the following striking amendment no. 750 by Senators Hargrove, Darneille and O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that all children and youth in Washington state are entitled to a basic education and to an equal opportunity to learn. The legislature recognizes that poor school attendance can have far-reaching effects on academic performance and achievement, development of social skills and school engagement, dropout rates, and even college completion rates, and that these effects occur regardless of whether excessive absenteeism is considered excused or unexcused or the specific reason or reasons for the absences. The legislature recognizes that there are many causes of truancy and that truancy is an indicator of future school dropout and delinquent behavior. The legislature recognizes that early engagement of parents in the education process is an important measure in preventing truancy. It is the intent of the legislature to encourage the systematic identification of truant behavior as early as possible and to encourage the use of best practices and evidence-based interventions to reduce truant behavior in every school in Washington state. The legislature intends that schools, parents, juvenile courts, and communities share resources within and across school districts where possible to enhance the availability of best practices and evidence-based intervention for truant children and youth.

By taking a four-pronged approach and providing additional tools to schools, courts, communities, and families, the legislature hopes to reduce excessive absenteeism, strengthen families, engage communities and families with schools, promote academic achievement, reduce educational opportunity gaps, reduce juvenile delinquency, address juveniles' emotional, mental health, and chemical dependency needs, and increase high school graduation rates.

First, with respect to absenteeism in general, the legislature intends to put in place consistent practices and procedures, beginning in kindergarten, pursuant to which schools share information with families about the importance of consistent attendance and the consequences of excessive absences, involve families early, and provide families with information, services, and tools that they may access to improve and maintain their children's school attendance.

Second, the legislature recognizes the success that has been had by school districts and county juvenile courts around the state that have worked in tandem with one another to establish truancy boards capable of prevention and intervention and that regularly stay truancy petitions in order to first allow these boards to identify barriers to school attendance, cooperatively solve problems, and connect students and their families with needed community-based services. While keeping petition filing requirements in place, the legislature intends to require an initial stay of truancy petitions in order to allow for appropriate intervention and prevention before using a court order to enforce attendance laws. The legislature also intends to encourage efforts by county juvenile courts and school districts to establish and maintain community truancy boards and to employ other best practices, including the provision of training for board members and other school and court personnel on trauma-informed approaches to discipline, the use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, and the provision of evidence-based treatments that have been found to be effective in supporting at-risk youth and their families.

Third, the legislature recognizes that there are instances in which barriers to school attendance that have led to truancy may be best addressed by juvenile courts, which may refer truant students to a crisis residential center or HOPE center for the provision of services. The legislature further recognizes that even when a truant student is found in contempt of a court order to attend school, it is best practice that the truant student not be placed in juvenile detention but, where feasible and available, instead be placed in a secure crisis residential center. The legislature intends to increase the number of beds in HOPE centers and crisis residential centers in order to facilitate their use for truant students.

Fourth, the legislature recognizes that some problematic behaviors that are predictive of truancy and delinquency may be best addressed by appropriate screenings and, where appropriate, temporary provision of home services. The legislature intends to strengthen the juvenile court's ability to seek a chemical dependency or mental health assessment for a child subject to a truancy petition, if the court finds that such an assessment might help to reengage a child in school. The legislature further finds that where family conflict exists or a juvenile's health or safety is in jeopardy due to circumstances in the child's home, referral to a crisis residential center might be appropriate to help achieve family reconciliation.

Sec. 2. RCW 28A.225.005 and 2009 c 556 s 5 are each amended to read as follows:

(1) Each school within a school district shall inform the students and the parents of the students enrolled in the school about: The benefits of regular school attendance; the potential effects of excessive absenteeism, whether excused or unexcused, on academic achievement, and graduation and dropout rates; the school's expectations of the parents and guardians to ensure regular school attendance by the child; the resources available to assist the child and the parents and guardians; the role and responsibilities of the school; and the consequences of truancy, including the compulsory education requirements under this chapter. The school shall provide access to the information ((at least annually.)) before or at the time of enrollment of the child at a new school and at the beginning of each school year. If the school regularly and ordinarily communicates most other information to parents online, providing online access to the information required by this section satisfies the requirements of this section unless a parent or guardian specifically requests information to be provided in written form. Reasonable efforts must be made to enable parents to request and receive the information in a language in which they are fluent. A parent must date and acknowledge review of this information online or in writing before or at the time of enrollment of the child at a new school and at the beginning of each school year.

(2) The office of the superintendent of public instruction shall develop a template that schools may use to satisfy the requirements of subsection (1) of this section and shall post the information on its web site.

NEW SECTION. Sec. 3. A new section is added to chapter 28A.225 RCW to read as follows:

(1) Except as provided in subsection (2) of this section, in the event that a child in elementary school is required to attend school under RCW 28A.225.010 or 28A.225.015(1) and has five or more excused absences in a single month during the current school year, or ten or more excused absences in the current school year, the school district shall schedule a conference or conferences with the parent and child at a time reasonably convenient for all persons included for the purpose of identifying the barriers to the child's regular attendance, and the supports and resources that may be made available to the family so that the child is able to regularly attend school. If a regularly scheduled parent-teacher

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

conference day is to take place within thirty days of the absences, the school district may schedule this conference on that day. To satisfy the requirements of this section, the conference must include at least one school district employee such as a nurse, counselor, social worker, teacher, or community human services provider, except in those instances regarding the attendance of a child who has an individualized education program or a plan developed under section 504 of the rehabilitation act of 1973, in which case the reconvening of the team that created the program or plan is required.

(2) A conference pursuant to subsection (1) of this section is not required in the event of excused absences for which prior notice has been given to the school or a doctor's note has been provided and an academic plan is put in place so that the child does not fall behind.

Sec. 4. RCW 28A.225.020 and 2009 c 266 s 1 are each amended to read as follows:

(1) If a child required to attend school under RCW 28A.225.010 fails to attend school without valid justification, the public school in which the child is enrolled shall:

(a) Inform the child's ((custodial)) parent((, parents, or guardian)) by a notice in writing or by telephone whenever the child has failed to attend school after one unexcused absence within any month during the current school year. School officials shall inform the parent of the potential consequences of additional unexcused absences. If the ((custodial)) parent((, parents, or guardian)) is not fluent in English, the ((preferred practice is to)) school must make reasonable efforts to provide this information in a language in which the ((custodial)) parent((, parents, or guardian)) is fluent;

(b) Schedule a conference or conferences with the ((custodial)) parent((, parents, or guardian)) and child at a time reasonably convenient for all persons included for the purpose of analyzing the causes of the child's absences after two unexcused absences within any month during the current school year. If a regularly scheduled parent-teacher conference day is to take place within thirty days of the second unexcused absence, then the school district may schedule this conference on that day; and

(c) Take data-informed steps to eliminate or reduce the child's absences. These steps shall include application of the Washington assessment of the risks and needs of students (WARNS) by a school district's designee under section 6 of this act, and where appropriate, providing an available approved best practice or research-based intervention, or both, consistent with the WARNS profile, adjusting the child's school program or school or course assignment, providing more individualized or remedial instruction, providing appropriate vocational courses or work experience, referring the child to a community truancy board, ((if available,)) requiring the child to attend an alternative school or program, or assisting the parent or child to obtain supplementary services that might eliminate or ameliorate the cause or causes for the absence from school. If the child's parent does not attend the scheduled conference, the conference may be conducted with the student and school official. However, the parent shall be notified of the steps to be taken to eliminate or reduce the child's absence.

(2) For purposes of this chapter, an "unexcused absence" means that a child:

(a) Has failed to attend the majority of hours or periods in an average school day or has failed to comply with a more restrictive school district policy; and

(b) Has failed to meet the school district's policy for excused absences.

(3) If a child transfers from one school district to another during the school year, the receiving school or school district shall include the unexcused absences accumulated at the previous

school or from the previous school district for purposes of this section, RCW 28A.225.030, and 28A.225.015. The sending school district shall provide this information to the receiving school, together with a copy of any previous assessment as required under subsection (1)(c) of this section, history of any best practices or researched-based intervention previously provided to the child by the child's sending school district, and a copy of the most recent truancy information including any online or written acknowledgment by the parent and child, as provided for in RCW 28A.225.005.

Sec. 5. RCW 28A.225.025 and 2009 c 266 s 2 are each amended to read as follows:

(1) For purposes of this chapter, "community truancy board" means a board established pursuant to a memorandum of understanding between a juvenile court and a school district and composed of members of the local community in which the child attends school. ((Juvenile courts may establish and operate community truancy boards. If the juvenile court and the school district agree, a school district may establish and operate a community truancy board under the jurisdiction of the juvenile court. Juvenile courts may create a community truancy board or may use other entities that exist or are created, such as diversion units. However, a diversion unit or other existing entity must agree before it is used as a truancy board.)) All members of a community truancy board must receive training regarding the identification of barriers to school attendance, the use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, trauma-informed approaches to discipline, evidence-based treatments that have been found effective in supporting at-risk youth and their families, and the specific services and treatment available in the particular school, court, community, and elsewhere. Duties of a community truancy board shall include, but not be limited to: Identifying barriers to school attendance, recommending methods for improving ((school)) attendance such as ((assisting the parent or the child to obtain supplementary services that might eliminate or ameliorate the causes for the absences or)) connecting students and their families with community services, culturally appropriate promising practices, and evidence-based services such as functional family therapy, multisystemic therapy, and aggression replacement training, suggesting to the school district that the child enroll in another school, an alternative education program, an education center, a skill center, a dropout prevention program, or another public or private educational program, or recommending to the juvenile court that a juvenile be referred to a HOPE center or crisis residential center.

(2) The legislature finds that utilization of community truancy boards((, or other diversion units that fulfill a similar function,)) is the preferred means of intervention when preliminary methods ((of notice and parent conferences and taking appropriate steps)) to eliminate or reduce unexcused absences as required by RCW 28A.225.020 have not been effective in securing the child's attendance at school. The legislature intends to encourage and support the development and expansion of community truancy boards ((and other diversion programs which are effective in promoting school attendance and preventing the need for more intrusive intervention by the court)). Operation of a school truancy board does not excuse a district from the obligation of filing a petition within the requirements of RCW 28A.225.015(3).

NEW SECTION. Sec. 6. A new section is added to chapter 28A.225 RCW to read as follows:

(1) By the beginning of the 2017-18 school year, juvenile courts must establish, through a memorandum of understanding with each school district within their respective counties, a

coordinated and collaborative approach to address truancy through the establishment of a community truancy board or, with respect to certain small districts, through other means as provided in subsection (3) of this section.

(2) Except as provided in subsection (3) of this section, each school district must enter into a memorandum of understanding with the juvenile court in the county in which it is located with respect to the operation of a community truancy board. A community truancy board may be operated by a juvenile court, a school district, or a collaboration between both entities, so long as the agreement is memorialized in a memorandum of understanding.

(3) A school district with fewer than two hundred students must enter into a memorandum of understanding with the juvenile court in the county in which it is located with respect to: (a) The operation of a community truancy board; or (b) addressing truancy through other coordinated means of intervention aimed at identifying barriers to school attendance, and connecting students and their families with community services, culturally appropriate promising practices, and evidence-based services such as functional family therapy, multisystemic therapy, and aggression replacement training. School districts with fewer than two hundred students may work cooperatively with other school districts or the school district's educational service district to ensure access to a community truancy board or to provide other coordinated means of intervention.

(4) All school districts must designate, and identify to the local juvenile court, a person or persons to coordinate school district efforts to address excessive absenteeism and truancy, including tasks associated with: Outreach and conferences pursuant to section 3 of this act; entering into a memorandum of understanding with the juvenile court; establishing protocols and procedures with the court; coordinating trainings; sharing evidence-based and culturally appropriate promising practices; identifying a person within every school to serve as a contact with respect to excessive absenteeism and truancy; and assisting in the recruitment of community truancy board members.

(5) As has been demonstrated by school districts and county juvenile courts around the state that have worked together and led the way with community truancy boards, success has resulted from involving the entire community and leveraging existing dollars from a variety of sources, including public and private, local and state, and court, school, and community. In emulating this coordinated and collaborative approach statewide pursuant to local memoranda of understanding, courts and school districts are encouraged to create strong community-wide partnerships and to leverage existing dollars and resources.

Sec. 7. RCW 28A.225.030 and 2012 c 157 s 1 are each amended to read as follows:

(1) If a child under the age of seventeen is required to attend school under RCW 28A.225.010 and if the actions taken by a school district under RCW 28A.225.020 are not successful in substantially reducing an enrolled student's absences from public school, not later than the seventh unexcused absence by a child within any month during the current school year or not later than the tenth unexcused absence during the current school year the school district shall file a petition and supporting affidavit for a civil action with the juvenile court alleging a violation of RCW 28A.225.010: (a) By the parent; (b) by the child; or (c) by the parent and the child. The petition must include a list of all interventions that have been attempted as set forth in RCW 28A.225.020, include a copy of any previous truancy assessment completed by the child's current school district, the history of approved best practices intervention or research-based intervention previously provided to the child by the child's current school district, and a copy of the most recent truancy information

document signed by the parent and child, pursuant to RCW 28A.225.005. Except as provided in this subsection, no additional documents need be filed with the petition. Nothing in this subsection requires court jurisdiction to terminate when a child turns seventeen or precludes a school district from filing a petition for a child that is seventeen years of age.

(2) The district shall not later than the fifth unexcused absence in a month:

(a) Enter into an agreement with a student and parent that establishes school attendance requirements;

(b) Refer a student to a community truancy board((, if available,)) as defined in RCW 28A.225.025. The community truancy board shall enter into an agreement with the student and parent that establishes school attendance requirements and take other appropriate actions to reduce the child's absences; or

(c) File a petition under subsection (1) of this section.

(3) The petition may be filed by a school district employee who is not an attorney.

(4) If the school district fails to file a petition under this section, the parent of a child with five or more unexcused absences in any month during the current school year or upon the tenth unexcused absence during the current school year may file a petition with the juvenile court alleging a violation of RCW 28A.225.010.

(5) Petitions filed under this section may be served by certified mail, return receipt requested. If such service is unsuccessful, or the return receipt is not signed by the addressee, personal service is required.

Sec. 8. RCW 28A.225.035 and 2012 c 157 s 2 are each amended to read as follows:

(1) A petition for a civil action under RCW 28A.225.030 or 28A.225.015 shall consist of a written notification to the court alleging that:

(a) The child has unexcused absences as described in RCW 28A.225.030(1) during the current school year;

(b) Actions taken by the school district have not been successful in substantially reducing the child's absences from school; and

(c) Court intervention and supervision are necessary to assist the school district or parent to reduce the child's absences from school.

(2) The petition shall set forth the name, date of birth, school, address, gender, race, and ethnicity of the child and the names and addresses of the child's parents, and shall set forth ((whether)) the languages in which the child and parent are fluent ((in English)), whether there is an existing individualized education program, and the child's current academic status in school.

(3) The petition shall set forth facts that support the allegations in this section and shall generally request relief available under this chapter and provide information about what the court might order under RCW 28A.225.090.

(4)(a) When a petition is filed under RCW 28A.225.030 or 28A.225.015, ((the juvenile court shall schedule a hearing at which the court shall consider the petition, or if the court determines that a referral to an available community truancy board would substantially reduce the child's unexcused absences, the court may refer the case to a community truancy board under the jurisdiction of the juvenile court)) it shall initially be stayed by the juvenile court, and the child and the child's parent must be referred to a community truancy board or other coordinated means of intervention as set forth in the memorandum of understanding under section 6 of this act. The community truancy board must provide to the court a description of the intervention and prevention efforts to be employed to substantially reduce the child's unexcused absences, along with a timeline for completion.

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

(b) If a community truancy board or other coordinated means of intervention is not in place as required by section 6 of this act, the juvenile court shall schedule a hearing at which the court shall consider the petition.

(5) ((If)) When a referral is made to a community truancy board, the truancy board must meet with the child, a parent, and the school district representative and enter into an agreement with the petitioner and respondent regarding expectations and any actions necessary to address the child's truancy within twenty days of the referral. If the petition is based on RCW 28A.225.015, the child shall not be required to attend and the agreement under this subsection shall be between the truancy board, the school district, and the child's parent. The court may permit the truancy board or truancy prevention counselor to provide continued supervision over the student, or parent if the petition is based on RCW 28A.225.015.

(6) If the community truancy board fails to reach an agreement, or the parent or student does not comply with the agreement within the timeline for completion set by the community truancy board, the community truancy board shall return the case to the juvenile court ((for a hearing)). The stay of the petition shall be lifted, and the juvenile court shall schedule a hearing at which the court shall consider the petition.

(7)(a) Notwithstanding the provisions in subsection (4)(a) of this section, a hearing shall not be required if other actions by the court would substantially reduce the child's unexcused absences. Such actions may include referral to an existing community truancy board, use of the Washington assessment of risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, the provision of community-based services, and the provision of evidence-based treatments that have been found to be effective in supporting at-risk youth and their families. When a juvenile court hearing is held, the court shall:

(i) Separately notify the child, the parent of the child, and the school district of the hearing. If the parent is not fluent in English, ((the preferred practice is for)) notice ((to)) should be provided in a language in which the parent is fluent as indicated on the petition pursuant to RCW 28A.225.030(1);

(ii) Notify the parent and the child of their rights to present evidence at the hearing; and

(iii) Notify the parent and the child of the options and rights available under chapter 13.32A RCW.

(b) If the child is not provided with counsel, the advisement of rights must take place in court by means of a colloquy between the court, the child if eight years old or older, and the parent.

(8)(a) The court may require the attendance of the child if eight years old or older, the parents, and the school district at any hearing on a petition filed under RCW 28A.225.030.

(b) The court may not issue a bench warrant for a child for failure to appear at a hearing on an initial truancy petition filed under RCW 28A.225.030. If there has been proper service, the court may instead enter a default order assuming jurisdiction under the terms specified in subsection (12) of this section.

(9) A school district is responsible for determining who shall represent the school district at hearings on a petition filed under RCW 28A.225.030 or 28A.225.015.

(10) The court may permit the first hearing to be held without requiring that either party be represented by legal counsel, and to be held without a guardian ad litem for the child under RCW 4.08.050. At the request of the school district, the court shall permit a school district representative who is not an attorney to represent the school district at any future hearings.

(11) If the child is in a special education program or has a diagnosed mental or emotional disorder, the court shall inquire as

to what efforts the school district has made to assist the child in attending school.

(12) If the allegations in the petition are established by a preponderance of the evidence, the court shall grant the petition and enter an order assuming jurisdiction to intervene for the period of time determined by the court, after considering the facts alleged in the petition and the circumstances of the juvenile, to most likely cause the juvenile to return to and remain in school while the juvenile is subject to this chapter. In no case may the order expire before the end of the school year in which it is entered.

(13)(a) If the court assumes jurisdiction, the school district shall periodically report to the court any additional unexcused absences by the child, actions taken by the school district, and an update on the child's academic status in school at a schedule specified by the court.

(b) The first report under this subsection (13) must be received no later than three months from the date that the court assumes jurisdiction.

(14) Community truancy boards and the courts shall coordinate, to the extent possible, proceedings and actions pertaining to children who are subject to truancy petitions and at-risk youth petitions in RCW 13.32A.191 or child in need of services petitions in RCW 13.32A.140.

(15) If after a juvenile court assumes jurisdiction in one county the child relocates to another county, the juvenile court in the receiving county shall, upon the request of a school district or parent, assume jurisdiction of the petition filed in the previous county.

Sec. 9. RCW 28A.225.090 and 2009 c 266 s 4 are each amended to read as follows:

(1) A court may order a child subject to a petition under RCW 28A.225.035 to do one or more of the following:

(a) Attend the child's current school, and set forth minimum attendance requirements, ((including suspensions)) which shall not consider a suspension day as an unexcused absence;

(b) If there is space available and the program can provide educational services appropriate for the child, order the child to attend another public school, an alternative education program, center, a skill center, dropout prevention program, or another public educational program;

(c) Attend a private nonsectarian school or program including an education center. Before ordering a child to attend an approved or certified private nonsectarian school or program, the court shall: (i) Consider the public and private programs available; (ii) find that placement is in the best interest of the child; and (iii) find that the private school or program is willing to accept the child and will not charge any fees in addition to those established by contract with the student's school district. If the court orders the child to enroll in a private school or program, the child's school district shall contract with the school or program to provide educational services for the child. The school district shall not be required to contract for a weekly rate that exceeds the state general apportionment dollars calculated on a weekly basis generated by the child and received by the district. A school district shall not be required to enter into a contract that is longer than the remainder of the school year. A school district shall not be required to enter into or continue a contract if the child is no longer enrolled in the district;

(d) ((Be referred to a community truancy board, if available; or

(e))) Submit to ((testing for the use of controlled substances or alcohol based on a determination that such testing)) a substance abuse assessment if the court finds on the record that such assessment is appropriate to the circumstances and behavior of

the child and will facilitate the child's compliance with the mandatory attendance law and, if any assessment, including a urinalysis test ordered under this subsection indicates the use of controlled substances or alcohol, order the minor to abstain from the unlawful consumption of controlled substances or alcohol and adhere to the recommendations of the ((drug)) substance abuse assessment at no expense to the school;

(e) Submit to a mental health evaluation or other diagnostic evaluation and adhere to the recommendations of the drug assessment, at no expense to the school, if the court finds on the court records that such evaluation is appropriate to the circumstances and behavior of the child, and will facilitate the child's compliance with the mandatory attendance law; or

(f) Submit to a temporary placement in a crisis residential center or a HOPE center if the court determines there is an immediate health and safety concern, or a family conflict with the need for mediation.

(2) If the child fails to comply with the court order, the court may order the child to be subject to detention, as provided in RCW 7.21.030(2)(e), or may impose alternatives to detention such as community restitution. Failure by a child to comply with an order issued under this subsection shall not be subject to detention for a period greater than that permitted pursuant to a civil contempt proceeding against a child under chapter 13.32A RCW. Detention ordered under this subsection may be for no longer than seven days. Detention ordered under this subsection shall preferably be served at a secure crisis residential center close to the child's home rather than in a juvenile detention facility. A warrant of arrest for a child under this subsection may not be served on a child inside of school during school hours in a location where other students are present.

(3) Any parent violating any of the provisions of either RCW 28A.225.010, 28A.225.015, or 28A.225.080 shall be fined not more than twenty-five dollars for each day of unexcused absence from school. The court shall remit fifty percent of the fine collected under this section to the child's school district. It shall be a defense for a parent charged with violating RCW 28A.225.010 to show that he or she exercised reasonable diligence in attempting to cause a child in his or her custody to attend school or that the child's school did not perform its duties as required in RCW 28A.225.020. The court may order the parent to provide community restitution instead of imposing a fine. Any fine imposed pursuant to this section may be suspended upon the condition that a parent charged with violating RCW 28A.225.010 shall participate with the school and the child in a supervised plan for the child's attendance at school or upon condition that the parent attend a conference or conferences scheduled by a school for the purpose of analyzing the causes of a child's absence.

(4) If a child continues to be truant after entering into a court-approved order with the truancy board under RCW 28A.225.035, the juvenile court shall find the child in contempt, and the court may order the child to be subject to detention, as provided in RCW 7.21.030(2)(e), or may impose alternatives to detention such as meaningful community restitution. Failure by a child to comply with an order issued under this subsection may not subject a child to detention for a period greater than that permitted under a civil contempt proceeding against a child under chapter 13.32A RCW.

(5) Subsections (1), (2), and (4) of this section shall not apply to a six or seven year old child required to attend public school under RCW 28A.225.015.

Sec. 10. RCW 43.185C.315 and 2015 c 69 s 22 are each amended to read as follows:

(1) The department shall establish HOPE centers that provide no more than seventy-five beds across the state and may establish HOPE centers by contract, within funds appropriated by the

legislature specifically for this purpose. HOPE centers shall be operated in a manner to reasonably assure that street youth placed there will not run away. Street youth may leave a HOPE center during the course of the day to attend school or other necessary appointments, but the street youth must be accompanied by an administrator or an administrator's designee. The street youth must provide the administration with specific information regarding his or her destination and expected time of return to the HOPE center. Any street youth who runs away from a HOPE center shall not be readmitted unless specifically authorized by the street youth's placement and liaison specialist, and the placement and liaison specialist shall document with specific factual findings an appropriate basis for readmitting any street youth to a HOPE center. HOPE centers are required to have the following:

((1)) (a) A license issued by the department of social and health services;

((2)) (b) A professional with a master's degree in counseling, social work, or related field and at least one year of experience working with street youth or a bachelor of arts degree in social work or a related field and five years of experience working with street youth. This professional staff person may be contractual or a part-time employee, but must be available to work with street youth in a HOPE center at a ratio of one to every fifteen youth staying in a HOPE center. This professional shall be known as a placement and liaison specialist. Preference shall be given to those professionals cross-credentialed in mental health and chemical dependency. The placement and liaison specialist shall:

((a)) (i) Conduct an assessment of the street youth that includes a determination of the street youth's legal status regarding residential placement;

((b)) (ii) Facilitate the street youth's return to his or her legally authorized residence at the earliest possible date or initiate processes to arrange legally authorized appropriate placement. Any street youth who may meet the definition of dependent child under RCW 13.34.030 must be referred to the department of social and health services. The department of social and health services shall determine whether a dependency petition should be filed under chapter 13.34 RCW. A shelter care hearing must be held within seventy-two hours to authorize out-of-home placement for any youth the department of social and health services determines is appropriate for out-of-home placement under chapter 13.34 RCW. All of the provisions of chapter 13.32A RCW must be followed for children in need of services or at-risk youth;

((c)) (iii) Interface with other relevant resources and system representatives to secure long-term residential placement and other needed services for the street youth;

((d)) (iv) Be assigned immediately to each youth and meet with the youth within eight hours of the youth receiving HOPE center services;

((e)) (v) Facilitate a physical examination of any street youth who has not seen a physician within one year prior to residence at a HOPE center and facilitate evaluation by a county-designated mental health professional, a chemical dependency specialist, or both if appropriate; and

((f)) (vi) Arrange an educational assessment to measure the street youth's competency level in reading, writing, and basic mathematics, and that will measure learning disabilities or special needs;

((3)) (c) Staff trained in development needs of street youth as determined by the department, including an administrator who is a professional with a master's degree in counseling, social work, or a related field and at least one year of experience working with street youth, or a bachelor of arts degree in social work or a related

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

field and five years of experience working with street youth, who must work with the placement and liaison specialist to provide appropriate services on site;

((4)) (d) A data collection system that measures outcomes for the population served, and enables research and evaluation that can be used for future program development and service delivery. Data collection systems must have confidentiality rules and protocols developed by the department;

((5)) (e) Notification requirements that meet the notification requirements of chapter 13.32A RCW. The youth's arrival date and time must be logged at intake by HOPE center staff. The staff must immediately notify law enforcement and dependency caseworkers if a street youth runs away from a HOPE center. A child may be transferred to a secure facility as defined in RCW 13.32A.030 whenever the staff reasonably believes that a street youth is likely to leave the HOPE center and not return after full consideration of the factors set forth in RCW 43.185C.290(2)(a) (i) and (ii). The street youth's temporary placement in the HOPE center must be authorized by the court or the secretary of the department of social and health services if the youth is a dependent of the state under chapter 13.34 RCW or the department of social and health services is responsible for the youth under chapter 13.32A RCW, or by the youth's parent or legal custodian, until such time as the parent can retrieve the youth who is returning to home;

((6)) (f) HOPE centers must identify to the department of social and health services any street youth it serves who is not returning promptly to home. The department of social and health services then must contact the missing children's clearinghouse identified in chapter 13.60 RCW and either report the youth's location or report that the youth is the subject of a dependency action and the parent should receive notice from the department of social and health services; and

((7)) (g) Services that provide counseling and education to the street youth(, and).

((8)) (2) The department shall award contracts for the operation of HOPE center beds with the goal of facilitating the coordination of services provided for youth by such programs and those services provided by secure and semi-secure crisis residential centers.

(3) Subject to funds appropriated for this purpose, the department must incrementally increase the number of available HOPE beds by at least seventeen beds in fiscal year 2017, at least seventeen beds in fiscal year 2018, and at least seventeen beds in fiscal year 2019, such that by July 1, 2019, seventy-five HOPE beds are established and operated throughout the state as set forth in subsection (1) of this section.

(4) Subject to funds appropriated for this purpose, the beds available in HOPE centers shall be increased incrementally beyond the limit of seventy-five set forth in subsection (1) of this section. The additional capacity shall be distributed around the state based upon need and, to the extent feasible, shall be geographically situated so that HOPE beds are available across the state. In determining the need for increased numbers of HOPE beds in a particular county or counties, one of the considerations should be the volume of truancy petitions filed there.

Sec. 11. RCW 43.185C.320 and 2015 c 69 s 23 are each amended to read as follows:

To be eligible for placement in a HOPE center, a minor must be either a street youth, as that term is defined in this chapter, or a youth who, without placement in a HOPE center, will continue to participate in increasingly risky behavior, including truancy. Youth may also self-refer to a HOPE center. Payment for a HOPE center bed is not contingent upon prior approval by the department; however, approval from the department of social and

health services is needed if the youth is dependent under chapter 13.34 RCW.

NEW SECTION. Sec. 12. A new section is added to chapter 43.185C RCW to read as follows:

Subject to funds appropriated for this purpose, the capacity available in crisis residential centers established pursuant to this chapter shall be increased incrementally by no fewer than ten beds per fiscal year through fiscal year 2019 in order to accommodate truant students found in contempt of a court order to attend school. The additional capacity shall be distributed around the state based upon need and, to the extent feasible, shall be geographically situated to expand the use of crisis residential centers as set forth in this chapter so they are available for use by all courts for housing truant youth.

Sec. 13. RCW 28A.165.005 and 2013 2nd sp.s. c 18 s 201 are each amended to read as follows:

(1) This chapter is designed to: (a) Promote the use of data when developing programs to assist underachieving students and reduce disruptive behaviors in the classroom; and (b) guide school districts in providing the most effective and efficient practices when implementing supplemental instruction and services to assist underachieving students and reduce disruptive behaviors in the classroom.

(2) School districts implementing a learning assistance program shall focus first on addressing the needs of students:

(a) In grades kindergarten through four who are deficient in reading or reading readiness skills to improve reading literacy; and

(b) For whom a conference is required under section 3 of this act or who are the subject of a petition under RCW 28A.225.035 to increase regular school attendance and eliminate truancy.

(3) For purposes of this chapter, "disruptive behaviors in the classroom" includes excessive absenteeism and truancy.

Sec. 14. RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each amended to read as follows:

(1) Beginning in the 2015-16 school year, expenditure of funds from the learning assistance program must be consistent with the provisions of RCW 28A.655.235.

(2) Use of best practices that have been demonstrated through research to be associated with increased student achievement magnifies the opportunities for student success. To the extent they are included as a best practice or strategy in one of the state menus or an approved alternative under this section or RCW 28A.655.235, the following are services and activities that may be supported by the learning assistance program:

(a) Extended learning time opportunities occurring:

(i) Before or after the regular school day;

(ii) On Saturday; and

(iii) Beyond the regular school year;

(b) Services under RCW 28A.320.190;

(c) Professional development for certificated and classified staff that focuses on:

(i) The needs of a diverse student population;

(ii) Specific literacy and mathematics content and instructional strategies; and

(iii) The use of student work to guide effective instruction and appropriate assistance;

(d) Consultant teachers to assist in implementing effective instructional practices by teachers serving participating students;

(e) Tutoring support for participating students;

(f) Outreach activities and support for parents of participating students, including employing parent and family engagement coordinators; ((and))

(g) Up to five percent of a district's learning assistance program allocation may be used for development of partnerships

with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports to participating students who are significantly at risk of not being successful in school to reduce barriers to learning, increase student engagement, and enhance students' readiness to learn. The office of the superintendent of public instruction must approve any community-based organization or local agency before learning assistance funds may be expended; and

(h) Up to two percent of a district's learning assistance program allocation may be used to fund school efforts to address excessive absenteeism and truancy as described in section 3 of this act and RCW 28A.225.025.

(3) In addition to the state menu developed under RCW 28A.655.235, the office of the superintendent of public instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop additional state menus of best practices and strategies for use in the learning assistance program to assist struggling students at all grade levels in English language arts and mathematics and reduce disruptive behaviors in the classroom. The office of the superintendent of public instruction shall publish the state menus by July 1, 2015, and update the state menus by each July 1st thereafter.

(4)(a) Beginning in the 2016-17 school year, except as provided in (b) of this subsection, school districts must use a practice or strategy that is on a state menu developed under subsection (3) of this section or RCW 28A.655.235.

(b) Beginning in the 2016-17 school year, school districts may use a practice or strategy that is not on a state menu developed under subsection (3) of this section for two school years initially. If the district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction shall approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is dependent on the district continuing to demonstrate increased improved outcomes for participating students.

(c) Beginning in the 2016-17 school year, school districts may enter cooperative agreements with state agencies, local governments, or school districts for administrative or operational costs needed to provide services in accordance with the state menus developed under this section and RCW 28A.655.235.

(5) School districts are encouraged to implement best practices and strategies from the state menus developed under this section and RCW 28A.655.235 before the use is required.

Sec. 15. RCW 28A.655.235 and 2013 2nd sp.s. c 18 s 106 are each amended to read as follows:

(1)(a) Beginning in the 2015-16 school year, except as otherwise provided in this subsection (1), for any student who received a score of basic or below basic on the third grade statewide student assessment in English language arts in the previous school year, the school district must implement an intensive reading and literacy improvement strategy from a state menu of best practices established in accordance with subsection (3) of this section or an alternative strategy in accordance with subsection (4) of this section.

(b) A community truancy board or other coordinated means of intervention as provided in section 6 of this act is considered a best practice under this section.

(c) Reading and literacy improvement strategies for students with disabilities whose individualized education program includes specially designed instruction in reading or English

language arts shall be as provided in the individualized education program.

(2)(a) Also beginning in the 2015-16 school year, in any school where more than forty percent of the tested students received a score of basic or below basic on the third grade statewide student assessment in English language arts in the previous school year, as calculated under this subsection (2), the school district must implement an intensive reading and literacy improvement strategy from a state menu of best practices established in accordance with subsection (3) of this section or an alternative strategy in accordance with subsection (4) of this section for all students in grades kindergarten through four at the school.

(b) For the purposes of this subsection (2), the office of the superintendent of public instruction shall exclude the following from the calculation of a school's percentage of tested students receiving a score of basic or below basic on the third grade statewide student assessment:

(i) Students enrolled in the transitional bilingual instruction program unless the student has participated in the transitional bilingual instruction program for three school years;

(ii) Students with disabilities whose individualized education program specifies a different standard to measure reading performance than is required for the statewide student assessment; and

(iii) Schools with fewer than ten students in third grade.

(3) The office of the superintendent of public instruction shall convene a panel of experts, including the Washington state institute for public policy, to develop a state menu of best practices and strategies for intensive reading and literacy improvement designed to assist struggling students in reaching grade level in reading by the end of fourth grade. The state menu must also include best practices and strategies to improve the reading and literacy of students who are English language learners and for system improvements that schools and school districts can implement to improve reading instruction for all students. The office of the superintendent of public instruction shall publish the state menu by July 1, 2014, and update the state menu by each July 1st thereafter.

(4) School districts may use an alternative practice or strategy that is not on a state menu developed under subsection (3) of this section for two school years initially. If the district is able to demonstrate improved outcomes for participating students over the previous two school years at a level commensurate with the best practices and strategies on the state menu, the office of the superintendent of public instruction must approve use of the alternative practice or strategy by the district for one additional school year. Subsequent annual approval by the superintendent of public instruction to use the alternative practice or strategy is dependent on the district continuing to demonstrate an increase in improved outcomes for participating students.

NEW SECTION. Sec. 16. The office of the superintendent of public instruction shall develop recommendations as to how mandatory school attendance and truancy amelioration provisions under chapter 28A.225 RCW should be applied to online schools and report back to the relevant committees of the legislature by November 1, 2016.

NEW SECTION. Sec. 17. A new section is added to chapter 43.330 RCW to read as follows:

(1) By requiring an initial stay of truancy petitions for diversion to community truancy boards, the legislature intends to achieve the following outcomes:

(a) Increased access to community truancy boards and other truancy early intervention programs for parents and children throughout the state;

(b) Increased quantity and quality of truancy intervention and prevention efforts in the community;

(c) A reduction in the number of truancy petitions that result in further proceedings by juvenile courts, other than dismissal of the petition, after the initial stay and diversion to a community truancy board;

(d) A reduction in the number of truancy petitions that result in a civil contempt proceeding or detention order; and

(e) Increased school attendance.

(2) No later than January 1, 2021, the Washington state institute for public policy is directed to evaluate the effectiveness of chapter . . . , Laws of 2016 (this act). An initial report scoping of the methodology to be used to review chapter . . . , Laws of 2016 (this act) shall be submitted to the fiscal committees of the legislature by January 1, 2018. The initial report must identify any data gaps that could hinder the ability of the institute to conduct its review.

NEW SECTION. Sec. 18. (1) The educational opportunity gap oversight and accountability committee shall conduct a review and make recommendations to the appropriate committees of the legislature with respect to:

(a) The cultural competence training that community truancy board members, as well as others involved in the truancy process, should receive;

(b) Best practices for supporting and facilitating parent and community involvement and outreach; and

(c) The cultural relevance of the assessments employed to identify barriers to attendance and the treatments and tools provided to children and their families.

(2) By June 30, 2017, a preliminary review shall be completed and preliminary recommendations provided. The review shall be completed, and a report and final recommendations provided, by December 1, 2017.

(3) For the purposes of this section, "cultural competence" includes knowledge of children's cultural histories and contexts, as well as family norms and values in different cultures; knowledge and skills in accessing community resources and community and parent outreach; and skills in adapting instruction and treatment to children's experiences and identifying cultural contexts for individual children.

(4) This section expires July 1, 2018.

NEW SECTION. Sec. 19. A new section is added to chapter 2.56 RCW to read as follows:

(1)(a) To accurately track the extent to which courts order youth into a secure detention facility in Washington state for the violation of a court order related to a truancy, at-risk youth, or a child in need of services petition, all juvenile courts shall transmit youth-level secure detention data to the administrative office of the courts.

(b) Data may either be entered into the statewide management information system for juvenile courts or securely transmitted to the administrative office of the courts at least monthly. Juvenile courts shall provide, at a minimum, the name and date of birth for the youth, the court case number assigned to the petition, the reasons for admission to the juvenile detention facility, the date of admission, the date of exit, and the time the youth spent in secure confinement.

(c) Courts are also encouraged to report individual-level data reflecting whether a detention alternative, such as electronic monitoring, was used, and the time spent in detention alternatives.

(d) The administrative office of the courts and the juvenile court administrators must work to develop uniform data standards for detention.

(2) The administrative office of the courts shall deliver an annual statewide report to the legislature that details the number

of Washington youth who are placed into detention facilities during the preceding calendar year. The first report shall be delivered by March 1, 2017, and shall detail the most serious reason for detention and youth gender, race, and ethnicity. The report must have a specific emphasis on youth who are detained for reasons relating to a truancy, at-risk youth, or a child in need of services petition.

NEW SECTION. Sec. 20. A new section is added to chapter 28A.225 RCW to read as follows:

(1) Subject to funds appropriated for this purpose, the office of the superintendent of public instruction shall allocate to community truancy boards grant funds that may be used to supplement existing funds in order to pay for training for board members or the provision of services and treatment to children and their families.

(2) The superintendent of public instruction must select grant recipients based on the criteria in this section. This is a competitive grant process. A prerequisite to applying for either or both grants is a memoranda of understanding, between a school district and a court, to institute a new or maintain an existing community truancy board that meets the requirements of RCW 28A.225.025.

(3) Successful applicants for an award of grant funds to supplement existing funds to pay for the training of community truancy board members must commit to the provision of training to board members regarding the identification of barriers to school attendance, the use of the Washington assessment of the risks and needs of students (WARNS) or other assessment tools to identify the specific needs of individual children, trauma-informed approaches to discipline, research about adverse childhood experiences, evidence-based treatments and culturally appropriate promising practices, as well as the specific academic and community services and treatments available in the school, court, community, and elsewhere. This training may be provided by educational service districts.

(4) Successful applicants for an award of grant funds to supplement existing funds to pay for services and treatments provided to children and their families must commit to the provision of academic services such as tutoring, credit retrieval and school reengagement supports, community services, and evidence-based treatments that have been found to be effective in supporting at-risk youth and their families, such as functional family therapy, or those that have been shown to be culturally appropriate promising practices.

NEW SECTION. Sec. 21. Sections 13 through 15 of this act take effect September 1, 2016."

On page 1, line 2 of the title, after "truancy;" strike the remainder of the title and insert "amending RCW 28A.225.005, 28A.225.020, 28A.225.025, 28A.225.030, 28A.225.035, 28A.225.090, 43.185C.315, 43.185C.320, 28A.165.005, 28A.165.035, and 28A.655.235; adding new sections to chapter 28A.225 RCW; adding a new section to chapter 43.185C RCW; adding a new section to chapter 43.330 RCW; adding a new section to chapter 2.56 RCW; creating new sections; providing an effective date; and providing an expiration date."

MOTION

Senator Hargrove moved that the following amendment no. 755 Senators Hargrove, Darneille and O'Ban to the striking amendment be adopted:

On page 7, line 28 of the amendment, after "understanding." insert "For a school district that is located in more than one county, the memorandum of understanding shall be with the

juvenile court in the county that acts as the school district's treasurer."

The President declared the question before the Senate to be the adoption of amendment no. 755 by Senators Hargrove, Darneille and O'Ban to the striking amendment to Second Substitute House Bill No. 2449.

The motion by Senator Hargrove carried and the amendment was adopted by voice vote.

The President declared the question before the Senate to be the adoption of striking amendment no. 750 Senators Hargrove, Darneille and O'Ban, as amended, to Second Substitute House Bill No. 2449.

The motion by Senator Hargrove carried and the striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Hargrove, the rules were suspended, Second Substitute House Bill No. 2449, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hargrove spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2449 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2449, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dansel and Ericksen

SECOND SUBSTITUTE HOUSE BILL NO. 2449, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439 and asks the Senate to recede therefrom.

BARBARA BAKER, Chief Clerk

MOTION

Senator O'Ban moved that the Senate recede from its position on the Senate amendments to Engrossed Second Substitute House Bill No. 2439.

Senator O'Ban spoke in favor of the motion.

The President declared the question before the Senate to be motion by Senator O'Ban that the Senate recede from its position on the Senate amendments to Engrossed Second Substitute House Bill No. 2439.

The motion by Senator O'Ban carried and the Senate receded from its amendments to Engrossed Second Substitute House Bill No. 2439.

MOTION

On motion of Senator O'Ban, the rules were suspended and Engrossed Second Substitute House Bill No. 2439 was returned to second reading for the purposes of amendment.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439, by Representatives Kagi, Walsh, Senn, Johnson, Orwall, Dent, McBride, Reykdal, Jinkins, Tharinger, Fey, Tarleton, Stanford, Springer, Frame, Kilduff, Sells, Bergquist and Goodman

Increasing access to adequate and appropriate mental health services for children and youth.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following striking amendment no 753 by Senators O'Ban and Darneille be adopted: Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature understands that adverse childhood experiences, such as family mental health issues, substance abuse, serious economic hardship, and domestic violence, all increase the likelihood of developmental delays and later health and mental health problems. The legislature further understands that early intervention services for children and families at high risk for adverse childhood experience help build secure parent-child attachment and bonding, which allows young children to thrive and form strong relationships in the future. The legislature finds that early identification and intervention are critical for children exhibiting aggressive or depressive behaviors indicative of early mental health problems. The legislature intends to improve access to adequate, appropriate, and culturally responsive mental health services for children and youth. The legislature further intends to encourage the use of behavioral health therapies and other therapies that are empirically supported or evidence-based and only prescribe medications for children and youth as a last resort.

(2) The legislature finds that nearly half of Washington's children are enrolled in medicaid and have a higher incidence of serious health problems compared to children who have commercial insurance. The legislature recognizes that disparities also exist in the diagnosis and initiation of treatment services for children of color, with studies demonstrating that children of color are diagnosed and begin receiving early interventions at a later age. The legislature finds that within the current system of care, families face barriers to receiving a full range of services for children experiencing behavioral health problems. The legislature intends to identify what network adequacy requirements, if strengthened, would increase access, continuity, and coordination of behavioral health services for children and families. The legislature further intends to encourage managed care plans and

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

behavioral health organizations to contract with the same providers that serve children so families are not required to duplicate mental health screenings, and to recommend provider rates for mental health services to children and youth which will ensure an adequate network and access to quality based care.

(3) The legislature recognizes that early and accurate recognition of behavioral health issues coupled with appropriate and timely intervention enhances health outcomes while minimizing overall expenditures. The legislature intends to assure that annual depression screenings are done consistently with the highly vulnerable medicaid population and that children and families benefit from earlier access to services.

NEW SECTION. Sec. 2. (1) The children's mental health work group is established to identify barriers to accessing mental health services for children and families, and to advise the legislature on statewide mental health services for this population.

(2)(a) The work group shall include diverse, statewide representation from the public and nonprofit and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(b) The work group shall consist of not more than twenty-five members, as follows:

(i) The president of the senate shall appoint one member and one alternative member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member and one alternative member from each of the two largest caucuses in the house of representatives.

(iii) The governor shall appoint at least one representative from each of the following: The department of early learning, the department of social and health services, the health care authority, the department of health, and a representative of the governor.

(iv) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction.

(v) The governor shall request participation by a representative of tribal governments.

(vi) The governor shall appoint one representative from each of the following: Behavioral health organizations, community mental health agencies, medicaid managed care organizations, pediatricians or primary care providers, providers that specialize in early childhood mental health, child health advocacy groups, early learning and child care providers, the managed health care plan for foster children, the evidence-based practice institute, parents or caregivers who have been a recipient of early childhood mental health services, and foster parents.

(c) The work group shall seek input and participation from stakeholders interested in the improvement of statewide mental health services for children and families.

(d) The work group shall choose two cochairs, one from among its legislative membership and one representative of a state agency. The representative from the health care authority shall convene the initial meeting of the work group.

(3) The children's mental health work group shall review the barriers that exist to identifying and treating mental health issues in children with a particular focus on birth to five and report to the appropriate committees of the legislature. At a minimum the work group must:

(a) Review and recommend developmentally, culturally, and linguistically appropriate assessment tools and diagnostic approaches that managed care plans and behavioral health organizations should use as the mechanism to establish eligibility for services;

(b) Identify and review billing issues related to serving the parent or caregiver in a treatment dyad and the billing issues related to services that are appropriate for serving children, including children birth to five;

(c) Evaluate and identify barriers to billing and payment for behavioral health services provided within primary care settings in an effort to promote and increase the use of behavioral health professionals within primary care settings;

(d) Review workforce issues related to serving children and families, including issues specifically related to birth to five;

(e) Recommend strategies for increasing workforce diversity and the number of professionals qualified to provide children's mental health services;

(f) Review and make recommendations on the development and adoption of standards for training and endorsement of professionals to become qualified to provide mental health services to children birth to five and their parents or caregivers;

(g) Analyze, in consultation with the department of early learning, the health care authority, and the department of social and health services, existing and potential mental health supports for child care providers to reduce expulsions of children in child care and preschool; and

(h) Identify outreach strategies that will successfully disseminate information to parents, providers, schools, and other individuals who work with children and youth on the mental health services offered through the health care plans, including referrals to parenting programs, community providers, and behavioral health organizations.

(4) Legislative members of the work group are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the work group must be paid jointly by the senate and the house of representatives. Work group expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The work group shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2016.

(7) Staff support for the committee must be provided by the house of representatives office of program research, the senate committee services, and the office of financial management.

(8) This section expires December 1, 2017.

NEW SECTION. Sec. 3. A new section is added to chapter 74.09 RCW to read as follows:

To better assure and understand issues related to network adequacy and access to services, the authority and the department shall report to the appropriate committees of the legislature by December 1, 2017, and annually thereafter, on the status of access to behavioral health services for children birth through age seventeen using data collected pursuant to RCW 70.320.050. At a minimum, the report must include the following components broken down by age, gender, and race and ethnicity:

(1) The percentage of discharges for patients ages six through seventeen who had a visit to the emergency room with a primary diagnosis of mental health or alcohol or other drug dependence during the measuring year and who had a follow-up visit with any provider with a corresponding primary diagnosis of mental health or alcohol or other drug dependence within thirty days of discharge;

(2) The percentage of health plan members with an identified mental health need who received mental health services during the reporting period; and

(3) The percentage of children served by behavioral health organizations, including the types of services provided.

NEW SECTION. Sec. 4. (1)(a) Subject to appropriation, health care authority shall expand the partnership access line service by selecting a rural inclusive region of the state to offer an additional level of child mental health care support services for primary care, to be referred to as the PAL plus pilot program.

(b) For purposes of the PAL plus pilot program, the health care authority shall work in collaboration with faculty from the University of Washington working on the integration of mental health and medical care.

(2)(a) The PAL plus service is targeted to help children and families with medicaid coverage who have mental health concerns not already being served by the regional support network system or other local specialty care providers, and who instead receive treatment from their primary care providers. Services must be offered by regionally based and multipractice shared mental health service providers who deliver in person and over the telephone the following services upon primary care request:

- (i) Evaluation and diagnostic support;
- (ii) Individual patient care progress tracking;
- (iii) Behavior management coaching; and
- (iv) Other evidence supported psychosocial care supports which are delivered as an early and easily accessed intervention for families.

(b) The PAL team of child psychiatrists and psychologists shall provide mental health service providers with training and support, weekly care plan reviews and support on their caseloads, direct patient evaluations for selected enhanced assessments, and must utilize a shared electronic reporting and tracking system to ensure that children not improving are identified as such and helped to receive additional services. The PAL team shall promote the appropriate use of cognitive behavioral therapies and other treatments which are empirically supported or evidence-based and encourage providers to use psychotropic medications as a last resort.

(3)(a) The health care authority shall monitor PAL plus service outcomes, including, but not limited to:

- (i) Characteristics of the population being served;
- (ii) Process measures of service utilization;
- (iii) Behavioral health symptom rating scale outcomes of individuals and aggregate rating scale outcomes of populations of children served;
- (iv) Claims data comparison of implementation versus nonimplementation regions;
- (v) Service referral patterns to local specialty mental health care providers; and
- (vi) Family and provider feedback.

(b) By December 31, 2017, the health care authority shall make a preliminary evaluation of the viability of a statewide PAL plus service program and report to the appropriate committees of the legislature, with a final evaluation report due by December 31, 2018. The final report must include recommendations on sustainability and leveraging funds through behavioral health and managed care organizations.

(4) This section expires December 31, 2019.

NEW SECTION. Sec. 5. (1) The joint legislative audit and review committee shall conduct an inventory of the mental health service models available to students in schools, school districts, and educational service districts and report its findings by October 31, 2016. The report must be submitted to the

appropriate committees of the house of representatives and the senate, in accordance with RCW 43.01.036.

(2) The committee must perform the inventory using data that is already collected by schools, school districts, and educational service districts. The committee must not collect or review student-level data and must not include student-level data in the report.

(3) The inventory and report must include information on the following:

(a) How many students are served by mental health services funded with nonbasic education appropriations in each school, school district, or educational service district;

(b) How many of these students are participating in medicaid programs;

(c) How the mental health services are funded, including federal, state, local, and private sources;

(d) Information on who provides the mental health services, including district employees and contractors; and

(e) Any other available information related to student access and outcomes.

(4) The duties of this section must be carried out within existing appropriations.

(5) This section expires July 1, 2017.

Sec. 6. RCW 28A.310.500 and 2013 c 197 s 6 are each amended to read as follows:

(1) Each educational service district shall develop and maintain the capacity to offer training for educators and other school district staff on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. An educational service district may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training may be offered on a fee-for-service basis, or at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources.

(2)(a) Subject to the availability of amounts appropriated for this specific purpose, Forefront at the University of Washington shall convene a one-day in-person training of student support staff from the educational service districts to deepen the staff's capacity to assist schools in their districts in responding to concerns about suicide. Educational service districts shall send staff members to the one-day in-person training within existing resources.

(b) Subject to the availability of amounts appropriated for this specific purpose, after establishing these relationships with the educational service districts, Forefront at the University of Washington must continue to meet with the educational service districts via videoconference on a monthly basis to answer questions that arise for the educational service districts, and to assess the feasibility of collaborating with the educational service districts to develop a multiyear, statewide rollout of a comprehensive school suicide prevention model involving regional trainings, on-site coaching, and cohorts of participating schools in each educational service district.

(c) Subject to the availability of amounts appropriated for this specific purpose, Forefront at the University of Washington must work to develop public-private partnerships to support the rollout of a comprehensive school suicide prevention model across Washington's middle and high schools.

(d) The comprehensive school suicide prevention model must consist of:

(i) School-specific revisions to safe school plans required under RCW 28A.320.125, to include procedures for suicide

FIFTY NINTH DAY, MARCH 9, 2016

2016 REGULAR SESSION

prevention, intervention, assessment, referral, reentry, and intervention and recovery after a suicide attempt or death;

(ii) Developing, within the school, capacity to train staff, teachers, parents, and students in how to recognize and support a student who may be struggling with behavioral health issues;

(iii) Improved identification such as screening, and response systems such as family counseling, to support students who are at risk;

(iv) Enhanced community-based linkages of support; and

(v) School selection of appropriate curricula and programs to enhance student awareness of behavioral health issues to reduce stigma, and to promote resilience and coping skills.

(e) Subject to the availability of amounts appropriated for this specific purpose, and by December 15, 2017, Forefront at the University of Washington shall report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, with the outcomes of the educational service district trainings, any public-private partnership developments, and recommendations on ways to work with the educational service districts or others to implement suicide prevention.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, with the exception of sections 1, 2, and 3 of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act, except for sections 1, 2, and 3 of this act, is null and void."

On page 1, line 2 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 28A.310.500; adding a new section to chapter 74.09 RCW; creating new sections; and providing expiration dates."

Senators O'Ban and Frockt spoke in favor of adoption of the striking amendment.

MOTION

On motion of Senator Fain, further consideration of Engrossed Second Substitute House Bill No. 2439 was deferred and the bill held its place on the second reading calendar.

MOTION

At 5:55 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Thursday, March 10, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SIXTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, March 10, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.

The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Mr. Kristian Pitts and Miss Myra J. Kalich, presented the Colors.

The prayer was offered by Senator Rolfes.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 9, 2016

SB 6328 Prime Sponsor, Senator Dammeier: Concerning vapor products in respect to provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirements prohibiting vapor product sales to minors, prohibition of the purchase and possession of vapor products by minors, the liquor and cannabis board's enforcement authority over vapor products, preemption of certain local regulation of vapor products, and a requirement for vendor-assisted sales of vapor products in retail establishments. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Hewitt; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

March 9, 2016

SHB 2334 Prime Sponsor, Committee on Finance: Concerning the excise taxation of martial arts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Brown; Conway; Nelson; O'Ban; Parlette; Pedersen; Rolfes and Warnick.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford, Vice Chair, Capital Budget Chair; Ranker, Ranking Minority Member, Operating and Billig.

Passed to Committee on Rules for second reading.

March 9, 2016

2SHB 2839 Prime Sponsor, Committee on Appropriations: Providing a sales and use tax exemption for certain new building construction to be used by maintenance repair operators for airplane repair and maintenance. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Brown; Hewitt; O'Ban; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Billig; Darneille; Hasegawa; Nelson; Pedersen and Rolfes.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Conway and Parlette.

Passed to Committee on Rules for second reading.

March 9, 2016

SHB 2985 Prime Sponsor, Committee on Capital Budget: Excluding certain school facilities from the inventory of educational space for determining eligibility for state assistance for common school construction. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Hill, Chair; Braun, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Ranker, Ranking Minority Member, Operating; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler and Warnick.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Standing Committee report were referred to the committee as designated.

SIGNED BY THE PRESIDENT

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 5180,
ENGROSSED SENATE BILL NO. 6349,
ENGROSSED SENATE BILL NO. 6413.

Senator Fraser announced that there would be a Democratic Caucus immediately upon going at ease.

MOTION

At 11:08 a.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 12:04 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194 with the following amendment(s): 6194-S2.E AMH ENGR H4714.E

Strike everything after the enacting clause and insert the following:

"PART I

CHARTER PUBLIC SCHOOLS

Sec. 101. RCW 28A.710.010 and 2013 c 2 s 201 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) "Applicant" means a nonprofit corporation that has submitted an application to an authorizer. The nonprofit corporation must be either a public benefit nonprofit corporation as defined in RCW 24.03.490, or a nonprofit corporation as defined in RCW 24.03.005 that has applied for tax exempt status under section 501(c)(3) of the internal revenue code of 1986 (26 U.S.C. Sec. 501(c)(3)). The nonprofit corporation may not be a sectarian or religious organization and must meet all of the requirements for a public benefit nonprofit corporation before receiving any funding under RCW 28A.710.220.

(2) "At-risk student" means a student who has an academic or economic disadvantage that requires assistance or special services to succeed in educational programs. The term includes, but is not limited to, students who do not meet minimum standards of academic proficiency, students who are at risk of dropping out of high school, students in chronically low-performing schools, students with higher than average disciplinary sanctions, students with lower participation rates in advanced or gifted programs, students who are limited in English proficiency, students who are members of economically disadvantaged families, and students who are identified as having special educational needs.

(3) "Authorizer" means ((an entity)) the commission established in RCW 28A.710.070 or a school district approved under RCW 28A.710.090 to review, approve, or reject charter school applications; enter into, renew, or revoke charter contracts with applicants; and oversee the charter schools the entity has authorized.

(4) "Charter contract" means a fixed term, renewable contract between a charter school and an authorizer that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.

(5) "Charter school" or "(public) charter public school" means a public school that is established in accordance with this chapter, governed by a charter school board, and operated according to the terms of a charter contract executed under this chapter ((and includes a new charter school and a conversion charter school)).

(6) "Charter school board" means the board of directors appointed or selected under the terms of a charter application to manage and operate the charter school.

(7) "Commission" means the Washington state charter school commission established in RCW 28A.710.070.

(8) ("Conversion charter school" means a charter school created by converting an existing noncharter public school in its entirety to a charter school under this chapter.

(9) "New charter school" means any charter school established under this chapter that is not a conversion charter school.

(10)) "Parent" means a parent, guardian, or other person or entity having legal custody of a child.

((11)) (9) "Student" means ((any)) a child eligible ((under RCW 28A.225.160)) to attend a public school in the state.

Sec. 102. RCW 28A.710.020 and 2013 c 2 s 202 are each reenacted and amended to read as follows:

A charter school established under this chapter:

(1) Is a public((, common)) school that is:

(a) Open to all children free of charge and by choice; and

(b) Operated separately from the common school system as an alternative to traditional common schools;

(2) ((Is a public, common school offering)) May offer any program or course of study that ((a noncharter)) any other public school may offer, including one or more of grades kindergarten through twelve;

(3) Is governed by a charter school board according to the terms of a renewable, five-year charter contract executed under RCW 28A.710.160;

(4) ((Is a public school to which parents choose to send their children;

(5)) Functions as a local education agency under applicable federal laws and regulations and is responsible for meeting the requirements of local education agencies and public schools under those federal laws and regulations, including but not limited to compliance with the individuals with disabilities education improvement act (20 U.S.C. Sec. 1401 et seq.), the federal educational rights and privacy act (20 U.S.C. Sec. 1232g), the McKinney-Vento homeless assistance act of 1987 (42 U.S.C. Sec. 11431 et seq.), and the elementary and secondary education act (20 U.S.C. Sec. 6301 et seq.).

Sec. 103. RCW 28A.710.030 and 2013 c 2 s 203 are each reenacted and amended to read as follows:

(1) To ((carry out)) fulfill its duty to manage and operate the charter school, and ((carry out)) to execute the terms of its charter contract, a charter school board may:

(a) Hire, manage, and discharge ((any)) charter school employees in accordance with the terms of this chapter and ((that)) the school's charter contract;

(b) Receive and disburse funds for the purposes of the charter school;

(c) Enter into contracts with any school district, educational service district, or other public or private entity for the provision of real property, equipment, goods, supplies, and services, including educational instructional services ((and including)), pupil transportation services, and for the management and operation of the charter school ((to the same extent as other noncharter public schools, as long as)), provided the charter school board maintains oversight authority over the charter school. Contracts for management operation of the charter school may only be with nonprofit organizations;

(d) Rent, lease, purchase, or own real property. All charter contracts and contracts with other entities must include provisions regarding the disposition of the property if the charter school fails to open as planned or closes, or if the charter contract is revoked or not renewed;

(e) Issue secured and unsecured debt, including pledging, assigning, or encumbering its assets to be used as collateral for loans or extensions of credit to manage cash flow, improve operations, or finance the acquisition of real property or equipment((: PROVIDED, That)). However, the ((public)) charter public school may not pledge, assign, or encumber any public funds received or to be received pursuant to RCW 28A.710.220. ((The)) Debt issued under this subsection (1)(e) is not a general, special, or moral obligation of the state, the charter school authorizer, the school district in which the charter school is located, or any other political subdivision or agency of the state. Neither the full faith and credit nor the taxing power of the state, or any political subdivision or agency of the state, may be pledged for the payment of the debt;

(f) Solicit, accept, and administer for the benefit of the charter school and its students, gifts, grants, and donations from individuals, or public or private entities, excluding ((from)) sectarian or religious organizations. A charter school((s)) board may not accept any gifts or donations ((the conditions of which)) that violate this chapter or other state laws; and

(g) Issue diplomas to students who meet state high school graduation requirements established under RCW 28A.230.090. A charter school board may establish additional graduation requirements.

(2) A charter school board must contract for an independent performance audit of the school to be conducted: (a) The second year immediately following the school's first full school year of operation; and (b) every three years thereafter. The performance audit must be conducted in accordance with United States general accounting office government auditing standards. A performance audit in compliance with this section does not inhibit the state auditor's office from conducting a performance audit of the school.

(3) A charter school board may not levy taxes or issue tax-backed bonds.

(4) A charter school board may not acquire property by eminent domain.

(5) A charter school board, through web site postings and written notice with receipt acknowledged by signature of the recipient, must advise families of new, ongoing, and prospective students of any ongoing litigation challenging the constitutionality of charter schools or that may require charter schools to cease operations.

Sec. 104. RCW 28A.710.040 and 2013 c 2 s 204 are each reenacted and amended to read as follows:

(1) A charter school must operate according to the terms of its charter contract and the provisions of this chapter.

(2) ((All)) A charter school((s)) must:

(a) Comply with local, state, and federal health, safety, parents' rights, civil rights, and nondiscrimination laws applicable to school districts and to the same extent as school districts, including but not limited to chapter 28A.642 RCW (discrimination prohibition) and chapter 28A.640 RCW (sexual equality);

(b) Provide a program of basic education, ((as provided)) that meets the goals in RCW 28A.150.210, including instruction in the essential academic learning requirements, and participate in the statewide student assessment system as developed under RCW 28A.655.070;

(c) Employ certificated instructional staff as required in RCW 28A.410.025((: PROVIDED, That)). Charter schools, however, may hire noncertificated instructional staff of unusual competence and in exceptional cases as specified in RCW 28A.150.203(7);

(d) Comply with the employee record check requirements in RCW 28A.400.303;

(e) Adhere to generally accepted accounting principles and be subject to financial examinations and audits as determined by the state auditor, including annual audits for legal and fiscal compliance;

(f) Comply with the annual performance report under RCW 28A.655.110;

(g) Be subject to the performance improvement goals adopted by the state board of education under RCW 28A.305.130;

(h) Comply with the open public meetings act in chapter 42.30 RCW and public records requirements in chapter 42.56 RCW; and

(i) Be subject to and comply with legislation enacted after December 6, 2012, ((governing)) that governs the operation and management of charter schools.

(3) ((Public)) Charter public schools must comply with all state statutes and rules made applicable to the charter school in the school's charter contract, and are subject to the specific state statutes and rules identified in subsection (2) of this section. For the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs to improve student outcomes and academic achievement, charter schools are not subject to, and are exempt from, all other state statutes and rules applicable to school districts and school district boards of directors((, for the purpose of allowing flexibility to innovate in areas such as scheduling, personnel, funding, and educational programs in order to improve student outcomes and academic achievement)). Except as provided otherwise by this chapter or a charter contract, charter schools are exempt from all school district policies ((except policies made applicable in the school's charter contract)).

(4) ((No)) A charter school may not engage in any sectarian practices in its educational program, admissions or employment policies, or operations.

(5) Charter schools are subject to the supervision of the superintendent of public instruction and the state board of education, including accountability measures, to the same extent as other public schools, except as otherwise provided in this chapter ((2, Laws of 2013)).

Sec. 105. RCW 28A.710.050 and 2013 c 2 s 205 are each reenacted and amended to read as follows:

(1) Except as provided in subsection (3) of this section, a charter school may not limit admission on any basis other than age group, grade level, or enrollment capacity ((and must enroll all students who apply within these bases)). A charter school is open to any student regardless of his or her location of residence.

(2) A charter school may not charge tuition, but may charge fees for participation in optional extracurricular events and

activities in the same manner and to the same extent as do other public schools.

(3) ((A conversion charter school must provide sufficient capacity to enroll all students who wish to remain enrolled in the school after its conversion to a charter school, and may not displace students enrolled before the chartering process.

(4)) If capacity is insufficient to enroll all students who apply to a charter school, the charter school must ((select students through a lottery to ensure fairness. However, a charter school must give an enrollment preference to siblings of already enrolled students)) grant an enrollment preference to siblings of enrolled students, with any remaining enrollments allocated through a lottery. A charter school may offer, pursuant to an admissions policy approved by the commission, a weighted enrollment preference for at-risk students or to children of full-time employees of the school if the employees' children reside within the state.

((5)) (4) The enrollment capacity of a charter school must be determined annually by the charter school board in consultation with the charter authorizer and with consideration of the charter school's ability to facilitate the academic success of its students, achieve the objectives specified in the charter contract, and assure that its student enrollment does not exceed the capacity of its facility. An authorizer may not restrict the number of students a charter school may enroll.

((6)) (5) Nothing in this section prevents formation of a charter school whose mission is to offer a specialized learning environment and services for particular groups of students, such as at-risk students, students with disabilities, or students who pose such severe disciplinary problems that they warrant a specific educational program. Nothing in this section prevents formation of a charter school organized around a special emphasis, theme, or concept as stated in the school's application and charter contract.

Sec. 106. RCW 28A.710.060 and 2013 c 2 s 206 are each reenacted and amended to read as follows:

(1) School districts must provide information to parents and the general public about charter schools located within the district as an enrollment option for students.

(2) If a student who was previously enrolled in a charter school enrolls in another public school in the state, the student's new school must accept credits earned by the student in the charter school in the same manner and according to the same criteria that credits are accepted from other public schools.

(3) A charter school ((is eligible for)) may participate in state or district-sponsored interscholastic programs, awards, scholarships, or competitions to the same extent as other public schools.

Sec. 107. RCW 28A.710.070 and 2013 c 2 s 208 are each reenacted and amended to read as follows:

(1) The Washington state charter school commission is established as an independent state agency whose mission is to authorize high quality ((public)) charter public schools throughout the state, ((particularly)) especially schools that are designed to expand opportunities for at-risk students, and to ensure the highest standards of accountability and oversight for these schools.

(2) The commission shall, through its management, supervision, and enforcement of the charter contracts and pursuant to applicable law, administer the ((portion of the public common school system consisting of the)) charter schools it authorizes ((as provided in this chapter,)) in the same manner as a school district board of directors((, through its management, supervision, and enforcement of the charter contracts, and

pursuant to applicable law, administers the charter schools it authorizes)) administers other schools.

((2)) (3)(a) The commission shall consist of:

(i) Nine appointed members((, no more than five of whom shall be members of the same political party));

(ii) The superintendent of public instruction or the superintendent's designee; and

(iii) The chair of the state board of education or the chair's designee.

(b) Appointments to the commission shall be as follows:

Three members shall be appointed by the governor; three members shall be appointed by the ((president of the)) senate, with two members appointed by the leader of the largest caucus of the senate and one member appointed by the leader of the minority caucus of the senate; and three members shall be appointed by the ((speaker of the)) house of representatives, with two members appointed by the speaker of the house of representatives and one member appointed by the leader of the minority caucus of the house of representatives. The appointing authorities shall assure diversity among commission members, including representation from various geographic areas of the state and shall assure that at least one member is ((a)) the parent of a Washington public school student.

((3)) (4) Members appointed to the commission shall collectively possess strong experience and expertise in public and nonprofit governance; management and finance; public school leadership, assessment, curriculum, and instruction; and public education law. All appointed members shall have demonstrated an understanding of and commitment to charter schooling as a strategy for strengthening public education.

((4)) (5) Appointed members shall ((be appointed to)) serve four-year, staggered terms((, with)). The initial appointments from each of the appointing authorities ((consisting)) must consist of one member appointed to a one-year term, one member appointed to a two-year term, and one member appointed to a three-year term, all of whom thereafter may be reappointed for a four-year term. No appointed member may serve more than two consecutive terms. Initial appointments must be made ((no later than ninety days after December 6, 2012)) by July 1, 2016.

((5)) (6) Whenever a vacancy on the commission exists among its appointed membership, the original appointing authority must appoint a member for the remaining portion of the term within no more than thirty days.

((6)) (7) Commission members shall serve without compensation but may be reimbursed for travel expenses as authorized in RCW 43.03.050 and 43.03.060.

((7) Operational and staff support for the commission shall be provided by the office of the governor until the commission has sufficient resources to hire or contract for separate staff support, who))

(8) The commission shall reside within the office of the ((governor)) superintendent of public instruction for administrative purposes only.

((8)) (9) RCW 28A.710.090 and 28A.710.120 do not apply to the commission.

Sec. 108. RCW 28A.710.080 and 2013 c 2 s 207 are each reenacted and amended to read as follows:

The following entities ((are eligible to)) may be authorizers of charter schools:

(1) The ((Washington charter school)) commission ((established under RCW 28A.710.070,)) may exercise the authority granted under this section for charter schools located anywhere in the state; and

(2) A school district board((s)) of directors ((that have been approved by the state board of education under RCW

28A.710.090 before authorizing a charter school,) may exercise the authority granted under this section only after receiving approval from the state board of education under RCW 28A.710.090, and only for charter schools located within the school district's ((own)) boundaries.

Sec. 109. RCW 28A.710.090 and 2013 c 2 s 209 are each reenacted and amended to read as follows:

(1) The state board of education shall establish an annual application and approval process and timelines for ((entities)) school districts seeking approval to ((be)) become charter school authorizers. The initial process and timelines must be established ((no later than ninety days after December 6, 2012)) by July 1, 2016.

(2) At a minimum, each applicant district must submit to the state board of education:

(a) The applicant's strategic vision for chartering;

(b) A plan to support the vision presented, including explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing;

(c) A draft or preliminary outline of the ((request for proposals)) annual charter school application process that the applicant would, if approved as an authorizer, issue to solicit charter school applicants;

(d) A draft of the performance framework that the applicant would, if approved as an authorizer, use to guide the establishment of a charter contract and use for ongoing oversight and evaluation of charter schools;

(e) A draft of the applicant's proposed renewal, revocation, and nonrenewal processes, consistent with RCW 28A.710.190 and 28A.710.200;

(f) A statement of assurance that the applicant seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of this chapter, and that, if approved as an authorizer, the applicant will fully participate in any authorizer training provided or required by the state; and

(g) A statement of assurance that the applicant will provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and expenditures.

(3) The state board of education shall consider the merits of each application and make its decision within the timelines established by the state board of education.

(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the ((entity)) applicant district. The initial term of an authorizing contract ((shall)) must be six years. The authorizing contract must specify each approved ((entity's)) applicant district's agreement to serve as an authorizer in accordance with the expectations of this chapter, and may specify additional performance terms based on the applicant's proposal and plan for chartering.

(5) No approved ((entity)) school district may commence charter authorizing without an authorizing contract in effect.

Sec. 110. RCW 28A.710.100 and 2013 c 2 s 210 are each reenacted and amended to read as follows:

(1) Authorizers are responsible for:

(a) Soliciting and evaluating charter applications;

(b) Approving ((quality)) charter applications that meet identified educational needs and promote a diversity of educational choices;

(c) Denying ((weak or inadequate)) charter applications that fail to meet statutory requirements, requirements of the authorizer, or both;

(d) Negotiating and executing ((sound)) charter contracts with each authorized charter school;

(e) Monitoring, in accordance with charter contract terms, the performance and legal compliance of charter schools including, without limitation, education and academic performance goals and student achievement; and

(f) Determining whether each charter contract merits renewal, nonrenewal, or revocation.

(2) An authorizer may delegate its responsibilities under this section to employees or contractors.

(3) All authorizers must develop and follow chartering policies and practices that are consistent with the principles and standards for quality charter authorizing developed by the national association of charter school authorizers in at least the following areas:

(a) Organizational capacity and infrastructure;

(b) Soliciting and evaluating charter applications;

(c) Performance contracting;

(d) Ongoing charter school oversight and evaluation; and

(e) Charter renewal decision making.

(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board((, which)) that includes:

(a) The authorizer's strategic vision for chartering and progress toward achieving that vision;

(b) The academic and financial performance of all operating charter schools ((overseen by the authorizer)) under its jurisdiction, including the progress of the charter schools based on the authorizer's performance framework;

(c) The status of the authorizer's charter school portfolio, identifying all charter schools in each of the following categories: (i) Approved but not yet open((,)); (ii) operating((,)); (iii) renewed((,)); (iv) transferred((,)); (v) revoked((,)); (vi) not renewed((,)); (vii) voluntarily closed((,)); or (viii) never opened;

(d) The authorizer's operating costs and expenses detailed in annual audited financial statements that conform with generally accepted accounting principles; and

(e) The services purchased from the authorizer by the charter schools under its jurisdiction under RCW 28A.710.110, including an itemized accounting of the actual costs of these services.

(5) Neither an authorizer, individuals who comprise the membership of an authorizer in their official capacity, nor the employees of an authorizer are liable for acts or omissions of a charter school they authorize.

(6) No employee, trustee, agent, or representative of an authorizer may simultaneously serve as an employee, trustee, agent, representative, vendor, or contractor of a charter school under the jurisdiction of that authorizer.

Sec. 111. RCW 28A.710.110 and 2013 c 2 s 211 are each reenacted and amended to read as follows:

(1) The state board of education shall establish a statewide formula for an authorizer oversight fee, which ((shall)) must be calculated as a percentage of the state operating funding ((allocated)) distributed to charter schools under RCW 28A.710.220 to each charter school under the jurisdiction of an authorizer, but may not exceed four percent of each charter school's annual funding. ((The office of the superintendent of public instruction shall deduct the oversight fee from each charter school's allocation under RCW 28A.710.220 and transmit the fee to the appropriate authorizer.))

(2) The state board of education may establish a sliding scale for the authorizer oversight fee, with the funding percentage decreasing after the authorizer has achieved a certain threshold, such as after a certain number of years of authorizing or after a certain number of charter schools have been authorized.

(3) The office of the superintendent of public instruction shall deduct the oversight fee from each charter school's distribution

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

under RCW 28A.710.220 and transmit the fee to the appropriate authorizer.

(4) An authorizer must use its oversight fee exclusively for the purpose of fulfilling its duties under RCW 28A.710.100.

((4)) (5) An authorizer may provide contracted, fee-based services to charter schools under its jurisdiction that are in addition to the oversight duties under RCW 28A.710.100. An authorizer may not charge more than market rates for the contracted services provided. An authorizer may not require a charter school ((may not be required)) to purchase contracted services ((from)) provided by an authorizer. Fees collected by the authorizer under this subsection must be separately accounted for and reported annually to the state board of education.

Sec. 112. RCW 28A.710.120 and 2013 c 2 s 212 are each reenacted and amended to read as follows:

(1) The state board of education is responsible for overseeing the performance and effectiveness of all authorizers approved under RCW 28A.710.090.

(2) Persistently unsatisfactory performance of an authorizer's portfolio of charter schools, a pattern of well-founded complaints about the authorizer or its charter schools, or other objective circumstances may trigger a special review by the state board of education.

(3) In reviewing or evaluating the performance of authorizers, the state board of education must apply nationally recognized principles and standards for quality charter authorizing. Evidence of material or persistent failure by an authorizer to carry out its duties in accordance with ((the)) these principles and standards constitutes grounds for revocation of the authorizing contract by the state board of education, as provided under this section.

(4) If at any time the state board of education finds that an authorizer is not in compliance with a charter contract, its authorizing contract, or the authorizer duties under RCW 28A.710.100, the board must notify the authorizer in writing of the identified problems, and the authorizer ((shall)) must have reasonable opportunity to respond and remedy the problems.

(5) If ((an authorizer persists)),₂ after due notice from the state board of education, an authorizer persists in violating a material provision of a charter contract or its authorizing contract, or fails to remedy other identified authorizing problems, the state board of education shall notify the authorizer, within a reasonable amount of time under the circumstances, that it intends to revoke the authorizer's chartering authority unless the authorizer demonstrates a timely and satisfactory remedy for the violation or deficiencies.

(6) In the event of revocation of any authorizer's chartering authority, the state board of education shall manage the timely and orderly transfer of each charter contract held by that authorizer to another authorizer in the state, with the mutual agreement of each affected charter school and proposed new authorizer. The new authorizer shall assume the existing charter contract for the remainder of the charter term.

(7) The state board of education must establish timelines and a process for taking actions under this section in response to performance deficiencies by an authorizer.

Sec. 113. RCW 28A.710.130 and 2013 c 2 s 213 are each reenacted and amended to read as follows:

(1)(a) Each authorizer must annually issue and broadly publicize a ((request)) solicitation for proposals for charter school applicants by the date established by the state board of education under RCW 28A.710.140.

(b) Each authorizer's ((request)) solicitation for proposals must:

(i) Present the authorizer's strategic vision for chartering, including a clear statement of any preferences the authorizer

wishes to grant to applications that employ proven methods for educating at-risk students or students with special needs;

(ii) Include or otherwise direct applicants to the performance framework that the authorizer has developed for charter school oversight and evaluation in accordance with RCW 28A.710.170;

(iii) Provide the criteria that will guide the authorizer's decision to approve or deny a charter application; and

(iv) State clear, appropriately detailed questions as well as guidelines concerning the format and content essential for applicants to demonstrate the capacities necessary to establish and operate a successful charter school.

(2) A charter school application must provide or describe thoroughly all of the following elements of the proposed school plan:

(a) An executive summary;

(b) The mission and vision of the proposed charter school, including identification of the ((targeted)) student population and ((the)) community the school hopes to serve;

(c) The location or geographic area proposed for the school and the school district within which the school will be located;

(d) The grades to be served each year for the full term of the charter contract;

(e) Minimum, planned, and maximum enrollment per grade per year for the full term of the charter contract;

(f) Evidence of need and parent and community support for the proposed charter school;

(g) Background information on the proposed founding ((governing)) charter school board members and, if identified, the proposed school leadership and management team;

(h) The school's proposed calendar and sample daily schedule;

(i) A description of the academic program aligned with state standards;

(j) A description of the school's proposed instructional design, including the type of learning environment((:)),₂ class size and structure((:)),₂ curriculum overview((:)),₂ and teaching methods;

(k) Evidence that the educational program is based on proven methods;

(l) The school's plan for using internal and external assessments to measure and report student progress on the performance framework developed by the authorizer in accordance with RCW 28A.710.170;

(m) The school's plans for identifying, successfully serving, and complying with applicable laws and regulations regarding students with disabilities, students who are limited English proficient, students who are struggling academically, and highly capable students;

(n) A description of cocurricular or extracurricular programs and how ((they)) those programs will be funded and delivered;

(o) Plans and timelines for student recruitment and enrollment, including targeted plans for recruiting at-risk students and including lottery procedures;

(p) The school's student discipline policies, including for special education students;

(q) An organization chart that clearly presents the school's organizational structure, including lines of authority and reporting between the governing board, staff, any related bodies such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the school;

(r) A clear description of the roles and responsibilities for the governing board, the school's leadership and management team, and any other entities shown in the organization chart;

(s) A staffing plan for the school's first year and for the term of the charter;

(t) Plans for recruiting and developing school leadership and staff;

(u) The school's leadership and teacher employment policies, including performance evaluation plans;

(v) Proposed governing bylaws;

(w) An explanation of proposed partnership agreement, if any, between a charter school and its school district focused on facilities, budgets, taking best practices to scale, and other items;

(x) Explanations of any other partnerships or contractual relationships central to the school's operations or mission;

(y) Plans for providing transportation, food service, and all other significant operational or ancillary services;

(z) Opportunities and expectations for parent involvement;

(aa) A detailed school start-up plan, identifying tasks, timelines, and responsible individuals;

(bb) A description of the school's financial plan and policies, including financial controls and audit requirements;

(cc) A description of the insurance coverage the school will obtain;

(dd) Start-up and five-year cash flow projections and budgets with clearly stated assumptions;

(ee) Evidence of anticipated fund-raising contributions, if claimed in the application; and

(ff) A sound facilities plan, including backup or contingency plans if appropriate.

(3) ((In the case of an application to establish a conversion charter school, the applicant must also demonstrate support for the proposed conversion by a petition signed by a majority of teachers assigned to the school or a petition signed by a majority of parents of students in the school.

(4) In the case of an application where the proposed charter school)) If an applicant intends to contract with a nonprofit education service provider for substantial educational services, management services, or both, the applicant must:

(a) Provide evidence of the nonprofit education service provider's success in serving student populations similar to the targeted population, including demonstrated academic achievement as well as successful management of nonacademic school functions if applicable;

(b) Provide a term sheet setting forth: (i) The proposed duration of the service contract; (ii) the roles and responsibilities of the governing board, the school staff, and the service provider; (iii) the scope of services and resources to be provided by the service provider; (iv) performance evaluation measures and timelines; (v) the compensation structure, including clear identification of all fees to be paid to the service provider; (vi) methods of contract oversight and enforcement; (vii) investment disclosure; and (viii) conditions for renewal and termination of the contract; and

(c) Disclose and explain any existing or potential conflicts of interest between the charter school board and proposed service provider or any affiliated business entities.

((5) In the case of an application from)) (4) If an applicant ((that)) operates one or more schools in any state or nation, the applicant must provide evidence of ((past)) the performance of those schools, including evidence of the applicant's success in serving at-risk students, and capacity for growth.

((6)) (5) Applicants may submit a proposal for a particular ((public)) charter public school to no more than one authorizer at a time.

Sec. 114. RCW 28A.710.140 and 2013 c 2 s 214 are each reenacted and amended to read as follows:

(1) The state board of education must establish an annual statewide timeline for charter application submission and approval or denial((, which)) that must be followed by all authorizers.

(2) In reviewing and evaluating charter applications, authorizers shall employ procedures, practices, and criteria consistent with nationally recognized principles and standards for quality charter authorizing. Authorizers shall give preference to applications for charter schools that are designed to enroll and serve at-risk student populations((: PROVIDED, That)), However, nothing in this chapter may be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk students, or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve other pupil populations under a nonexclusive, nondiscriminatory admissions policy. The application review process must include thorough evaluation of each application, an in-person interview with the applicant group, and an opportunity to learn about and provide input on each application in a public forum including, without limitation, parents, community members, local residents, and school district board members and staff((, to learn about and provide input on each application)).

(3) In deciding whether to approve an application, authorizers must:

(a) Grant charters only to applicants that have demonstrated competence in each element of the authorizer's published approval criteria and are likely to open and operate a successful ((public)) charter public school;

(b) Base decisions on documented evidence collected through the application review process;

(c) Follow charter-granting policies and practices that are transparent and based on merit; and

(d) Avoid any conflicts of interest, whether real or apparent.

(4) An approval decision may include, if appropriate, reasonable conditions that the charter applicant must meet before a charter contract may be executed.

(5) For any denial of an application, the authorizer shall clearly state in writing its reasons for denial. A denied applicant may subsequently reapply to that authorizer or apply to another authorizer in the state.

Sec. 115. RCW 28A.710.150 and 2013 c 2 s 215 are each reenacted and amended to read as follows:

(1) A maximum of forty ((public)) charter public schools may be established under this chapter((,)) over ((a)) the five-year period commencing with the effective date of this section. No more than eight charter schools may be established in any ((single)) year during the five-year period, except that if in any ((single)) year fewer than eight charter schools are established, ((then)) additional charter schools, equal in number to the difference between the number established in that year and eight, may be established in subsequent years during the five-year period.

(2)(a) To ensure compliance with the limits for establishing new charter schools, certification from the state board of education must be obtained before final authorization of a charter school.

(b) Within ten days of taking action to approve or deny an application under RCW 28A.710.140, an authorizer must submit a report of the action to the applicant and ((to)) the state board of education((, which)), The report must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the procedural requirements and application elements under RCW 28A.710.130 and 28A.710.140. The authorizer must also indicate whether the charter school is designed to enroll and serve at-risk student populations. The state board of education must establish, for each year in which charter schools may be authorized as part of the timeline to be established pursuant to RCW 28A.710.140, the ((last)) latest annual date by which the authorizer ((must)) may submit the report. The state board of education must send to each

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

authorizer notice of the date ((to each authorizer no later than)) by which a report must be submitted at least six months before the date established by the board.

(3) Upon the receipt of notice from an authorizer that a charter school has been approved, the state board of education shall certify whether the approval is in compliance with the limits on the maximum number of charters allowed under subsection (1) of this section. If the board receives simultaneous notification of approved charters that exceed the annual allowable limits in subsection (1) of this section, the board must select approved charters for implementation through a lottery process, and must assign implementation dates accordingly.

(4) The state board of education must notify authorizers when the maximum allowable number of charter schools has been reached.

Sec. 116. RCW 28A.710.160 and 2013 c 2 s 216 are each reenacted and amended to read as follows:

(1) The purposes of the charter application submitted under RCW 28A.710.130 are to present the proposed charter school's academic and operational vision and plans, and to demonstrate and provide the authorizer with a clear basis for evaluating the applicant's capacities to execute the proposed vision and plans. An approved charter application does not serve as the school's charter contract.

(2) Within ninety days of approval of a charter application, the authorizer and the governing board of the approved charter school must execute a charter contract. The contract must establish the terms by which((, fundamentally,)) the ((public)) charter school agrees to provide educational services that, at a minimum, meet basic education standards, in return for ((an allocation)) a distribution of public funds ((to)) that will be used for ((such)) the purposes ((all as set forth)) established in the contract and in this and other applicable statutes ((and in the charter contract)). The charter contract must clearly set forth the academic and operational performance expectations and measures by which the charter school will be ((judged)) evaluated and the administrative relationship between the authorizer and charter school, including each party's rights and duties. The performance expectations and measures set forth in the charter contract must include, but need not be limited to, applicable federal and state accountability requirements. The performance provisions may be refined or amended by mutual agreement after the charter school is operating and has collected baseline achievement data for its enrolled students.

(3) If the charter school is authorized by a school district board of directors, the charter contract must be signed by the president of the applicable school district board of directors ((if the school district board of directors is the authorizer and by)) and the president of the charter school board. If the charter school is authorized by the commission, the charter contract must be signed by the chair of the commission and the president of the charter school board. Within ten days of executing a charter contract, the authorizer must submit to the state board of education written notification of the charter contract execution, including a copy of the executed charter contract and any attachments.

(4) A charter contract may govern one or more charter schools to the extent approved by the authorizer. A single charter school board may hold one or more charter contracts. However, each charter school that is part of a charter contract must be separate and distinct from any others and, for purposes of calculating the maximum number of charter schools that may be established under this chapter, each charter school must be considered a

single charter school regardless of how many charter schools are governed under a particular charter contract.

(5) An initial charter contract must be granted for a term of five operating years. The contract term must commence on the charter school's first day of operation. An approved charter school may delay its opening for one school year in order to plan and prepare for the school's opening. If the school requires an opening delay of more than one school year, the school must request an extension from its authorizer. The authorizer may grant or deny the contract extension depending on the school's circumstances.

(6) Authorizers ((may)) shall establish reasonable preopening requirements or conditions to monitor the start-up progress of newly approved charter schools ((and)), ensure that they are prepared to open smoothly on the date agreed, and ((to)) ensure that each school meets all building, health, safety, insurance, and other legal requirements for school opening.

(7) No charter school may commence operations without a charter contract executed in accordance with this section.

(8) In accordance with section 140(3) of this act:

(a) The state board of education must take reasonable and necessary steps to provide parties to contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect or that had been executed on or before December 1, 2015, with an opportunity to execute new contracts with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015; and

(b) Each authorizer must take reasonable and necessary steps to provide parties to contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect or that had been executed on or before December 1, 2015, with an opportunity to execute new contracts with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015.

(9) Contracts executed pursuant to subsection (8) of this section do not count against the annual cap established in RCW 28A.710.150(1).

(10) For purposes of this section, "substantially the same terms and duration" includes contract modifications necessary to comply with the provisions of this chapter or other applicable law.

Sec. 117. RCW 28A.710.170 and 2013 c 2 s 217 are each reenacted and amended to read as follows:

(1) The performance provisions within a charter contract must be based on a performance framework that clearly sets forth the academic and operational performance indicators, measures, and metrics that will guide an authorizer's evaluations of ((each)) a charter school within its jurisdiction.

(2) At a minimum, the performance framework must include indicators, measures, and metrics for:

(a) Student academic proficiency;

(b) Student academic growth;

(c) Achievement gaps in both proficiency and growth between major student subgroups;

(d) Attendance;

(e) Recurrent enrollment from year to year;

(f) High school graduation rates and student postsecondary readiness((, for high schools));

(g) Financial performance and sustainability; and

(h) Charter school board performance and stewardship, including compliance with all applicable laws, rules, and terms of the charter contract.

(3) Annual performance targets must be set by each charter school in conjunction with its authorizer and must be designed to help each school meet applicable federal, state, and authorizer expectations.

(4) The authorizer and charter school may also include additional rigorous, valid, and reliable indicators in the performance framework to augment external evaluations of the charter school's performance.

(5) The performance framework must require the disaggregation of all student performance data by major student subgroups, including gender, race and ethnicity, poverty status, special education status, English language learner status, and highly capable status.

(6) Multiple schools operating under a single charter contract or overseen by a single charter school board must report their performance as separate schools, and each school shall be held independently accountable for its performance.

Sec. 118. RCW 28A.710.180 and 2013 c 2 s 218 are each reenacted and amended to read as follows:

(1) Each authorizer must continually monitor the performance and legal compliance of the charter schools ((it oversees)) under its jurisdiction, including collecting and analyzing data to support ongoing evaluation according to the performance framework in the charter contract.

(2) An authorizer may conduct or require oversight activities that enable the authorizer to fulfill its responsibilities under this chapter, including conducting appropriate inquiries and investigations, ((so long as)) if those activities are consistent with the intent of this chapter, adhere to the terms of the charter contract, and do not unduly inhibit the autonomy granted to charter schools.

(3) In the event that a charter school's performance or legal compliance appears unsatisfactory, the authorizer must promptly notify the school of the perceived problem and provide reasonable opportunity for the school to remedy the problem((, unless)), However, if the problem warrants revocation ((in which case)) of the charter contract, the revocation procedures under RCW 28A.710.200 apply.

(4) An authorizer may take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in charter school performance or legal compliance. ((Such)) These actions or sanctions may include, if warranted, requiring a school to develop and execute a corrective action plan within a specified time frame.

Sec. 119. RCW 28A.710.190 and 2013 c 2 s 219 are each reenacted and amended to read as follows:

(1) A charter contract may be renewed by the authorizer, at the request of the charter school, for successive five-year terms((, although)). The authorizer, however, may vary the term based on the performance, demonstrated capacities, and particular circumstances of a charter school, and may grant renewal with specific conditions for necessary improvements to a charter school.

(2) No later than six months before the expiration of a charter contract, the authorizer must issue a performance report and charter contract renewal application guidance to ((that)) the charter school. The performance report must summarize the charter school's performance record to date based on the data required by the charter contract, and must provide notice of any weaknesses or concerns perceived by the authorizer concerning the charter school that may, if not timely rectified, jeopardize its position in seeking renewal ((if not timely rectified)). The charter school has thirty days to respond to the performance report and submit any corrections or clarifications for the report.

(3) The renewal application guidance must, at a minimum, provide an opportunity for the charter school to:

(a) Present additional evidence, beyond the data contained in the performance report, supporting its case for charter contract renewal;

(b) Describe improvements undertaken or planned for the school; and

(c) Detail the school's plans for the next charter contract term.

(4) The renewal application guidance must include or refer explicitly to the criteria that will guide the authorizer's renewal decisions, ((which shall)) and this criteria must be based on the performance framework set forth in the charter contract.

(5) In making charter renewal decisions, an authorizer must:

(a) ((Ground)) Base its decisions in evidence of the school's performance over the term of the charter contract in accordance with the performance framework set forth in the charter contract;

(b) Ensure that data used in making renewal decisions are available to the school and the public; and

(c) Provide a public report summarizing the evidence basis for its decision.

Sec. 120. RCW 28A.710.200 and 2013 c 2 s 220 are each reenacted and amended to read as follows:

(1) An authorizer may revoke a charter contract ((may be revoked)) at any time, or ((not renewed)) may refuse to renew it, if the authorizer determines that the charter school did any of the following or otherwise failed to comply with the provisions of this chapter:

(a) Committed a material and substantial violation of any of the terms, conditions, standards, or procedures required under this chapter or the charter contract;

(b) Failed to meet or make sufficient progress toward the performance expectations set forth in the charter contract;

(c) Failed to meet generally accepted standards of fiscal management; or

(d) Substantially violated any material provision of law from which the charter school is not exempt.

(2) Except as provided otherwise by this subsection (2), an authorizer may not renew a charter contract ((may not be renewed)) if, at the time of the renewal application, the charter school's performance falls in the bottom quartile of schools on the ((accountability)) Washington achievement index developed by the state board of education under RCW 28A.657.110((, unless)), A contract may be renewed without violating this subsection (2), however, if the charter school demonstrates exceptional circumstances that the authorizer finds justifiable.

(3) Each authorizer must develop revocation and nonrenewal processes that:

(a) Provide the charter school board with a timely notification of the prospect of and reasons for revocation or nonrenewal;

(b) Allow the charter school board a reasonable amount of time in which to prepare a response;

(c) Provide the charter school board with an opportunity, at a recorded public proceeding held for that purpose, to submit documents and give testimony challenging the rationale for closure and in support of the continuation of the school ((at a recorded public proceeding held for that purpose));

(d) Allow the charter school board to be represented by counsel and to call witnesses on its behalf; and

(e) After a reasonable period for deliberation, require a final determination to be made and conveyed in writing to the charter school board.

(4) If an authorizer revokes or does not renew a charter contract, the authorizer must clearly state in a resolution the reasons for the revocation or nonrenewal.

(5) Within ten days of taking action to renew, not renew, or revoke a charter contract, an authorizer must submit a report of the action to the ((applicant)) charter school and ((to)) the state board of education((, which)). The report must include a copy of the authorizer's resolution setting forth the action taken, the reasons for the decision, and assurances of compliance with the

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

procedural requirements established by the authorizer under this section.

Sec. 121. RCW 28A.710.210 and 2013 c 2 s 221 are each reenacted and amended to read as follows:

(1) Before making a decision to not renew or to revoke a charter contract, an authorizer(s) must develop a charter school termination protocol to ensure timely notification to parents, orderly transition of students and student records to new schools, as necessary, and proper disposition of public school funds, property, and assets. The protocol must specify tasks, timelines, and responsible parties, including delineating the respective duties of the charter school and the authorizer.

(2) ((In the event that)) If the nonprofit corporation ((applicant)) operator of a charter school should dissolve for any reason including, without limitation, because of the termination of the charter contract, the public school funds of the charter school that have been provided pursuant to RCW 28A.710.220 must be returned to the state or local account from which the public funds originated. If the charter school has commingled the funds, the funds must be returned in proportion to the proportion of those funds received by the charter school from the public accounts in the last year preceding the dissolution. The dissolution of ((an applicant)) a nonprofit corporation shall otherwise proceed as provided by law.

(3) A charter contract may not be transferred from one authorizer to another or from one charter school ((applicant)) to another before the expiration of the charter contract term except by petition to the state board of education by the charter school or its authorizer. The state board of education must review such petitions on a case-by-case basis and may grant transfer requests in response to special circumstances and evidence that such a transfer would serve the best interests of the charter school's students.

Sec. 122. RCW 28A.710.220 and 2013 c 2 s 222 are each reenacted and amended to read as follows:

(1) Charter schools must report student enrollment in the same manner, and based on the same definitions of enrolled students and annual average full-time equivalent enrollment, as other public schools. Charter schools must comply with applicable reporting requirements to receive state or federal funding that is ((allocated)) distributed based on student characteristics.

(2) ((According to the schedule established under RCW 28A.510.250, the superintendent of public instruction shall allocate funding for a charter school including general apportionment, special education, categorical, and other nonbasic education moneys. Allocations must be based on the statewide average staff mix ratio of all noncharter public schools from the prior school year and the school's actual full-time equivalent enrollment. Categorical funding must be allocated to a charter school based on the same funding criteria used for noncharter public schools and the funds must be expended as provided in the charter contract. A charter school is eligible to apply for state grants on the same basis as a school district)) In accordance with appropriations made under sections 127 and 128 of this act, the superintendent of public instruction shall distribute state funding to charter schools according to the schedule established in RCW 28A.510.250.

(3) ((Allocations for pupil transportation must be calculated on a per student basis based on the allocation for the previous school year to the school district in which the charter school is located. A charter school may enter into a contract with a school district or other public or private entity to provide transportation for the students of the school.

(4)) Amounts ((payable)) distributed to a charter school under ((this)) section 128 of this act in the school's first year of operation must be based on the projections of first-year student enrollment established in the charter contract. The office of the superintendent of public instruction must reconcile the amounts ((paid)) distributed in the first year of operation to the amounts that would have been ((paid)) distributed based on actual student enrollment and make adjustments to the charter school's ((allocations)) distributions over the course of the second year of operation.

((5) For charter schools authorized by a school district board of directors, allocations to a charter school that are included in RCW 84.52.0531(3) (a) through (c) shall be included in the levy planning, budgets, and funding distribution in the same manner as other public schools in the district.

(6) Conversion charter schools are eligible for local levy moneys approved by the voters before the conversion start-up date of the school as determined by the authorizer, and the school district must allocate levy moneys to a conversion charter school.

(7) New charter schools are not eligible for local levy moneys approved by the voters before the start-up date of the school unless the local school district is the authorizer.

(8) For levies submitted to voters after the start-up date of a charter school authorized under this chapter, the charter school must be included in levy planning, budgets, and funding distribution in the same manner as other public schools in the district.

(9)) (4) Any moneys received by a charter school from any source and remaining in the school's accounts at the end of ((any)) a budget year ((shall)) must remain in the school's accounts for use by the school during subsequent budget years.

Sec. 123. RCW 28A.710.230 and 2013 c 2 s 223 are each reenacted and amended to read as follows:

(1) Charter schools are eligible for state ((matching funds)) funding for ((common)) school construction. However, such appropriations may not be made from the common school construction fund.

(2) ((A)) If a school district decides to sell or lease the public school facility or property pursuant to RCW 28A.335.040 or 28A.335.120, a charter school (has) located within the boundaries of the district has a right of first refusal to purchase or lease at ((or below)) fair market value a closed public school facility or property or unused portions of a public school facility or property ((located in a school district from which it draws its students if the school district decides to sell or lease the public school facility or property pursuant to RCW 28A.335.040 or 28A.335.120)) by negotiated agreement with mutual consideration. The consideration may include the provision of educational services by the charter school.

(3) A charter school may negotiate and contract with a school district, the governing body of a public college or university, or any other public or private entity for the use of a facility for a school building at ((or below)) fair market rent.

(4) Public libraries, community service organizations, museums, performing arts venues, theaters, and public or private colleges and universities may provide space to charter schools within their facilities under their preexisting zoning and land use designations.

((5) A conversion charter school as part of the consideration for providing educational services under the charter contract may continue to use its existing facility without paying rent to the school district that owns the facility. The district remains responsible for major repairs and safety upgrades that may be required for the continued use of the facility as a public school. The charter school is responsible for routine maintenance of the

facility including, but not limited to, cleaning, painting, gardening, and landscaping. The charter contract of a conversion charter school using existing facilities that are owned by its school district must include reasonable and customary terms regarding the use of the existing facility that are binding upon the school district.)

Sec. 124. RCW 28A.710.240 and 2013 c 2 s 224 are each reenacted to read as follows:

Years of service in a charter school by certificated instructional staff shall be included in the years of service calculation for purposes of the statewide salary allocation schedule under RCW 28A.150.410. This section does not require a charter school to pay a particular salary to its staff while the staff is employed by the charter school.

Sec. 125. RCW 28A.710.250 and 2013 c 2 s 225 are each reenacted and amended to read as follows:

(1) By December 1st of each year beginning in the first year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, must issue (an annual) a report on the performance of the state's charter schools ((for) during the preceding school year to the governor, the legislature, and the public at large.

(2) The annual report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the state board of education. The report must include a comparison of the performance of charter school students with the performance of academically, ethnically, and economically comparable groups of students in ((noncharter)) other public schools. In addition, the annual report must include the state board of education's assessment of the successes, challenges, and areas for improvement in meeting the purposes of this chapter, including the board's assessment of the sufficiency of funding for charter schools, the efficacy of the formula for authorizer funding, and any suggested changes in state law or policy necessary to strengthen the state's charter schools.

(3) Together with the issuance of the annual report following the fifth year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, shall submit a recommendation regarding whether or not the legislature should authorize the establishment of additional ((public)) charter public schools.

Sec. 126. RCW 28A.710.260 and 2014 c 221 s 911 are each reenacted to read as follows:

The charter schools oversight account is hereby created in the state treasury. All moneys received by the commission under RCW 28A.710.110 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes of this chapter.

NEW SECTION. Sec. 127. A new section is added to chapter 28A.710 RCW to read as follows:

The state legislature shall, at each regular session in an odd-numbered year, appropriate from the Washington opportunity pathways account for the current use of charter public schools amounts as determined in accordance with section 128 of this act, and amounts authorized under RCW 28A.710.230(1), for state support to charter schools during the ensuing biennium.

NEW SECTION. Sec. 128. A new section is added to chapter 28A.710 RCW to read as follows:

(1) The legislature intends that state funding for charter schools be distributed equitably with state funding provided for other public schools.

(2) For eligible students enrolled in a charter school established and operating in accordance with this chapter, the superintendent of public instruction shall transmit to each charter school an amount calculated as provided in this section and based

on the statewide average staff mix factor for certificated instructional staff, including any enrichment to those statutory formulae that is specified in the omnibus appropriations act. The amount must be the sum of (a) and (b) of this subsection, as applicable.

(a) The superintendent shall, for purposes of making distributions under this section, separately calculate and distribute to charter schools moneys appropriated for general apportionment under the same ratios as in RCW 28A.150.260.

(b) The superintendent also shall, for purposes of making distributions under this section, and in accordance with the applicable formulae for categorical programs specified in (b)(i) through (v) of this subsection (2) and any enrichment to those statutory formulae that is specified in the omnibus appropriations act, separately calculate and distribute moneys appropriated by the legislature to charter schools for:

(i) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(ii) Supplemental instruction and services for eligible and enrolled students and exited students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(iii) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020;

(iv) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030; and

(v) Pupil transportation services to and from school in accordance with RCW 28A.160.150 through 28A.160.180. Distributions for pupil transportation must be calculated on a per eligible student basis based on the allocation for the previous school year to the school district in which the charter school is located.

(3) The superintendent of public instruction must adopt rules necessary for the distribution of funding required by this section and to comply with federal reporting requirements.

NEW SECTION. Sec. 129. A new section is added to chapter 28A.710 RCW to read as follows:

(1) The eligibility of a charter school student to participate in interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association is subject to rules adopted by the Washington interscholastic activities association. The rules must provide that, unless approved by a nonresident school district or the Washington interscholastic activities association, a student attending a charter school may only participate in interschool athletic activities or other interschool extracurricular activities offered by the student's resident school district.

(2) A proposal by a charter school to regulate the conduct of interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association is subject to rules adopted by the Washington interscholastic activities association.

(3) The rules adopted by the Washington interscholastic activities association under this section must provide that it is the responsibility of the charter school to pay the full cost, minus any student participation fee, for any student who participates in interschool athletic activities or other interschool extracurricular activities governed by the Washington interscholastic activities association.

NEW SECTION. Sec. 130. A new section is added to chapter 28A.710 RCW to read as follows:

(1) Members of the commission must file personal financial affairs statements with the public disclosure commission.

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(2) Members of a charter school board must file personal financial affairs statements with the public disclosure commission.

Sec. 131. RCW 28A.150.010 and 2013 c 2 s 301 are each reenacted and amended to read as follows:

Public schools means the common schools as referred to in Article IX of the state Constitution, ((including)) charter schools established under chapter 28A.710 RCW, and those schools and institutions of learning having a curriculum below the college or university level as now or may be established by law and maintained at public expense.

Sec. 132. RCW 28A.315.005 and 2013 c 2 s 302 are each reenacted and amended to read as follows:

(1) Under the constitutional framework and the laws of the state of Washington, the governance structure for the state's public common school system is comprised of the following bodies: The legislature, the governor, the superintendent of public instruction, the state board of education, ((the Washington charter school commission,)) the educational service district boards of directors, and local school district boards of directors. The respective policy and administrative roles of each body are determined by the state Constitution and statutes.

(2) Local school districts are political subdivisions of the state and the organization of such districts, including the powers, duties, and boundaries thereof, may be altered or abolished by laws of the state of Washington.

Sec. 133. RCW 41.32.033 and 2013 c 2 s 303 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

Sec. 134. RCW 41.35.035 and 2013 c 2 s 304 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

Sec. 135. RCW 41.40.025 and 2013 c 2 s 305 are each reenacted to read as follows:

This section designates charter schools established under chapter 28A.710 RCW as employers and charter school employees as members, and applies only if the department of retirement systems receives determinations from the internal revenue service and the United States department of labor that participation does not jeopardize the status of these retirement systems as governmental plans under the federal employees' retirement income security act and the internal revenue code.

Sec. 136. RCW 41.05.011 and 2015 c 116 s 2 are each reenacted to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means the Washington state health care authority.

(2) "Board" means the public employees' benefits board established under RCW 41.05.055.

(3) "Dependent care assistance program" means a benefit plan whereby state and public employees may pay for certain employment related dependent care with pretax dollars as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 129 or other sections of the internal revenue code.

(4) "Director" means the director of the authority.

(5) "Emergency service personnel killed in the line of duty" means law enforcement officers and firefighters as defined in RCW 41.26.030, members of the Washington state patrol retirement fund as defined in RCW 43.43.120, and reserve officers and firefighters as defined in RCW 41.24.010 who die as a result of injuries sustained in the course of employment as determined consistent with Title 51 RCW by the department of labor and industries.

(6) "Employee" includes all employees of the state, whether or not covered by civil service; elected and appointed officials of the executive branch of government, including full-time members of boards, commissions, or committees; justices of the supreme court and judges of the court of appeals and the superior courts; and members of the state legislature. Pursuant to contractual agreement with the authority, "employee" may also include: (a) Employees of a county, municipality, or other political subdivision of the state and members of the legislative authority of any county, city, or town who are elected to office after February 20, 1970, if the legislative authority of the county, municipality, or other political subdivision of the state seeks and receives the approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.04.205 and 41.05.021(1)(g); (b) employees of employee organizations representing state civil service employees, at the option of each such employee organization, and, effective October 1, 1995, employees of employee organizations currently pooled with employees of school districts for the purpose of purchasing insurance benefits, at the option of each such employee organization; (c) employees of a school district if the authority agrees to provide any of the school districts' insurance programs by contract with the authority as provided in RCW 28A.400.350; (d) employees of a tribal government, if the governing body of the tribal government seeks and receives the approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.05.021(1)(f) and (g); (e) employees of the Washington health benefit exchange if the governing board of the exchange established in RCW 43.71.020 seeks and receives approval of the authority to provide any of its insurance programs by contract with the authority, as provided in RCW 41.05.021(1)(g) and (n); and (f) employees of a charter school established under chapter 28A.710 RCW. "Employee" does not include: Adult family home providers; unpaid volunteers; patients of state hospitals; inmates; employees of the Washington state convention and trade center as provided in RCW 41.05.110; students of institutions of higher education as determined by their institution; and any others not expressly defined as employees under this chapter or by the authority under this chapter.

(7) "Employer" means the state of Washington.

(8) "Employer group" means those counties, municipalities, political subdivisions, the Washington health benefit exchange, tribal governments, school districts, and educational service districts, and employee organizations representing state civil service employees, obtaining employee benefits through a contractual agreement with the authority.

(9) "Employing agency" means a division, department, or separate agency of state government, including an institution of higher education; a county, municipality, school district,

educational service district, or other political subdivision; charter school; and a tribal government covered by this chapter.

(10) "Faculty" means an academic employee of an institution of higher education whose workload is not defined by work hours but whose appointment, workload, and duties directly serve the institution's academic mission, as determined under the authority of its enabling statutes, its governing body, and any applicable collective bargaining agreement.

(11) "Flexible benefit plan" means a benefit plan that allows employees to choose the level of health care coverage provided and the amount of employee contributions from among a range of choices offered by the authority.

(12) "Insuring entity" means an insurer as defined in chapter 48.01 RCW, a health care service contractor as defined in chapter 48.44 RCW, or a health maintenance organization as defined in chapter 48.46 RCW.

(13) "Medical flexible spending arrangement" means a benefit plan whereby state and public employees may reduce their salary before taxes to pay for medical expenses not reimbursed by insurance as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(14) "Participant" means an individual who fulfills the eligibility and enrollment requirements under the salary reduction plan.

(15) "Plan year" means the time period established by the authority.

(16) "Premium payment plan" means a benefit plan whereby state and public employees may pay their share of group health plan premiums with pretax dollars as provided in the salary reduction plan under this chapter pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(17) "Retired or disabled school employee" means:

(a) Persons who separated from employment with a school district or educational service district and are receiving a retirement allowance under chapter 41.32 or 41.40 RCW as of September 30, 1993;

(b) Persons who separate from employment with a school district, educational service district, or charter school on or after October 1, 1993, and immediately upon separation receive a retirement allowance under chapter 41.32, 41.35, or 41.40 RCW;

(c) Persons who separate from employment with a school district, educational service district, or charter school due to a total and permanent disability, and are eligible to receive a deferred retirement allowance under chapter 41.32, 41.35, or 41.40 RCW.

(18) "Salary" means a state employee's monthly salary or wages.

(19) "Salary reduction plan" means a benefit plan whereby state and public employees may agree to a reduction of salary on a pretax basis to participate in the dependent care assistance program, medical flexible spending arrangement, or premium payment plan offered pursuant to 26 U.S.C. Sec. 125 or other sections of the internal revenue code.

(20) "Seasonal employee" means an employee hired to work during a recurring, annual season with a duration of three months or more, and anticipated to return each season to perform similar work.

(21) "Separated employees" means persons who separate from employment with an employer as defined in:

(a) RCW 41.32.010(17) on or after July 1, 1996; or

(b) RCW 41.35.010 on or after September 1, 2000; or

(c) RCW 41.40.010 on or after March 1, 2002;

and who are at least age fifty-five and have at least ten years of service under the teachers' retirement system plan 3 as defined in RCW 41.32.010(33), the Washington school employees'

retirement system plan 3 as defined in RCW 41.35.010, or the public employees' retirement system plan 3 as defined in RCW 41.40.010.

(22) "State purchased health care" or "health care" means medical and health care, pharmaceuticals, and medical equipment purchased with state and federal funds by the department of social and health services, the department of health, the basic health plan, the state health care authority, the department of labor and industries, the department of corrections, the department of veterans affairs, and local school districts.

(23) "Tribal government" means an Indian tribal government as defined in section 3(32) of the employee retirement income security act of 1974, as amended, or an agency or instrumentality of the tribal government, that has government offices principally located in this state.

Sec. 137. RCW 41.56.0251 and 2013 c 2 s 307 are each reenacted to read as follows:

In addition to the entities listed in RCW 41.56.020, this chapter applies to any charter school established under chapter 28A.710 RCW. Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.710 RCW is a separate employer from any school district, including the school district in which it is located.

Sec. 138. RCW 41.59.031 and 2013 c 2 s 308 are each reenacted to read as follows:

This chapter applies to any charter school established under chapter 28A.710 RCW. Any bargaining unit or units established at the charter school must be limited to employees working in the charter school and must be separate from other bargaining units in school districts, educational service districts, or institutions of higher education. Any charter school established under chapter 28A.710 RCW is a separate employer from any school district, including the school district in which it is located.

NEW SECTION. Sec. 139. RCW 28A.710.005 (Findings—2013 c 2) and 2013 c 2 s 101 are each repealed.

NEW SECTION. Sec. 140. (1) Sections 101 through 139 of this act are remedial and curative in nature and apply to the Washington state charter school commission, school district authorizers, and charter schools established before the effective date of this section.

(2) The Washington state charter school commission and school district authorizers, and actions related to their establishment and operation that were in compliance with the laws of the state of Washington before the effective date of this section, or that substantially complied with the provisions of this act before its effective date, are declared to be valid.

(3) Contracts entered into under or in accordance with chapter 2, Laws of 2013 that were in effect on December 1, 2015, may, with the agreement of all parties and within sixty days after the effective date of this section, be executed as new contracts with the same terms and duration or substantially the same terms and duration as were in effect on December 1, 2015. For purposes of this section, "substantially the same terms and duration" includes contract modifications necessary to comply with the provisions of chapter . . . , Laws of 2016 (this act) or other applicable law.

(4) Nothing in this section entitles a charter school to retroactive payments under chapter . . . , Laws of 2016 (this act) for services that were rendered after December 1, 2015, and before execution of new contracts pursuant to subsection (3) of this section.

**PART II
WASHINGTON OPPORTUNITY PATHWAYS
ACCOUNT**

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

Sec. 201. RCW 28B.76.526 and 2010 1st sp.s. c 27 s 2 are each amended to read as follows:

The Washington opportunity pathways account is created in the state treasury. Expenditures from the account may be used only for programs in chapter 28A.710 RCW (charter schools), chapter 28B.12 RCW (state work-study), chapter 28B.50 RCW (opportunity grant), RCW 28B.76.660 (Washington scholars award), RCW 28B.76.670 (Washington award for vocational excellence), chapter 28B.92 RCW (state need grant program), ((chapter 28B.101 RCW (educational opportunity grant)), chapter 28B.105 RCW (GET ready for math and science scholarship), chapter 28B.117 RCW (passport to college promise), chapter 28B.118 RCW (college bound scholarship), chapter 28B.119 RCW (Washington promise scholarship), and chapter 43.215 RCW (early childhood education and assistance program)((, and RCW 43.330.280 (recruitment of entrepreneurial researchers, innovation partnership zones and research teams))).

PART III

MISCELLANEOUS PROVISIONS

NEW SECTION. **Sec. 301.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 302.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Litzow moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194.

Senators Litzow, Baumgartner, Becker, Fain, Angel, Mullet, Ericksen, Hobbs and Roach spoke in favor of the motion.

Senators McAuliffe, Billig, Danel, Liias, Pedersen, Habib, Jayapal and McCoy spoke against the motion.

POINT OF ORDER

Senator Rolfes: "It's getting a little bit over the top from the corner back there."

REPLY BY THE PRESIDENT

President Owen: "The President does not believe that there's anything that he has said that as he's pointed out have violated the rules of the Senate."

POINT OF ORDER

Senator McAuliffe: "I object to impugning the motives of the Supreme Court."

REPLY BY THE PRESIDENT

President Owen: "There is no rule that prohibits him from impugning anybody's motives, except the people that sit in the chairs in this body."

MOTION

Senator Rolfes demanded that the previous question be put.

The President declared that at least two additional senators joined the demand and the demand was sustained.

The President declared the question before the Senate to be, "Shall the main question be now put?"

The motion by Senator Rolfes carried and the previous question was put by voice vote.

The President declared the question before the Senate to be the motion by Senator Litzow that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194.

The motion by Senator Litzow carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6194 by voice vote.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6194, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Ericksen, Fain, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Danel, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Jayapal, Keiser, Liias, McAuliffe, McCoy, Nelson, Pearson, Pedersen, Ranker, Rolfes and Takko

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 4, 2016

MR. PRESIDENT:

The House passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455 with the following amendment(s): 6455-S2.E AMH SANT H4654.1

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.300 RCW to read as follows:

Subject to an appropriation specifically provided for this purpose, the superintendent of public instruction, in consultation with school district and educational service district personnel, shall develop and implement a comprehensive, statewide initiative to increase the number of qualified individuals who apply for teaching positions in Washington. In developing and implementing the initiative, the superintendent shall:

- (1) Include a teacher recruitment component that targets groups of individuals who may be interested in teaching in Washington public schools, such as: College students who have not chosen a major; out-of-state teachers; military personnel and their spouses; and individuals with teaching certificates who are not currently employed as teachers;

(2) Contract for the development of a statewide system to provide recruitment and hiring services, including a centralized hiring portal, to school districts, and a statewide central depository for applications of individuals interested in applying for certificated positions that can be accessed by school districts in the state for purposes of hiring teachers and other certificated positions. The services and tools developed under this subsection must be made available initially to small school districts, and to larger districts as resources are available. When defining small districts for the purpose of this subsection, the office of the superintendent of public instruction must consider whether a district has fewer than three hundred certificated staff;

(3) Create or enhance an existing web site that provides useful information to individuals who are interested in teaching in Washington; and

(4) Take other actions to increase the number of qualified individuals who apply for teaching positions in Washington.

NEW SECTION. Sec. 2. (1) Subject to an appropriation specifically provided for this purpose, the workforce training and education coordinating board, in collaboration with the professional educator standards board, shall work with the student achievement council, the office of the superintendent of public instruction, school districts, educational service districts, the state board for community and technical colleges, the institutions of higher education, major employers, and other parties to develop and disseminate information designed to increase recruitment into professional educator standards board-approved teacher preparation programs. The information must be disseminated statewide through existing channels.

(2) This section expires July 1, 2019.

NEW SECTION. Sec. 3. (1) Subject to an appropriation specifically provided for this purpose, the professional educator standards board shall create and administer the recruitment specialists grant program to provide funds to professional educator standards board-approved teacher preparation programs to hire, or contract with, recruitment specialists that focus on recruitment of individuals who are from traditionally underrepresented groups among teachers in Washington when compared to the common school population.

(2) This section expires July 1, 2018.

Sec. 4. RCW 28A.410.250 and 2005 c 498 s 2 are each amended to read as follows:

The agency responsible for educator certification shall adopt rules for professional certification that:

(1) Provide maximum program choice for applicants, promote portability among programs, and promote maximum efficiency for applicants in attaining professional certification;

(2) Require professional certification no earlier than the fifth year following the year that the teacher first completes provisional status, with an automatic two-year extension upon enrollment;

(3) Grant professional certification to any teacher who attains certification from the national board for professional teaching standards;

(4) Permit any teacher currently enrolled in or participating in a program leading to professional certification to continue the program under administrative rules in place when the teacher began the program;

(5) Provide criteria for the approval of educational service districts, beginning no later than August 31, 2007, to offer programs leading to professional certification. The rules shall be written to encourage institutions of higher education and educational service districts to partner with local school districts or consortia of school districts, as appropriate, to provide instruction for teachers seeking professional certification;

(6) Encourage institutions of higher education to offer professional certificate coursework as continuing education credit hours. This shall not prevent an institution of higher education from providing the option of including the professional certification requirements as part of a master's degree program;

(7) Provide criteria for a liaison relationship between approved programs and school districts in which applicants are employed;

(8) Identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience ((to demonstrate skills and impact on student learning commensurate with Washington requirements for professional certification. The rules may require these teachers, within one year of the time they begin to teach in the state's public schools, take a course in or show evidence that they can teach to the state's essential academic learning requirements)), including a method to determine the comparability of rigor between the Washington professional certification process and the second-level teacher certification process of other states. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds: (a) A valid teaching certificate issued by the national board for professional teaching standards; or (b) a second-level teacher certificate from another state that has been determined to be comparable to the Washington professional certificate; and

(9) Identify an evaluation process of approved programs that includes a review of the program coursework and applicant coursework load requirements, linkages of programs to individual teacher professional growth plans, linkages to school district and school improvement plans, and, to the extent possible, linkages to school district professional enrichment and growth programs for teachers, where such programs are in place in school districts. The agency shall provide a preliminary report on the evaluation process to the senate and house of representatives committees on education policy by November 1, 2005. The board shall identify:

(a) A process for awarding conditional approval of a program that shall include annual evaluations of the program until the program is awarded full approval;

(b) A less intensive evaluation cycle every three years once a program receives full approval unless the responsible agency has reason to intensify the evaluation;

(c) A method for investigating programs that have received numerous complaints from students enrolled in the program and from those recently completing the program;

(d) A method for investigating programs at the reasonable discretion of the agency; and

(e) A method for using, in the evaluation, both program completer satisfaction responses and data on the impact of educators who have obtained professional certification on student work and achievement.

NEW SECTION. Sec. 5. A new section is added to chapter 41.32 RCW under the subchapter heading "provisions applicable to plan 2 and plan 3" to be codified between RCW 41.32.067 and 41.32.215 to read as follows:

In addition to the postretirement employment options available in RCW 41.32.802 or 41.32.862, and only until August 1, 2020, a teacher in plan 2 or plan 3 who has retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or 41.32.875(3)(b) may be employed with an employer for up to eight hundred sixty-seven hours per calendar year without suspension of his or her benefit, provided that the retired teacher reenters employment more than one calendar month after his or her accrual date and after the effective date of this section, and is employed exclusively as either:

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(1) A substitute teacher as defined in RCW 41.32.010(48)(a) in an instructional capacity, as opposed to other capacities identified in RCW 41.32.010(49); or

(2) A mentor to teachers or an adviser to students in a professional educator standards board-approved teacher preparation program if the retired teacher has received appropriate training as defined by the office of the superintendent of public instruction, including training to become national board certified or other specialized training.

NEW SECTION. Sec. 6. A new section is added to chapter 41.32 RCW to read as follows:

A school district that employs a retired teacher exclusively as a substitute teacher under section 5(1) of this act must compensate its substitute teachers at an amount that is equal to or greater than the full daily amount allocated by the state to the district for substitute teacher compensation.

NEW SECTION. Sec. 7. (1) Subject to an appropriation specifically provided for this purpose, the professional educator standards board shall coordinate meetings between the school districts that do not have professional educator standards board-approved alternative route teacher certification programs and the nearest public or private institution of higher education with a professional educator standards board-approved teacher preparation program. The purpose of the meetings is to determine whether the districts and institutions can partner to apply to the professional educator standards board to operate an alternative route teacher certification program.

(2) Subject to an appropriation specifically provided for this purpose, an institution of higher education, as defined in RCW 28B.10.016, with a professional educator standards board-approved teacher preparation program that does not operate a professional educator standards board-approved alternative route teacher certification program must seek approval from the professional educator standards board to offer an alternative route teacher certification program by submitting the proposal developed under RCW 28A.410.290, or an updated version of the proposal, by September 1, 2016. If approved, the institution of higher education must implement an alternative route teacher certification program according to a timeline suggested by the professional educator standards board.

(3) This section expires July 1, 2017.

NEW SECTION. Sec. 8. A new section is added to chapter 28B.10 RCW to read as follows:

(1) By July 1, 2018, each institution of higher education with a professional educator standards board-approved alternative route teacher certification program must develop a plan describing how the institution of higher education will partner with school districts in the general geographic region of the school, or where its programs are offered, regarding placement of resident teachers. The plans must be developed in collaboration with school districts desiring to partner with the institutions of higher education, and may include use of unexpended federal or state funds to support residencies and mentoring for students who are likely to continue teaching in the district in which they have a supervised student teaching residency.

(2) The plans required under subsection (1) of this section must be updated at least biennially.

Sec. 9. RCW 28A.415.265 and 2013 2nd sp.s. c 18 s 401 are each amended to read as follows:

(1) For the purposes of this section, a mentor is an educator who has achieved appropriate training in assisting, coaching, and advising beginning teachers or student teaching residents as defined by the office of the superintendent of public instruction, such as national board certification or other specialized training.

(2)(a) The educator support program is established to provide professional development and mentor support for beginning educators, candidates in alternative route teacher programs under RCW 28A.660.040, and educators on probation under RCW 28A.405.100, to be composed of the beginning educator support team for beginning educators and continuous improvement coaching for educators on probation, as provided in this section.

((2)(a)) (b) The superintendent of public instruction shall notify school districts about the educator support program and encourage districts to apply for program funds.

(3) Subject to funds appropriated for this specific purpose, the office of the superintendent of public instruction shall allocate funds for the beginning educator support team on a competitive basis to individual school districts or consortia of districts. School districts are encouraged to include educational service districts in creating regional consortia. In allocating funds, the office of the superintendent of public instruction shall give priority to:

(a) School districts with low-performing schools identified under RCW 28A.657.020 as being challenged schools in need of improvement; and

(b) School districts with a large influx of beginning classroom teachers.

(4) A portion of the appropriated funds may be used for program coordination and provision of statewide or regional professional development through the office of the superintendent of public instruction.

((b)) (5) A beginning educator support team must include the following components:

((i)) (a) A paid orientation or individualized assistance before the start of the school year for beginning educators;

((ii)) (b) Assignment of a trained and qualified mentor for the first three years for beginning educators, with intensive support in the first year and decreasing support over the following years depending on the needs of the beginning educator;

((iii)) (c) A goal to provide beginning teachers from underrepresented populations with a mentor who has strong ties to underrepresented populations;

(d) Professional development for beginning educators that is designed to meet their unique needs for supplemental training and skill development;

((iv)) (e) Professional development for mentors;

((v)) (f) Release time for mentors and their designated educators to work together, as well as time for educators to observe accomplished peers; and

((vi)) (g) A program evaluation using a standard evaluation tool provided from the office of the superintendent of public instruction that measures increased knowledge, skills, and positive impact on student learning for program participants.

((3)) (6) Subject to funds separately appropriated for this specific purpose, the beginning educator support team components under subsection ((2)) (3) of this section may be provided for continuous improvement coaching to support educators on probation under RCW 28A.405.100.

NEW SECTION. Sec. 10. (1) In fiscal year 2017, the office of the superintendent of public instruction, in collaboration with the professional educator standards board and institutions of higher education with professional educator standards board-approved teacher preparation programs, shall develop mentor training program goals for the institutions to use in their teacher preparation program curricula.

(2) Once the mentor training program goals are developed as required under subsection (1) of this section, the institutions of higher education with professional educator standards board-approved teacher preparation programs are encouraged to

develop and implement curricula that meet the mentor training program goals.

(3) This section expires July 1, 2019.

NEW SECTION. Sec. 11. A new section is added to chapter 28A.330 RCW to read as follows:

By June 15th of each year, a school district shall report to the office of the superintendent of public instruction the number of classroom teachers the district projects will be hired in the following school year.

Sec. 12. RCW 28A.660.050 and 2015 3rd sp.s. c 9 s 2 are each amended to read as follows:

Subject to the availability of amounts appropriated for these purposes, the conditional scholarship programs in this chapter are created under the following guidelines:

(1) The programs shall be administered by the student achievement council. In administering the programs, the council has the following powers and duties:

(a) To adopt necessary rules and develop guidelines to administer the programs;

(b) To collect and manage repayments from participants who do not meet their service obligations; and

(c) To accept grants and donations from public and private sources for the programs.

(2) Requirements for participation in the conditional scholarship programs are as provided in this subsection (2).

(a) The alternative route conditional scholarship program is limited to interns of professional educator standards board-approved alternative routes to teaching programs under RCW 28A.660.040. For fiscal year 2011, priority must be given to fiscal year 2010 participants in the alternative route partnership program. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment in alternative certification routes through a professional educator standards board-approved program;

(ii) Continue to make satisfactory progress toward completion of the alternative route certification program and receipt of a residency teaching certificate; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed eight thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route certification program in which the recipient is enrolled. The council may adjust the annual award by the average rate of resident undergraduate tuition and fee increases at the state universities as defined in RCW 28B.10.016.

(b) The pipeline for paraeducators conditional scholarship program is limited to qualified paraeducators as provided by RCW 28A.660.042. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment at a community and technical college for no more than two years and attain an associate of arts degree;

(ii) Continue to make satisfactory progress toward completion of an associate of arts degree. This progress requirement is a condition for eligibility into a route one program of the alternative routes to teacher certification program for a mathematics, special education, or English as a second language endorsement; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed four thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route certification program in which the recipient is enrolled. The student achievement council may adjust the annual award by the average rate of tuition and fee increases at the state community and technical colleges.

(c) The educator retooling conditional scholarship program is limited to current K-12 teachers. In order to receive conditional scholarship awards:

(i) Individuals currently employed as teachers shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, elementary education, early childhood education, bilingual education, English language learner, computer science education, or environmental and sustainability education; or

(ii) Individuals who are certificated with an elementary education endorsement shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education; and

(iii) Individuals shall use one of the pathways to endorsement processes to receive an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education, which shall include passing an endorsement test plus observation and completing applicable coursework to attain the proper endorsement; and

(iv) Individuals shall receive no more than the annual amount of the scholarship, not to exceed three thousand dollars, for the cost of tuition, test fees, and educational expenses, including books, supplies, and transportation for the endorsement pathway being pursued.

(3) The Washington professional educator standards board shall select individuals to receive conditional scholarships. In selecting recipients, preference shall be given to eligible veterans or national guard members. In awarding conditional scholarships to support additional bilingual education or English language learner endorsements, the board shall also give preference to teachers assigned to schools required under state or federal accountability measures to implement a plan for improvement, and to teachers assigned to schools whose enrollment of English language learner students has increased an average of more than five percent per year over the previous three years.

(4) For the purpose of this chapter, a conditional scholarship is a loan that is forgiven in whole or in part in exchange for service as a certificated teacher employed in a Washington state K-12 public school. The state shall forgive one year of loan obligation for every two years a recipient teaches in a public school. Recipients who fail to continue a course of study leading to residency teacher certification or cease to teach in a public school in the state of Washington in their endorsement area are required to repay the remaining loan principal with interest.

(5) Recipients who fail to fulfill the required teaching obligation are required to repay the remaining loan principal with interest and any other applicable fees. The student achievement council shall adopt rules to define the terms for repayment, including applicable interest rates, fees, and deferments.

(6) The student achievement council may deposit all appropriations, collections, and any other funds received for the program in this chapter in the future teachers conditional scholarship account authorized in RCW 28B.102.080.

NEW SECTION. Sec. 13. A new section is added to chapter 28B.102 RCW to read as follows:

(1) Subject to an appropriation specifically provided for this purpose, the office shall develop and administer the teacher shortage conditional grant program as a subprogram within the future teachers conditional scholarship and loan repayment

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

program. The purpose of the teacher shortage conditional grant program is to encourage individuals to become teachers by providing financial aid to individuals enrolled in professional educator standards-approved teacher preparation programs.

(2) The office has the power and duty to develop and adopt rules as necessary under chapter 34.05 RCW to administer the program described in this section.

(3) As part of the rule-making process under subsection (2) of this section, the office must collaborate with the professional educator standards board, the Washington state school directors' association, and the professional educator standards board-approved teacher preparation programs to develop a framework for the teacher shortage conditional grant program, including eligibility requirements, contractual obligations, conditional grant amounts, and loan repayment requirements.

(4)(a) In developing the eligibility requirements, the office must consider: Whether the individual has a financial need, is a first-generation college student, or is from a traditionally underrepresented group among teachers in Washington; whether the individual is completing an alternative route to teacher certification program; whether the individual plans to obtain an endorsement in a hard-to-fill subject, as defined by the professional educator standards board; the characteristic of any geographic shortage area, as defined by the professional educator standards board, that the individual plans to teach in; and whether a school district has committed to offering the individual employment once the individual obtains a residency teacher certificate.

(b) In developing the contractual obligations, the office must consider requiring the individual to: Obtain a Washington state residency teacher certificate; teach in a subject or geographic endorsement shortage area, as defined by the professional educator standards board; and commit to teach for five school years in an approved education program with a need for a teacher with such an endorsement at the time of hire.

(c) In developing the conditional grant award amounts, the office must consider whether the individual is: Enrolled in a public or private institution of higher education, a resident, in a baccalaureate or postbaccalaureate program, or in an alternative route to teacher certification program. In addition, the award amounts must not result in a reduction of the individual's federal or state grant aid, including Pell grants, state need grants, college bound scholarships, or opportunity scholarships.

(d) In developing the repayment requirements for a conditional grant that is converted into a loan, the terms and conditions of the loan must follow the interest rate and repayment terms of the federal direct subsidized loan program. In addition, the office must consider the following repayment schedule:

(i) For less than one school year of teaching completed, the loan obligation is eighty-five percent of the conditional grant the student received, plus interest and an equalization fee;

(ii) For less than two school years of teaching completed, the loan obligation is seventy percent of the conditional grant the student received, plus interest and an equalization fee;

(iii) For less than three school years of teaching completed, the loan obligation is fifty-five percent of the conditional grant the student received, plus interest and an equalization fee; and

(iv) For less than four school years of teaching completed, the loan obligation is forty percent of the conditional grant the student received, plus interest and an equalization fee.

(5) By November 1, 2018, and November 1, 2020, the office shall submit reports, in accordance with RCW 43.01.036, to the appropriate committees of the legislature that recommend whether the teacher shortage conditional grant program under this section should be continued, modified, or terminated, and that

include information about the recipients of the grants under this program.

NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.630 RCW to read as follows:

(1) Subject to funds specifically appropriated for this purpose, the teacher endorsement and certification help pilot project, known as the TEACH pilot, is created. The scale of the TEACH pilot is dependent on the level of funding appropriated.

(2) The student achievement council, after consultation with the professional educator standards board, shall have the power and duty to develop and adopt rules as necessary under chapter 34.05 RCW to administer the pilot project described in this section. The rules, which must be adopted by August 1, 2016, must include:

(a) A TEACH pilot grant application process;

(b) A financial need verification process;

(c) The order of priority in which the applications will be approved; and

(d) A process for disbursing TEACH pilot grant awards to selected applicants.

(3) A student seeking a TEACH pilot grant to cover the costs of basic skills and content tests required for teacher certification and endorsement must submit an application to the student achievement council, following the rules developed under this section.

(4) To qualify for financial assistance, an applicant must meet the following criteria:

(a) Be enrolled in, have applied to, or have completed a professional educator standards board-approved teacher preparation program;

(b) Demonstrate financial need, as defined by the office of student financial assistance and consistent with the income criteria required to receive the state need grant established in chapter 28B.92 RCW;

(c) Apply for a TEACH pilot grant under this section; and

(d) Register for an endorsement competency test in one or more endorsement shortage areas.

(5) Beginning September 1, 2016, the student achievement council, in collaboration with the professional educator standards board, shall award a TEACH pilot grant to a student who meets the qualifications listed in this section and in rules developed under this section. The TEACH pilot grant award must cover the costs of basic skills and content tests required for teacher certification. The council shall prioritize TEACH pilot grant awards first to applicants registered for competency tests in endorsement shortage areas and second to applicants with greatest financial need. The council shall scale the number of TEACH pilot grant awards to the amount of funds appropriated for this purpose.

(6) The student achievement council and the professional educator standards board shall include information about the TEACH pilot in materials distributed to schools and students.

(7) By December 31, 2018, and in compliance with RCW 43.01.036, the student achievement council, in collaboration with the professional educator standards board, shall submit a preliminary report to the appropriate committees of the legislature that details the effectiveness and costs of the pilot project. The preliminary report must (a) compare the numbers and demographic information of students taking and passing tests in the endorsement shortage areas before and after implementation of the pilot project, and (b) determine the amount of TEACH pilot grant award financial assistance awarded each pilot year and per student.

(8) By December 31, 2020, and in compliance with RCW 43.01.036, the student achievement council, in collaboration with

the professional educator standards board, shall submit a final report to the appropriate committees of the legislature that details the effectiveness and costs of the pilot project. In addition to updating the preliminary report, the final report must (a) compare the numbers and demographic information of students obtaining teaching certificates with endorsement competencies in the endorsement shortage areas before and after implementation of the pilot project, and (b) recommend whether the pilot project should be modified, continued, and expanded.

(9) This section expires June 30, 2021.

NEW SECTION. Sec. 15. A new section is added to chapter 28B.76 RCW to read as follows:

(1) Subject to funds appropriated specifically for this purpose, the office shall administer a student teaching residency grant program to provide additional funds to individuals completing student teaching residencies at public schools in Washington.

(2) To qualify for the grant, recipients must be enrolled in a professional educator standards board-approved teacher preparation program, be completing or about to start a student teaching residency at a Title I school, and demonstrate financial need, as defined by the office and consistent with the income criteria required to receive the state need grant established in chapter 28B.92 RCW.

(3) The office shall establish rules for administering the grants under this section.

NEW SECTION. Sec. 16. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act is null and void.

NEW SECTION. Sec. 17. Sections 5 and 6 of this act expire July 1, 2021."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Dammeier moved that the Senate refuse to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455 and ask the House to recede therefrom.

Senator Dammeier spoke in favor of the motion.

The President declared the question before the Senate to be the motion by Senator Dammeier that the Senate refuse to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455 and ask the House to recede therefrom.

The motion by Senator Dammeier carried and the Senate refused to concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455 and asked the House to recede therefrom by voice vote.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House receded from its amendment to SUBSTITUTE SENATE BILL NO. 6360 and passed the bill without the House amendment.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

FOURTH SUBSTITUTE HOUSE BILL NO. 1541,
SUBSTITUTE HOUSE BILL NO. 2427,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 6360.

MOTION

Senator Rolfes moved that the Senate advance to the ninth order of business to relieve the Committee on Early Learning & K-12 Education of Senate Bill 6353, an act relating to delaying the implementation of revisions to the school levy lid.

MOTION

Senator Rolfes demanded a roll call vote on the motion to advance to the ninth order of business.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

Senator Dammeier spoke against the motion.

POINT OF ORDER

Senator Baumgartner: "At this point in session, how many votes would it take to get this bill to the floor?"

REPLY BY THE PRESIDENT

President Owen: "Senator Baumgartner, it takes a majority of those present in order to pass the motion to go to the ninth order. Once you get to the ninth order, it takes a majority of the members of the body to actually bring the bill up – to relieve the committee of the bill."

ROLL CALL

The Secretary called the roll on the motion by Senator Rolfes to advance to the ninth order of business and the motion did not carry by the following vote: Yeas, 23; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hobbs, Jayapal, Keiser, Liias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker, Rolfes and Takko

Voting nay: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dinsel, Ericksen, Fain, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you, Mr. President. It only seems fitting after a morning long debate on education that I

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

would speak of our departing colleague Senator Dammeier. Senator Dammeier was vigorously part of the debate in supporting charter schools today, but he also started his political career as a school board director in his native Puyallup, providing public service. We all know that his eight years in Olympia he has been actively involved in education policy and funding in both chambers. That deep commitment we certainly can appreciate as we say farewell to it. We also look at his service to our country. Only the cream of the crop goes to our nation's service academies, Senator Dammeier was one who graduated from our Naval Academy and later served his tour with the Navy. Again serving his country and our state. The family leadership in business and community is very well documented. His wonderful family is joining us here today, sharing the end of his brilliant public service. As we break for lunch today there will be a cake congratulating and thanking Senator Dammeier for his service. My office will be open to all of you to join us in thanking Senator Dammeier for his service to this state and our country."

him and this chamber ever since I came over five years ago, and I think that Senator Dammeier, in many ways, embodies the idea, even though his philosophy in some ways is very different from mine, embodies the philosophy of our former Governor Evans, one of my constituents, who often said it's important to be able to reach across the aisle when it's appropriate. And I know in many respects he has done that. We worked together a few years ago to try to help the budget process get along by working on a third grade reading bill that we helped facilitate and help kind of shake things loose to get a compromise done, and he was very open to our suggestions even though he didn't have to take my suggestions, I was in the minority. He was very helpful that way. And additionally he's done things for Seattle, we were able to get twenty-five million dollars in the Capital Budget for needs in Seattle schools last year because Senator Dammeier understood and listened to the concerns we had in Seattle, and was willing to work with Senator Pedersen and myself on that. And I think we need more of that. And I just want to say he'll be missed and he's been a very excellent member and a great public servant, and I know he'll do quite well in his future endeavors. Thank you."

PERSONAL PRIVILEGE

PERSONAL PRIVILEGE

Senator Hargrove: "Well I am going to miss Senator Dammeier, too. I was very depressed when I saw the announcement this last fall that he was planning on not running for reelection. We had worked on 6130 over and over and over and over and over again, and I really thought we have a good product to start with there. But I really appreciated his willingness to step forward and work on a real solution and to take leadership on that when realizing that additional resources probably isn't the most popular thing to do. And besides that it was Senator Dammeier that encouraged me to co-chair the Prayer Breakfast these last couple of years. And I initially resisted because it takes time and I don't have time, etc., etc., but that has been one of the most pleasurable experiences I've had in my time in Olympia. And so Bruce, as a man of faith, and as someone who has always been straight with me, I can say we are really going to miss you and thank you for your encouragement."

Senator Litzow: "I think there's few on the floor here that will miss Senator Dammeier more than myself. He has been my partner in education, his naval experience has come in handy because it's often that I feel that we are together in a small boat in shark-infested waters taking fire from both opposition and friendly people. But he has handled all of that with graciousness and humor, a level head. He's the most unflappable man I've ever met. It's been a true pleasure to work with him and to call him my friend. I wish him the best of luck."

PERSONAL PRIVILEGE

PERSONAL PRIVILEGE

Senator Becker: "Thank you, I have to stand with this person sitting next to me for the last few years and tell you how much I'm going to miss him. I've never met anyone quite like Bruce Dammeier. He actually is one of the smartest people I've ever met, but he's the most supportive of every single person in this chamber. If you need anything, you go to Bruce. If you have a question, you go to Bruce, Senator Dammeier I should say. But he was vice chair of the Health Care Committee, and let me tell you, that was an amazing thing, having Bruce Dammeier sit next to me in the Health Care Committee. And we worked so closely together, and he would tell me over and over with his finger when I was doing something wrong and when I was doing something right or when he wanted to talk. He looks at things in a way that probably none of us have the ability to do or maybe a few, but he is going to be missed. No one can fill that seat quite like Senator Dammeier, and I wish him well in his future and I wish him the very best in his entire life and thank him for everything that he's done. Thank you."

Senator Conway: "I know there's a group here who's going to miss Bruce a great deal and that's the Pierce County delegation. I can't tell you who he has helped bring to our delegation. I know that we all remember the Daffodil princesses and Bruce Dammeier and his powerful welcoming of those princesses to this chamber. I want to say though that I think Bruce brings something else that I will miss considerably, and that is his ability to work across this political divide and work together for the common good of our state. And I think, you know last year to me that was so demonstrated in his willingness to put himself at risk in supporting the transportation budget that passed this state. Bruce, I can't tell you how much I feel that you were a critical role in getting that transportation budget passed through this body. I feel that we're going to miss him because of this bipartisan role he's played here. And the beauty of Pierce County is that we are a bipartisan county and we have to work on a bipartisan basis. So I hope that we all remember, he's a great problem solver. He's on the capital budget with us. We worked capital budget a couple of years, always looking for solutions here, trying to figure out the problem, trying to solve the problem. And I hope that we can continue to work on, in that fashion. I think that's what makes this chamber work. I think we had great comments on that when our President announced his retirement, and I just hope, Bruce we're going to miss you very much, and so, first you'll still be in Pierce County, so we'll still have you there, but thank you."

PERSONAL PRIVILEGE

PERSONAL PRIVILEGE

Senator Frockt: "Thank you, Mr. President. I also wanted to add my words to the comments about the good Senator Dammeier. I just wanted to say it's been a pleasure to work with

Senator Parlette: “Well I remember the first time, it was actually at a luncheon, that I met Bruce Dammeier, and I was impressed right from the beginning. What I will miss most is Bruce’s calmness and his ability to multitask on a variety of issues. Not only is he a strong leader, but he cares deeply about policy issues, and can handle so many of them, all at the same time. So I would like to be just one of the many colleagues who wish him well on his next endeavor, and hope he doesn’t go too far, because we look forward to seeing him in the future.”

PERSONAL PRIVILEGE

Senator Warnick: “Thank you. I had the honor of serving with, now Senator Dammeier, in that other body, and when he came into that caucus room we knew he was there. He has a very, very strong voice, not necessarily loud, but very strong. I also, as another speaker mentioned, appreciated Senator Dammeier being a man of faith. Every Tuesday morning we have fellowship, and you can always count on him being there and being very strongly involved in the Governor’s Prayer Breakfast. What I am going to ask, I just heard a recent story that Senator Dammeier told me about him, maybe his brother or someone else, maybe one of the son’s, coming into my district and driving through Crab Creek, and almost crashing their truck in the Crab Creek and having to roar through it. So, might ask him to come and check that creek out and see if there is any environmental damage done there but I do wish him well, as well, and look forward to seeing him in a different role in the future. Thank you.”

PERSONAL PRIVILEGE

Senator Hewitt: “Thank you, Mr. President. Well I’m not going to have to miss Senator Dammeier, because he and his wife Lauren love to come to Walla Walla and drink wine. And I know that when he is in his new role, he’s going to continue to come to Walla Walla and he’s going to call me and we’re going to go drink wine. But Senator I really do want to thank you very, very much for the thoughtful and very steady leadership that you have brought to this body. I’ve watched you for a number of years over in the other body and I was so excited to have you come over here, and you have not, absolutely not, disappointed me one bit in your leadership over here. I wish you the best in whatever happens in the future, and to your family as well, and when you come to Walla Walla please know my phone’s available. Thank you, Mr. President.”

PERSONAL PRIVILEGE

Senator Carlyle: “Thank you so much. I join my colleagues in expressing my gratitude to the honorable gentleman who I came into public service in 2008 with me at the same time. You know Mr. President, for the past year and a half or so we had an informal group of folks who worked very hard on McCleary and I know, and I think all of us know on a very meaningful level, that the gentleman from the Twenty-fifth is so passionate about trying to find a resolution, not just to the mechanics of McCleary, but to the broad public education challenge of our state with higher quality outcomes for all kids. We worked very hard and we continue to work very hard, all of us, but on some level we were able to come together and have a level of dialogue, a level of policy analysis, a level of discussion, an examination of the ingredients of a grand bargain. And while we have not yet made progress, that foundation exists in large part because of the gracious gentleman from the Twenty-fifth. And it is so important that the grace and the dignity that he brought to that

process be maintained. He’s set that expectation. He laid that foundation for all of us. And I know on a very deep level that he’s disappointed that we haven’t made the type of progress in public education on these particular challenges that we face today, that he wants to, and I think we all share that. But because of his work and because of the integrity and the grace that that process has allowed, I do believe that we will make it happen together. Thank you.”

PERSONAL PRIVILEGE

Senator Brown: “So this is going to be really, really tough, we are going to miss this man so incredibly much. I share with what all my other colleagues have said, but I will also take it one step further in saying you can trust Senator Dammeier. We all know that we have really sticky issues around here sometimes, but Senator Dammeier was the one person that you could, for sure, go to at any hour or time of day or night, and you could say Bruce, I’ve got an issue, and sometimes he would even see it on your face, you wouldn’t even have to go to him. Sometimes, Bruce would come up to you and say, ‘What’s up? What’s wrong? Are you okay? Do you need help? What’s going on?’ And one thing I want to thank Lauren for, is a few years ago I had an issue in my district, Senator Dammeier spent forty-five minutes on the phone with my superintendent on Valentine’s Day eve, so thank you Lauren for that very much. We are going to miss this man.”

PERSONAL PRIVILEGE

Senator Angel: “Well I, too, want to stand to thank Senator Dammeier for everything that he has given to the people of Washington and obviously Pierce County. We came to the body on the other side of the rotunda the same year and we got to know each other at that time and we sat together at a dinner at one of our first orientations in Suncadia and we knew at that dinner that we were brought together for a special reason. We felt it..We knew it, but we weren’t sure what it was. And we’ve been on that path together since then, and he’s been an amazing leader, an amazing friend. I was standing right inside the curtains here during a very difficult vote for me, and he knew it was a difficult vote, and I felt a hand on my shoulder and a prayer in my ear. I thank him for that and for all the times that he has been there for us. Lauren and the family, thank you for all the time you shared him with us.”

PERSONAL PRIVILEGE

Senator Darneille: “Thank you, Mr. President. Well, I too stand to recognize Senator Dammeier today. We have worked through a lot of issues from a bipartisan position and from a Pierce County-centric position and I have always found Senator Dammeier to be very good natured, much more good natured than I am. I have also found him to be hard working and committed to the issues. I respect quite a lot, his philanthropic work in Pierce County, well beyond the bounds of the Twenty-fifth district, and for that our county does thank him as well. We have been called the Pierce County mafia. Over in the other body we were called the Tacoma Pirates, but we have had issues, let’s say, in common that have not marched at the same drum as the rest of the legislature, and we have won some battles and we have lost some. But one thing I’ll say I’ve come to expect from Senator Dammeier is that he’s always thinking. And I don’t know who in this body is going to wink at me all the time because you know when he winks at you that he has concocted a plan so we will have to rise up and start winking. The other thing that I want to say is

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

he's really grown in his skills as a legislator over the years. If I could take some of the people over the years that he trained in the other body, back to those early days, there was a seat similar to Senator Warnick's right at the front of the body and there was a seat similar to the one I'm in now, towards the back of the body. One where Senator Dammeier sat. One where I sat. He was tasked I think to have quite a few floor speeches that were quite contrary to my position about serving the poor, so he would give a floor speech, and Mr. President, I was obligated to smack him down, and now that all these years have passed by, he has not given a speech like that ever, ever, ever in this body, and so I just wish he was going to stay around because I have a lot more to teach him. Thank you."

PERSONAL PRIVILEGE

Senator Bailey: "Senator Dammeier and I have a special connection in many ways. But first of all I'd just like to emphasize a couple of things that have already been said. He is a great man of faith, and I think anyone who knows him and knows him a little more personally would certainly confirm that. He is also a man of family. In spite of all the things that we do here and the time that we spent, taking away from our families, I know that Senator Dammeier's first and foremost thoughts are always with his family. We've had several conversations about that. He's also a man of service, service to his community, to his church, to the state, and he's also been a man of service to his country. That's the area that brought us together, my husband's involvement and long service to our country, and Senator Dammeier's service also, in the same branch of the military, both being Navy retirees. And there's a little something that I want to leave this body with that they could kind of ask Senator Dammeier about, and this is a long standing rivalry between military people who went to the academies and military people who did not. So ask Senator Dammeier sometime which hand he uses to pick his nose. Thank you very much."

PERSONAL PRIVILEGE

Senator Baumgartner: "Thank you, Mr. President. I just wanted to say that Bruce Dammeier is a great public servant and a great state legislator. And I had heard before Bruce came to the Senate, you know I had heard of him and heard there was this rock star in the House, and frankly I was a little skeptical about someone who was said to be such a good leader with such a good intellect to come over and how he would fit in but he did a great job and was just a great senator. He's not quite at the Karen Fraser level of decorum and friendliness on her best day, but he's pretty darn close and I know he's a great dad because he has a great wife and he sent all of his kids, or at least a number of them to WSU, so we know he has good judgement there. I guess we're missing a number of members and I hope we will speak about Senator Hewitt later, but when I think about the guys we're losing, I think Don Benton is the fighter, Mike Hewitt is the architect, and Bruce Dammeier is the statesman. Thank you for your service."

PERSONAL PRIVILEGE

Senator Rolfes: "Thank you, Mr. President. You know, Senator Dammeier isn't just a great legislator and a great friend, he's a great man, and I'm really going to miss him. Listening to the speeches I kind of go between describing him as a great man on the one hand and the Energizer Bunny on the other hand because nobody works harder than Senator Dammeier. And, as has been said, he can work on a variety of issues. But as a

member of the minority, and as a member of the majority in the House, Senator Dammeier has always reached out. He has always sought to find out what the Democrats are interested in. He's always worked to try to translate the differences into good public policy moving forward. I don't know that anybody here has spent more time with him in the last year working on education issues than I have, and he has never wavered. He has never stopped working, even knowing that he's not coming back he has remained committed and given it his all. I have never heard Senator Dammeier talk about things in terms of my district, Puyallup this, Puyallup that. Senator Dammeier is all about Washington State, and he's all about helping all of us be successful and get satisfaction out of our work. And so I wanted to take the opportunity to tell Senator Dammeier that I hope we will remain friends and I hope that he will stop by and call when he's on Bainbridge Island or when he's in the Naval base part of Kitsap county."

PERSONAL PRIVILEGE

Senator Braun: "Thank you. I'd also like to say a few words about Senator Bruce Dammeier. When I came to this body four years ago, he was one of the first to reach out, and he didn't just reach out and say hello, he drove and met with me. We were both coming to the Senate the same year, but of course I was brand new, and he had years of experience in the other body, and he offered that experience to help me you know climb that steep learning curve that we all face in that first year. And this is really to me what Bruce Dammeier is all about. He reaches out. He builds relationships. And we've heard a lot about his acumen with policy. He's certainly great in that, his willingness to speak and take on hard issues. But I'd like to share something else. He does more than that. He's great in all those ways and I agree with all the comments, but he also helps as a friend. And one of the things that year, 2012-2013 for me was a very challenging year, partly because that was my first year here and there's a lot of things to learn, but it was also the year my first daughter left to go to the Naval Academy. And we knew that would be hard for her, but what I didn't know is that it would be hard for me. And so Bruce, who went to that esteemed institution, always took time to talk to me about what's going on with her life. What was happening, share his experiences. And it's just one of the ways he goes beyond being a great statesman of the legislature. But he cares as a friend and he's always there to listen, to help, and I don't even know if he knows he's doing it. But he does it, and I really appreciate it. He has, of course, my deepest respect and admiration for the work he's done here, but also for the work he does just by being him. I wish him the best of luck, his family the best of luck. I expect to see great things from him in the future. Thank you again for your service to the state of Washington and to your friends."

PERSONAL PRIVILEGE

Senator Hobbs: "Well you know I too rise and just want to thank Bruce for all the work that you've done. You have certainly reached across the aisle multiple times to talk with me about certain issues and I really appreciate that. And you've been a bedrock to your community in Pierce County. You know for a moment I was going to ask that the remarks of the Twenty-seventh district Senator be spread on the journal. I'm not asking for that, because for the first time she admitted that there is a mafia. She's always told me there isn't a mafia, but clearly there is a mafia. But I've got to tell you, I'm really glad he's leaving, that he's gone, because I'm getting tired of having him remind me

every year of the Army/Navy game. It's painful, it hurts, and I'm glad he's leaving. I don't have to hear that from him anymore, but when Army does win, and they haven't won for over a decade, I'm going to call you, I'm going to call you. It's going to be a great day for me, but good luck."

PERSONAL PRIVILEGE

Senator Honeyford: "Well thank you, Mr. President. We're going to miss you. He is a true gentleman. He is a calming influence, a jack of all trades, healthcare, education, capital budget, operating budget, he's there. Made me look good. I appreciate that very much, and one thing I have not heard is him knocking his ring. So anyway we're going to miss you very much and thank you to his family for allowing him to serve, and good luck with your jobs."

PERSONAL PRIVILEGE

Senator O'Ban: "Thank you, Mr. President. I rise to make a few comments about my friend. 'A pleasantness of a friend springs from heartfelt advice,' Proverbs 27 says, and in Bruce, I've had both a friend and a wealth of very sound advice for a new Senator coming here just a few years ago, and not very much experience in the House. I found in Bruce, someone who had all the advice one could hope for and then some, and that then some was his friendship, and I have appreciated that immensely. Bruce always has the right word and almost every morning I can expect a call on my way down to Olympia from Bruce to check on me and to talk over things and I look forward to that call that comes very regularly, almost always from him. And I think, I don't want to repeat some of the fine things that have been said here, and I remarked at how many, as I've sat back here, have wanted to stand and make a comment about Bruce. I want to say this one thing, what leadership is. It can be defined in many respects, but leadership is someone who will take on a difficult duty because it has to be done, and no one else has the time or the inclination to do it, and I found in Bruce, and I want to hopefully lead in this way as I continue on in whatever the Lord may call, to be one like him who will rise to take on difficult tasks because they need to be done. And that is the sign of a sound, good leader, and he has served his Savior well in that respect."

PERSONAL PRIVILEGE

Senator Rivers: "Thank you, Mr. President. When I was a freshman in the other body, it didn't take long for Bruce Dammeier to find me and to work his magic. I know that you won't believe this, but I can be a tempestuous individual. Bruce was unfailing in his patience with me and served as a mentor who made such a remarkable difference in my life and who left a mark on my heart. As I listen to the comments of my colleagues in this body, I recognize that I am not singular in this notion. Bruce is possessed of the purest of servant's hearts. I saw him on so many occasions get a pained look on his face as he was being asked to do yet another task for the caucus, but never once did I hear him decline. He stepped up and performed admirably without fail. Bruce has indeed left his mark on each of us, on this body, and I'm going to bet he's going to leave his mark on another area just to the north in the very near future and I'm excited about that for him. It is my hope that one day I will be neighbors with you guys in Mirena, and we won't have to worry about this rain and we can take walks on the golf course and Bruce can continue to offer me wise council. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Dansel: "Thank you, Mr. President. I want to say thank you to Senator Dammeier. I too am on the list of folks that when I very first got here, he took me to breakfast here in Olympia to talk about things and just see what my interests were. And we found out that, well we thought along the lines but in some issues we were very far apart in other issues and I thought it was unbelievable how great he was when we disagreed. I will say that what Senator Baumgartner said is true, he's a, he's got a servant's heart. I share the same building as Bruce over in the Newhouse Building, and I always see that beautiful Audi parked there very first thing in the morning and it's always usually the last one to leave so you know that he's working the issues for his constituents. And it didn't really hurt my feelings too much that I came right after Dammeier when this gentleman up here calls the roll, so that I know I've got a probably good voice right before me to know how to vote if I'm ever undecided. So Bruce thank you very much for your service. You are a very fine individual and a dedicated public servant."

PERSONAL PRIVILEGE

Senator Dammeier: "It has indeed been a tremendous blessing and an honor to serve with you in this awesome responsibility of making the laws for the state of Washington. I can't thank you enough for allowing me to do it and serving with me. I would single out just a few people, because when people ask me will you miss this place? Some things. Long caucus meetings? Not so much. Special sessions? Not at all. The people on this floor? A lot, a lot. Awesome individuals. I would be remiss if I didn't point out just a few. Senator Rivers, Senator Rolfes, Senator Hargrove, thank you for jumping off the cliff with me. Senator Rolfes, I don't know how many Dammeier-Rolfes bills and Rolfes-Dammeier bills there have been, but it has been a pleasure. Senator Litzow, thank you for letting me partner with you. I came in when he was the chair and I've, some people might have resented that but he brought me in as a partner, I really appreciate that. Senator Becker you are awesome. There is no one I would have rather served with on Health Care, and I'm glad, I feel like I was part of the team and I'm glad I could do that with you. And Senator Honeyford, thank you very much for allowing me to be part of the capital budget. It was awesome. I appreciate the Pierce County mafia comments. Very much so. The rest of you should beware, I think the people coming behind me will perpetuate the mafia. I have learned a lot from Senator Darnielle as she pointed out, and one of the things I most learned from her is we have very different political philosophies, but there are many things where our passions and our views align, and I have appreciated that very much. Same with Senator Conway. I would say I didn't know him well in the other chamber, but I think I've enjoyed our work here together a lot, and that has been really special, and hopefully will continue in the future. And then I would have to say, a special appreciation for Senator O'Ban, amazing individual, the best thing that I have ever done for this body, was getting him here. And I'm going to close with a couple of philosophical thoughts, because Senator Hewitt said I could say anything I wanted, right? We all know the easiest things for us to do is nothing. Delay, defer. Those are the tactics that are the easiest to carry out. We all know that getting things done, finding the path to yes, is the hardest possible thing for us to do. And I think that we, jointly, this institution, I was thinking a lot about my service here, and my service with you, and one of the things that concerns me a little bit is some of the erosion on our work. We've seen a lot more initiatives by the people. I'm a big fan of initiatives by the people, but I think we need to be careful. If we

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

are not responsive, if we are not doing our job, I think we are going to get a lot more initiatives, and I think we all know initiatives are an important check and balance, but not the perfect way to make law. You can't strike those delicate compromises. And I think we're seeing other bodies, both counties and cities, doing things that I think are eroding some of our authority and some of our responsibility. Because as I thought about it, what makes Washington State? We're not just a conglomeration of counties. I think we embody Washington State. That Senator Dansel and I can meet here, and talk with Senator Carlyle, wherever he went, and that we can come together and try to find the right things for all of our citizens. I get a little concerned when I feel that there is such a tendency now to act solely in your district's best interest. To only look at it through that lens. We have the responsibility to bring our districts here, but nobody else has the unique responsibility to do what is right for the entire state of Washington, for all of our citizens. Our job is to find those compromises and do that. So as you go forward, know I am with you in spirit and in prayer. And I wish you all the very best. And it has been an absolute privilege to serve with you. Thank you, Mr. President."

INTRODUCTION OF GUESTS

The President welcomed and introduced Mrs. Lauren Dammeier, wife of Senator Dammeier; Mr. Brent Dammeier, son of Senator Dammeier; Mrs. Molly Dammeier, daughter-in-law of Senator Dammeier; and Mr. Craig Dammeier, son of Senator Dammeier, who were seated in the gallery.

MOTION

On motion of Senator Fain, and without objection, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

PERSONAL PRIVILEGE

Senator Hewitt: "Thank you, Mr. President. I just wanted to let you know that there is a great, big, fat, chocolate cake in Senator Schoesler's office for Senator Dammeier and everyone that would like to attend. Thank you, Mr. President."

MOTION

At 1:52 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:07 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1130,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1351,
THIRD SUBSTITUTE HOUSE BILL NO. 1682,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763,
ENGROSSED HOUSE BILL NO. 2362,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2511,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524,
SECOND SUBSTITUTE HOUSE BILL NO. 2530,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545,
HOUSE BILL NO. 2637,
SUBSTITUTE HOUSE BILL NO. 2644,
SECOND SUBSTITUTE HOUSE BILL NO. 2681,
SUBSTITUTE HOUSE BILL NO. 2711,
SECOND SUBSTITUTE HOUSE BILL NO. 2791,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2793,
SUBSTITUTE HOUSE BILL NO. 2831,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872,
SECOND SUBSTITUTE HOUSE BILL NO. 2877,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2906,
ENGROSSED HOUSE BILL NO. 2959,
HOUSE JOINT MEMORIAL NO. 4010.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5109,
SENATE BILL NO. 5180,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5435,
SENATE BILL NO. 5689,
SUBSTITUTE SENATE BILL NO. 5778,
FIFTH ENGROSSED SUBSTITUTE SENATE BILL NO. 5857,
ENGROSSED SENATE BILL NO. 6091,
ENGROSSED SENATE BILL NO. 6100,
SUBSTITUTE SENATE BILL NO. 6160,
SUBSTITUTE SENATE BILL NO. 6211,
SUBSTITUTE SENATE BILL NO. 6227,
SUBSTITUTE SENATE BILL NO. 6238,
SUBSTITUTE SENATE BILL NO. 6261,
SUBSTITUTE SENATE BILL NO. 6264,
SUBSTITUTE SENATE BILL NO. 6273,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6293,
SUBSTITUTE SENATE BILL NO. 6329,
SUBSTITUTE SENATE BILL NO. 6337,
ENGROSSED SENATE BILL NO. 6349,
SUBSTITUTE SENATE BILL NO. 6360,
ENGROSSED SENATE BILL NO. 6413,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6470,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6528,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6534,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6564,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6601,
ENGROSSED SENATE BILL NO. 6620.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2985, by Representatives Riccelli, Short, Ormsby, Parker, Holy, Manweller, McCaslin, Tharinger, Peterson, Stanford, Kretz, Magendanz and Moscoso

Excluding certain school facilities from the inventory of educational space for determining eligibility for state assistance for common school construction.

The measure was read the second time.

MOTION

Senator Baumgartner moved that the following committee amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.525.055 and 2006 c 263 s 304 are each amended to read as follows:

(1) The rules adopted by the superintendent of public instruction for determining eligibility for state assistance for new construction shall exclude from the inventory of available educational space those spaces that have been:

(a) Constructed for educational and community activities from grants received from other public or private entities; or

(b) Vacated by new construction in lieu of modernization; and

(i) Used for purposes of supporting state-funded all-day kindergarten or class size reduction in kindergarten through third grade, if the lack of district facilities warrants such a use; or

(ii) The district is experiencing a short-term special school housing burden due to enrollment growth and failed school construction bond elections within the prior five years.

(2) The exclusion in subsection (1)(b) of this section applies for state assistance for new construction awarded from July 1, 2016, through June 30, 2021.

(3) Educational spaces with classrooms occupied by students specified in subsection (1)(b) of this section must meet the safety standards for public school facilities.

(4) For the purposes of this section, "school housing burden" means the current instructional facility inventory does not provide the classroom capacity needed for the current or projected enrollment of the school district, as determined by the office of the superintendent of public instruction. The office shall give consideration to available instructional facility inventory or capacity of the neighboring school district."

On page 1, line 3 of the title, after "construction;" strike the remainder of the title and insert "and amending RCW 28A.525.055."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Substitute House Bill No. 2985.

The motion by Senator Baumgartner carried and the committee striking amendment was adopted by voice vote.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Substitute House Bill No. 2985, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Baumgartner, Dinsel, Pedersen and Fraser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2985, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2985, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dinsel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE HOUSE BILL NO. 2985, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE HOUSE BILL NO. 1130,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1351,
THIRD SUBSTITUTE HOUSE BILL NO. 1682,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1763,
ENGROSSED HOUSE BILL NO. 2362,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2511,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2524,
SECOND SUBSTITUTE HOUSE BILL NO. 2530,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2545,
HOUSE BILL NO. 2637,
SUBSTITUTE HOUSE BILL NO. 2644,
SECOND SUBSTITUTE HOUSE BILL NO. 2681,
SUBSTITUTE HOUSE BILL NO. 2711,
SECOND SUBSTITUTE HOUSE BILL NO. 2791,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2793,
SUBSTITUTE HOUSE BILL NO. 2831,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2847,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2872,
SECOND SUBSTITUTE HOUSE BILL NO. 2877,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2906,
ENGROSSED HOUSE BILL NO. 2959,
HOUSE JOINT MEMORIAL NO. 4010.

MOTION

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 8, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 2440 and asks the Senate to recede therefrom.

BARBARA BAKER, Chief Clerk

MOTION

Senator O'Ban moved that the Senate recede from its position on the Senate amendments to Substitute House Bill No. 2440.

The President declared the question before the Senate to be motion by Senator O'Ban that the Senate recede from its position on the Senate amendments to Substitute House Bill No. 2440.

The motion by Senator O'Ban carried and the Senate receded from its amendments to Substitute House Bill No. 2440.

MOTION

On motion of Senator O'Ban, the rules were suspended and Substitute House Bill No. 2440 was returned to second reading for the purposes of amendment.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2440, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Smith, McBride, Hargrove, McCaslin, Dent, Clibborn, Walsh, Walkinshaw, Scott, Sawyer, Ortiz-Self, Caldier, Hudgins, Senn, Robinson, Ormsby, Cody, Jinkins, Fey, Zeiger, Frame, Kilduff, Bergquist and Goodman)

Concerning host home programs for youth.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator O'Ban, and without objection, the following striking amendment no. 754 by Senators O'Ban and Darneille to Substitute House Bill No. 2440 was withdrawn.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.15.020 and 2013 c 105 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter and RCW 74.13.031 unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers, or persons with developmental disabilities for services rendered:

(a) "Child-placing agency" means an agency which places a child or children for temporary care, continued care, or for adoption;

(b) "Community facility" means a group care facility operated for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility;

(c) "Crisis residential center" means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 74.13.032 through 74.13.036;

(d) "Emergency respite center" is an agency that may be commonly known as a crisis nursery, that provides emergency and crisis care for up to seventy-two hours to children who have been admitted by their parents or guardians to prevent abuse or neglect. Emergency respite centers may operate for up to twenty-four hours a day, and for up to seven days a week. Emergency respite centers may provide care for children ages birth through seventeen, and for persons eighteen through twenty with developmental disabilities who are admitted with a sibling or siblings through age seventeen. Emergency respite centers may not substitute for crisis residential centers or HOPE centers, or any other services defined under this section, and may not substitute for services which are required under chapter 13.32A or 13.34 RCW;

(e) "Foster-family home" means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) "Group-care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;

(g) "HOPE center" means an agency licensed by the secretary to provide temporary residential placement and other services to street youth. A street youth may remain in a HOPE center for thirty days while services are arranged and permanent placement is coordinated. No street youth may stay longer than thirty days unless approved by the department and any additional days approved by the department must be based on the unavailability of a long-term placement option. A street youth whose parent wants him or her returned to home may remain in a HOPE center until his or her parent arranges return of the youth, not longer. All other street youth must have court approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center up to thirty days;

(h) "Maternity service" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(i) "Resource and assessment center" means an agency that provides short-term emergency and crisis care for a period up to seventy-two hours, excluding Saturdays, Sundays, and holidays to children who have been removed from their parent's or guardian's care by child protective services or law enforcement;

(j) "Responsible living skills program" means an agency licensed by the secretary that provides residential and transitional living services to persons ages sixteen to eighteen who are dependent under chapter 13.34 RCW and who have been unable to live in his or her legally authorized residence and, as a result, the minor lived outdoors or in another unsafe location not intended for occupancy by the minor. Dependent minors ages fourteen and fifteen may be eligible if no other placement

alternative is available and the department approves the placement;

(k) "Service provider" means the entity that operates a community facility.

(2) "Agency" shall not include the following:

(a) Persons related to the child, expectant mother, or person with developmental disability in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (2), even after the marriage is terminated;

(v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this subsection (2), of any half sibling of the child; or

(vi) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four-hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the parent and person providing care on a twenty-four-hour basis have agreed to the placement in writing and the state is not providing any payment for the care;

(d) A person, partnership, corporation, or other entity that provides placement or similar services to exchange students or international student exchange visitors or persons who have the care of an exchange student in their home;

(e) A person, partnership, corporation, or other entity that provides placement or similar services to international children who have entered the country by obtaining visas that meet the criteria for medical care as established by the United States citizenship and immigration services, or persons who have the care of such an international child in their home;

(f) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

(g) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and assisted living facilities licensed under chapter 18.20 RCW;

(h) Licensed physicians or lawyers;

(i) Facilities approved and certified under chapter 71A.22 RCW;

(j) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

(k) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a replacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

(l) An agency operated by any unit of local, state, or federal government or an agency licensed by an Indian tribe pursuant to RCW 74.15.190;

(m) A maximum or medium security program for juvenile offenders operated by or under contract with the department;

(n) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(o) A host home program, and host home, operated by a tax exempt organization for youth not in the care of or receiving services from the department, if that program: (i) Recruits and screens potential homes in the program, including performing background checks on individuals over the age of eighteen residing in the home through the Washington state patrol or equivalent law enforcement agency and performing physical inspections of the home; (ii) screens and provides case management services to youth in the program; (iii) obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program and the authorization is updated every six months when a youth remains in a host home longer than six months; (iv) obtains insurance for the program through an insurance provider authorized under Title 48 RCW; (v) provides mandatory reporter and confidentiality training; and (vi) registers with the secretary of state as provided in section 3 of this act. A host home is a private home that volunteers to host youth in need of temporary placement that is associated with a host home program. Any host home program that receives more than one hundred thousand dollars per year in local, state, or government funding shall report the following information to the office of homeless youth prevention and protection programs annually by December 1st of each year: The number of children the program served, why the child was placed with a host home, and where the child went after leaving the host home, including but not limited to returning to the parents, running away, reaching the age of majority, or becoming a dependent of the state. A host home shall not receive any local, state, or government funding.

(3) "Department" means the state department of social and health services.

(4) "Juvenile" means a person under the age of twenty-one who has been sentenced to a term of confinement under the supervision of the department under RCW 13.40.185.

(5) "Performance-based contracts" or "contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts may also include provisions that link the performance of the contractor to the level and timing of the reimbursement.

(6) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(7) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(8) "Secretary" means the secretary of social and health services.

(9) "Street youth" means a person under the age of eighteen who lives outdoors or in another unsafe location not intended for occupancy by the minor and who is not residing with his or her parent or at his or her legally authorized residence.

(10) "Supervising agency" means an agency licensed by the state under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that has entered into a performance-based contract with the department to provide child welfare services.

(11) "Transitional living services" means at a minimum, to the extent funds are available, the following:

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(a) Educational services, including basic literacy and computational skills training, either in local alternative or public high schools or in a high school equivalency program that leads to obtaining a high school equivalency degree;

(b) Assistance and counseling related to obtaining vocational training or higher education, job readiness, job search assistance, and placement programs;

(c) Counseling and instruction in life skills such as money management, home management, consumer skills, parenting, health care, access to community resources, and transportation and housing options;

(d) Individual and group counseling; and

(e) Establishing networks with federal agencies and state and local organizations such as the United States department of labor, employment and training administration programs including the workforce investment act which administers private industry councils and the job corps; vocational rehabilitation; and volunteer programs.

NEW SECTION. Sec. 2. By July 1, 2017, the department of commerce must report to the governor and the legislature recommendations and best practices for host home programs.

NEW SECTION. Sec. 3. A new section is added to chapter 24.03 RCW to read as follows:

(1) Host home programs have the same meaning as described in RCW 74.15.020.

(2) Host home programs shall register with the secretary of state's office. This registration may occur when the host home program files articles of incorporation or registers as a nonprofit organization under this chapter.

(3) The host home program registration must include a notarized statement by the host home program that it meets all of the statutory requirements as provided for in RCW 74.15.020.

(4) The secretary of state has no duty to confirm that a host home program is meeting its statutory requirements.

(5) Any filing under this section does not imply an endorsement by the secretary of state.

(6) The secretary of state may adopt rules as necessary to carry out its duties under this section.

Sec. 4. RCW 26.44.030 and 2015 1st sp.s. c 6 s 1 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of early learning, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, ((or)) state family and children's ombuds or any volunteer in the ombuds's office, or host home program has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this

section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Organization" includes a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity, other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

(iii) "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

(iv) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11((,)) and 13((,)) RCW and ((26 RCW)) this title, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees, including student employees, of institutions of higher education, as defined in RCW 28B.10.016, and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred

during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency, including military law enforcement, if appropriate. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect

does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving a report of alleged abuse or neglect, the department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which:

(a) The department believes there is a serious threat of substantial harm to the child;

(b) The report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or

(c) The department has a prior founded report of abuse or neglect with regard to a member of the household that is within three years of receipt of the referral.

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

(i) Investigation; or

(ii) Family assessment.

(b) In making the response in (a) of this subsection the department shall:

(i) Use a method by which to assign cases to investigation or family assessment which are based on an array of factors that may include the presence of: Imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim. Age of the alleged victim shall not be used as the sole criterion for determining case assignment;

(ii) Allow for a change in response assignment based on new information that alters risk or safety level;

(iii) Allow families assigned to family assessment to choose to receive an investigation rather than a family assessment;

(iv) Provide a full investigation if a family refuses the initial family assessment;

(v) Provide voluntary services to families based on the results of the initial family assessment. If a family refuses voluntary services, and the department cannot identify specific facts related to risk or safety that warrant assignment to investigation under this chapter, and there is not a history of reports of child abuse or neglect related to the family, then the department must close the family assessment response case. However, if at any time the department identifies risk or safety factors that warrant an investigation under this chapter, then the family assessment response case must be reassigned to investigation;

(vi) Conduct an investigation, and not a family assessment, in response to an allegation that, the department determines based on the intake assessment:

(A) Poses a risk of "imminent harm" consistent with the definition provided in RCW 13.34.050, which includes, but is not limited to, sexual abuse and sexual exploitation as defined in this chapter;

(B) Poses a serious threat of substantial harm to a child;

(C) Constitutes conduct involving a criminal offense that has, or is about to occur, in which the child is the victim;

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(D) The child is an abandoned child as defined in RCW 13.34.030;

(E) The child is an adjudicated dependent child as defined in RCW 13.34.030, or the child is in a facility that is licensed, operated, or certified for care of children by the department under chapter 74.15 RCW, or by the department of early learning.

(c) The department may not be held civilly liable for the decision to respond to an allegation of child abuse or neglect by using the family assessment response under this section unless the state or its officers, agents, or employees acted with reckless disregard.

(12)(a) For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within time frames established by the department in rule. In no case shall the investigation extend longer than ninety days from the date the report is received, unless the investigation is being conducted under a written protocol pursuant to RCW 26.44.180 and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary. At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded.

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

(13) For reports of alleged abuse or neglect that are responded to through family assessment response, the department shall:

(a) Provide the family with a written explanation of the procedure for assessment of the child and the family and its purposes;

(b) Collaborate with the family to identify family strengths, resources, and service needs, and develop a service plan with the goal of reducing risk of harm to the child and improving or restoring family well-being;

(c) Complete the family assessment response within forty-five days of receiving the report; however, upon parental agreement, the family assessment response period may be extended up to ninety days;

(d) Offer services to the family in a manner that makes it clear that acceptance of the services is voluntary;

(e) Implement the family assessment response in a consistent and cooperative manner;

(f) Have the parent or guardian sign an agreement to participate in services before services are initiated that informs the parents of their rights under family assessment response, all of their options, and the options the department has if the parents do not sign the consent form.

(14)(a) In conducting an investigation or family assessment of alleged abuse or neglect, the department or law enforcement agency:

(i) May interview children. If the department determines that the response to the allegation will be family assessment response, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the child interview unless doing so would compromise the safety of the child or the integrity of the assessment. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. If the allegation is investigated, parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing

the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

(ii) Shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(b) The Washington state school directors' association shall adopt a model policy addressing protocols when an interview, as authorized by this subsection, is conducted on school premises. In formulating its policy, the association shall consult with the department and the Washington association of sheriffs and police chiefs.

(15) If a report of alleged abuse or neglect is founded and constitutes the third founded report received by the department within the last twelve months involving the same child or family, the department shall promptly notify the office of the family and children's ombuds of the contents of the report. The department shall also notify the ombuds of the disposition of the report.

(16) In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

(17)(a) The department shall maintain investigation records and conduct timely and periodic reviews of all founded cases of abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(b) In the family assessment response, the department shall not make a finding as to whether child abuse or neglect occurred. No one shall be named as a perpetrator and no investigative finding shall be entered in the department's child abuse or neglect database.

(18) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor.

(19) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(20) Upon receiving a report of alleged abuse or neglect involving a child under the court's jurisdiction under chapter 13.34 RCW, the department shall promptly notify the child's guardian ad litem of the report's contents. The department shall also notify the guardian ad litem of the disposition of the report. For purposes of this subsection, "guardian ad litem" has the meaning provided in RCW 13.34.030.

(21) The department shall make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the department determines that a parent or guardian is in the military, the department shall notify a department of defense family advocacy program that there is an allegation of abuse and neglect that is screened in and open for investigation that relates to that military parent or guardian."

On page 1, line 1 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 74.15.020 and 26.44.030; adding a new section to chapter 24.03 RCW; and creating a new section."

Senator Darneille spoke in favor of the withdrawal of the amendment.

MOTION

Senator O'Ban moved that the following striking amendment no. 759 by Senator O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.15.020 and 2013 c 105 s 2 are each amended to read as follows:

The definitions in this section apply throughout this chapter and RCW 74.13.031 unless the context clearly requires otherwise.

(1) "Agency" means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers, or persons with developmental disabilities for services rendered:

(a) "Child-placing agency" means an agency which places a child or children for temporary care, continued care, or for adoption;

(b) "Community facility" means a group care facility operated for the care of juveniles committed to the department under RCW 13.40.185. A county detention facility that houses juveniles committed to the department under RCW 13.40.185 pursuant to a contract with the department is not a community facility;

(c) "Crisis residential center" means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 74.13.032 through 74.13.036;

(d) "Emergency respite center" is an agency that may be commonly known as a crisis nursery, that provides emergency and crisis care for up to seventy-two hours to children who have been admitted by their parents or guardians to prevent abuse or neglect. Emergency respite centers may operate for up to twenty-four hours a day, and for up to seven days a week. Emergency respite centers may provide care for children ages birth through seventeen, and for persons eighteen through twenty with developmental disabilities who are admitted with a sibling or siblings through age seventeen. Emergency respite centers may not substitute for crisis residential centers or HOPE centers, or any other services defined under this section, and may not substitute for services which are required under chapter 13.32A or 13.34 RCW;

(e) "Foster-family home" means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) "Group-care facility" means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;

(g) "HOPE center" means an agency licensed by the secretary to provide temporary residential placement and other services to street youth. A street youth may remain in a HOPE center for thirty days while services are arranged and permanent placement is coordinated. No street youth may stay longer than thirty days unless approved by the department and any additional days approved by the department must be based on the unavailability of a long-term placement option. A street youth whose parent wants him or her returned to home may remain in a HOPE center until his or her parent arranges return of the youth, not longer. All

other street youth must have court approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center up to thirty days;

(h) "Maternity service" means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(i) "Resource and assessment center" means an agency that provides short-term emergency and crisis care for a period up to seventy-two hours, excluding Saturdays, Sundays, and holidays to children who have been removed from their parent's or guardian's care by child protective services or law enforcement;

(j) "Responsible living skills program" means an agency licensed by the secretary that provides residential and transitional living services to persons ages sixteen to eighteen who are dependent under chapter 13.34 RCW and who have been unable to live in his or her legally authorized residence and, as a result, the minor lived outdoors or in another unsafe location not intended for occupancy by the minor. Dependent minors ages fourteen and fifteen may be eligible if no other placement alternative is available and the department approves the placement;

(k) "Service provider" means the entity that operates a community facility.

(2) "Agency" shall not include the following:

(a) Persons related to the child, expectant mother, or person with developmental disability in the following ways:

(i) Any blood relative, including those of half-blood, and including first cousins, second cousins, nephews or nieces, and persons of preceding generations as denoted by prefixes of grand, great, or great-great;

(ii) Stepfather, stepmother, stepbrother, and stepsister;

(iii) A person who legally adopts a child or the child's parent as well as the natural and other legally adopted children of such persons, and other relatives of the adoptive parents in accordance with state law;

(iv) Spouses of any persons named in (a)(i), (ii), or (iii) of this subsection (2), even after the marriage is terminated;

(v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this subsection (2), of any half sibling of the child; or

(vi) Extended family members, as defined by the law or custom of the Indian child's tribe or, in the absence of such law or custom, a person who has reached the age of eighteen and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or stepparent who provides care in the family abode on a twenty-four-hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the parent and person providing care on a twenty-four-hour basis have agreed to the placement in writing and the state is not providing any payment for the care;

(d) A person, partnership, corporation, or other entity that provides placement or similar services to exchange students or international student exchange visitors or persons who have the care of an exchange student in their home;

(e) A person, partnership, corporation, or other entity that provides placement or similar services to international children who have entered the country by obtaining visas that meet the criteria for medical care as established by the United States citizenship and immigration services, or persons who have the care of such an international child in their home;

(f) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule,

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

(g) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and assisted living facilities licensed under chapter 18.20 RCW;

(h) Licensed physicians or lawyers;

(i) Facilities approved and certified under chapter 71A.22 RCW;

(j) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

(k) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a replacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

(l) An agency operated by any unit of local, state, or federal government or an agency licensed by an Indian tribe pursuant to RCW 74.15.190;

(m) A maximum or medium security program for juvenile offenders operated by or under contract with the department;

(n) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter;

(o) A host home program, and host home, operated by a tax exempt organization for youth not in the care of or receiving services from the department, if that program: (i) Recruits and screens potential homes in the program, including performing background checks on individuals over the age of eighteen residing in the home through the Washington state patrol or equivalent law enforcement agency and performing physical inspections of the home; (ii) screens and provides case management services to youth in the program; (iii) obtains a notarized permission slip or limited power of attorney from the parent or legal guardian of the youth authorizing the youth to participate in the program and the authorization is updated every six months when a youth remains in a host home longer than six months; (iv) obtains insurance for the program through an insurance provider authorized under Title 48 RCW; (v) provides mandatory reporter and confidentiality training; and (vi) registers with the secretary of state as provided in section 3 of this act. A host home is a private home that volunteers to host youth in need of temporary placement that is associated with a host home program. Any host home program that receives local, state, or government funding shall report the following information to the office of homeless youth prevention and protection programs annually by December 1st of each year: The number of children the program served, why the child was placed with a host home, and where the child went after leaving the host home, including but not limited to returning to the parents, running away, reaching the age of majority, or becoming a dependent of the state. A host home program shall not receive more than one hundred thousand dollars per year of public funding, including local, state, and federal funding. A host home shall not receive any local, state, or government funding.

(3) "Department" means the state department of social and health services.

(4) "Juvenile" means a person under the age of twenty-one who has been sentenced to a term of confinement under the supervision of the department under RCW 13.40.185.

(5) "Performance-based contracts" or "contracting" means the structuring of all aspects of the procurement of services around the purpose of the work to be performed and the desired results

with the contract requirements set forth in clear, specific, and objective terms with measurable outcomes. Contracts may also include provisions that link the performance of the contractor to the level and timing of the reimbursement.

(6) "Probationary license" means a license issued as a disciplinary measure to an agency that has previously been issued a full license but is out of compliance with licensing standards.

(7) "Requirement" means any rule, regulation, or standard of care to be maintained by an agency.

(8) "Secretary" means the secretary of social and health services.

(9) "Street youth" means a person under the age of eighteen who lives outdoors or in another unsafe location not intended for occupancy by the minor and who is not residing with his or her parent or at his or her legally authorized residence.

(10) "Supervising agency" means an agency licensed by the state under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that has entered into a performance-based contract with the department to provide child welfare services.

(11) "Transitional living services" means at a minimum, to the extent funds are available, the following:

(a) Educational services, including basic literacy and computational skills training, either in local alternative or public high schools or in a high school equivalency program that leads to obtaining a high school equivalency degree;

(b) Assistance and counseling related to obtaining vocational training or higher education, job readiness, job search assistance, and placement programs;

(c) Counseling and instruction in life skills such as money management, home management, consumer skills, parenting, health care, access to community resources, and transportation and housing options;

(d) Individual and group counseling; and

(e) Establishing networks with federal agencies and state and local organizations such as the United States department of labor, employment and training administration programs including the workforce investment act which administers private industry councils and the job corps; vocational rehabilitation; and volunteer programs.

NEW SECTION. Sec. 2. By July 1, 2017, the department of commerce must report to the governor and the legislature recommendations and best practices for host home programs.

NEW SECTION. Sec. 3. A new section is added to chapter 24.03 RCW to read as follows:

(1) Host home programs have the same meaning as described in RCW 74.15.020.

(2) Host home programs shall register with the secretary of state's office. This registration may occur when the host home program files articles of incorporation or registers as a nonprofit organization under this chapter.

(3) The host home program registration must include a notarized statement by the host home program that it meets all of the statutory requirements as provided for in RCW 74.15.020.

(4) The secretary of state has no duty to confirm that a host home program is meeting its statutory requirements.

(5) Any filing under this section does not imply an endorsement by the secretary of state.

(6) The secretary of state may adopt rules as necessary to carry out its duties under this section.

Sec. 4. RCW 26.44.030 and 2015 1st sp.s. c 6 s 1 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, employee of the department of early

learning, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, ((or)) state family and children's ombuds or any volunteer in the ombuds's office, or host home program has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Organization" includes a sole proprietor, partnership, corporation, limited liability company, trust, association, financial institution, governmental entity, other than the federal government, and any other individual or group engaged in a trade, occupation, enterprise, governmental function, charitable function, or similar activity in this state whether or not the entity is operated as a nonprofit or for-profit entity.

(iii) "Reasonable cause" means a person witnesses or receives a credible written or oral report alleging abuse, including sexual contact, or neglect of a child.

(iv) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(v) "Sexual contact" has the same meaning as in RCW 9A.44.010.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal

swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

(e) The reporting requirement also applies to guardians ad litem, including court-appointed special advocates, appointed under Titles 11((,)) and 13((,)) RCW and ((26 RCW)) this title, who in the course of their representation of children in these actions have reasonable cause to believe a child has been abused or neglected.

(f) The reporting requirement in (a) of this subsection also applies to administrative and academic or athletic department employees, including student employees, of institutions of higher education, as defined in RCW 28B.10.016, and of private institutions of higher education.

(g) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency, including military law enforcement, if appropriate. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving a report of alleged abuse or neglect, the department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which:

(a) The department believes there is a serious threat of substantial harm to the child;

(b) The report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or

(c) The department has a prior founded report of abuse or neglect with regard to a member of the household that is within three years of receipt of the referral.

(11)(a) Upon receiving a report of alleged abuse or neglect, the department shall use one of the following discrete responses to reports of child abuse or neglect that are screened in and accepted for departmental response:

(i) Investigation; or

(ii) Family assessment.

(b) In making the response in (a) of this subsection the department shall:

(i) Use a method by which to assign cases to investigation or family assessment which are based on an array of factors that may include the presence of: Imminent danger, level of risk, number of previous child abuse or neglect reports, or other presenting case characteristics, such as the type of alleged maltreatment and the age of the alleged victim. Age of the alleged victim shall not be used as the sole criterion for determining case assignment;

(ii) Allow for a change in response assignment based on new information that alters risk or safety level;

(iii) Allow families assigned to family assessment to choose to receive an investigation rather than a family assessment;

(iv) Provide a full investigation if a family refuses the initial family assessment;

(v) Provide voluntary services to families based on the results of the initial family assessment. If a family refuses voluntary services, and the department cannot identify specific facts related to risk or safety that warrant assignment to investigation under this chapter, and there is not a history of reports of child abuse or neglect related to the family, then the department must close the family assessment response case. However, if at any time the department identifies risk or safety factors that warrant an investigation under this chapter, then the family assessment response case must be reassigned to investigation;

(vi) Conduct an investigation, and not a family assessment, in response to an allegation that, the department determines based on the intake assessment:

(A) Poses a risk of "imminent harm" consistent with the definition provided in RCW 13.34.050, which includes, but is not limited to, sexual abuse and sexual exploitation as defined in this chapter;

(B) Poses a serious threat of substantial harm to a child;

(C) Constitutes conduct involving a criminal offense that has, or is about to occur, in which the child is the victim;

(D) The child is an abandoned child as defined in RCW 13.34.030;

(E) The child is an adjudicated dependent child as defined in RCW 13.34.030, or the child is in a facility that is licensed, operated, or certified for care of children by the department under chapter 74.15 RCW, or by the department of early learning.

(c) The department may not be held civilly liable for the decision to respond to an allegation of child abuse or neglect by using the family assessment response under this section unless the state or its officers, agents, or employees acted with reckless disregard.

(12)(a) For reports of alleged abuse or neglect that are accepted for investigation by the department, the investigation shall be conducted within time frames established by the department in rule. In no case shall the investigation extend longer than ninety days from the date the report is received, unless the investigation is being conducted under a written protocol pursuant to RCW 26.44.180 and a law enforcement agency or prosecuting attorney has determined that a longer investigation period is necessary. At the completion of the investigation, the department shall make a finding that the report of child abuse or neglect is founded or unfounded.

(b) If a court in a civil or criminal proceeding, considering the same facts or circumstances as are contained in the report being investigated by the department, makes a judicial finding by a preponderance of the evidence or higher that the subject of the pending investigation has abused or neglected the child, the department shall adopt the finding in its investigation.

(13) For reports of alleged abuse or neglect that are responded to through family assessment response, the department shall:

(a) Provide the family with a written explanation of the procedure for assessment of the child and the family and its purposes;

(b) Collaborate with the family to identify family strengths, resources, and service needs, and develop a service plan with the goal of reducing risk of harm to the child and improving or restoring family well-being;

(c) Complete the family assessment response within forty-five days of receiving the report; however, upon parental agreement, the family assessment response period may be extended up to ninety days;

(d) Offer services to the family in a manner that makes it clear that acceptance of the services is voluntary;

(e) Implement the family assessment response in a consistent and cooperative manner;

(f) Have the parent or guardian sign an agreement to participate in services before services are initiated that informs the parents of their rights under family assessment response, all of their options, and the options the department has if the parents do not sign the consent form.

(14)(a) In conducting an investigation or family assessment of alleged abuse or neglect, the department or law enforcement agency:

(i) May interview children. If the department determines that the response to the allegation will be family assessment response, the preferred practice is to request a parent's, guardian's, or custodian's permission to interview the child before conducting the child interview unless doing so would compromise the safety of the child or the integrity of the assessment. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. If the allegation is investigated, parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation; and

(ii) Shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(b) The Washington state school directors' association shall adopt a model policy addressing protocols when an interview, as authorized by this subsection, is conducted on school premises. In formulating its policy, the association shall consult with the department and the Washington association of sheriffs and police chiefs.

(15) If a report of alleged abuse or neglect is founded and constitutes the third founded report received by the department within the last twelve months involving the same child or family, the department shall promptly notify the office of the family and children's ombuds of the contents of the report. The department shall also notify the ombuds of the disposition of the report.

(16) In investigating and responding to allegations of child abuse and neglect, the department may conduct background checks as authorized by state and federal law.

(17)(a) The department shall maintain investigation records and conduct timely and periodic reviews of all founded cases of abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(b) In the family assessment response, the department shall not make a finding as to whether child abuse or neglect occurred. No one shall be named as a perpetrator and no investigative finding shall be entered in the department's child abuse or neglect database.

(18) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor.

(19) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(20) Upon receiving a report of alleged abuse or neglect involving a child under the court's jurisdiction under chapter 13.34 RCW, the department shall promptly notify the child's

guardian ad litem of the report's contents. The department shall also notify the guardian ad litem of the disposition of the report. For purposes of this subsection, "guardian ad litem" has the meaning provided in RCW 13.34.030.

(21) The department shall make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the department determines that a parent or guardian is in the military, the department shall notify a department of defense family advocacy program that there is an allegation of abuse and neglect that is screened in and open for investigation that relates to that military parent or guardian."

On page 1, line 1 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 74.15.020 and 26.44.030; adding a new section to chapter 24.03 RCW; and creating a new section."

Senators O'Ban and Darneille spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment no. 759 by Senator O'Ban to Substitute House Bill No. 2440.

The motion by Senator O'Ban carried and the striking amendment no. 759 was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Substitute House Bill No. 2440, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2440, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2440, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE HOUSE BILL NO. 2440, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF GUESTS

The President welcomed and introduced students from SkillSource Learning Center, Wenatchee, guests of Senator Parlette, who were seated in the gallery.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House insists on its position regarding the House amendment(s) to SUBSTITUTE SENATE BILL NO. 6327 and asks the Senate to concur thereon.

BARBARA BAKER, Chief Clerk

MOTION

Senator Bailey moved that the Senate adhere to its position in the Senate amendment(s) to Substitute Senate Bill No. 6327 and ask the House to concur thereon.

The President declared the question before the Senate to be motion by Senator Bailey that the Senate adhere to its position in the Senate amendment(s) to Substitute Senate Bill No. 6327 and ask the House to concur thereon.

The motion by Senator Bailey carried and the Senate adhered to its position in the Senate amendment(s) to Substitute Senate Bill No. 6327 and asked the House to concur thereon by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2667, by House Committee on Environment (originally sponsored by Representatives Farrell, Holy, Pollet, Shea, Nealey, Walsh, Scott, Kagi, Senn, Johnson and Short)

Concerning administrative processes of the state parks and recreation commission that require a majority vote of the commission.

The measure was read the second time.

MOTION

On motion of Senator Frockt, the rules were suspended, Engrossed Second Substitute House Bill No. 2667 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt and Pearson spoke in favor of passage of the bill.

Senator Chase spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 2667.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2667 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Cleveland, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hewitt,

Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Conway, Hargrove and Hasegawa

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2667, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Schoesler: "I think all of our colleagues on the floor and many in the galleries, know that our good friend Mike Hewitt has chosen to spend the next part of his career exclusively with his lovely wife Corrie, and there are going to be a lot of steelhead on the rivers that are going to be terrorized, but never fried just terrorized a little bit, because unlike those of us that like to eat fish, Senator Hewitt is just going to catch them and release them for practice. I think that's an admirable goal to be in a new home on the river, grand on his great, great fishing season, maybe he'll invite you. But I've learned so much here from Senator Hewitt. Before I became the leader of my caucus, I've taken bits and pieces of my leadership styles from many, and Senator Hewitt has always said you can accomplish anything if you don't care who gets the credit, that was Ronald Regan, repeated by Mike Hewitt repeatedly. And it taught me a lot about how we get things done here in the Senate. How we in Eastern Washington can get things done. Those of you who know Mike, know how passionate he's been about veterans, how much he's cared about higher education. I didn't know until I started planning for today, that Mike had been on the school board. One of those things you learn about your friends, I knew he was successful in business and many other places, but I learned that today. He's a man that I would say I look up to, but really I just look him in the eyes. That's really an important thing that Mike has been here for me, been here for all of you for so long. But as you think of all these things about Mike Hewitt, remember that for two days, March second and third, 2012, he was Majority Leader of this floor, so he really did get a chance to be the Majority Leader. He should have been the Majority Leader for a lot longer, because I couldn't have been here without Mike Hewitt."

PERSONAL PRIVILEGE

Senator Hargrove: "Well thank you, Mr. President. I just want to give a little vignette about Senator Hewitt here, because I go back to when we were actually having the Senate over in the office buildings over there after the earthquake. And he had been serving on a committee with me and Senator Long and we were doing a bill on drug treatment instead of sentencing, drug treatment alternatives. And this was a bill that at that point in time that was rather controversial because it kind of sounded soft on crime, because we were going to let people go to treatment instead of go to prison. I had no idea what he was thinking about this, but we went through the vote and he voted for it. And it impressed the heck out of me, and I went and asked him, and he said 'If you and Senator Long are voting for it, that's got to be good policy. I trust you guys.' He has been somebody that has been able to see that spending a little money on prevention can actually make our public safer and I really appreciate your growth Mike in that. And it didn't take long for you to grow. I mean you figured it out pretty quick and that is such an important

principle and I really appreciate your open mindedness to doing that. We've had a lot of other great accomplishments too, but that's the one that sticks out in my mind. Thank you."

PERSONAL PRIVILEGE

Senator Dammeier: "Thank you, Mr. President. So as we talked earlier on this floor, I'm proud of the fact that I was privileged to attend the United States Naval Academy. The reason that is significant for me, is because it is a place that values leadership above everything else. That is the ethos of that place, so I have been a student of leadership. I have served under some exceptional leaders, and I have served under some not so exceptional leaders. But I will tell you, the reason I am in this body, is because of Mike Hewitt and his leadership. I watched him from afar. I saw the team that he was able to build. I believe in the vision that he cast, so for me, it's all about leadership. And then when I came here, I got another lesson in leadership. One of the most powerful lessons, I think in our country's history, is when George Washington willingly stepped down from being the President of the United States, I've always asked, 'Would I do that?' I hope the answer would be yes, but what a powerful statement. And when Mike Hewitt willingly stepped down from what could have been the majority leader position, because he felt it was in the best interest of our caucus, that was one of the most selfless acts of leadership that I have ever seen. So I have been very blessed to serve with him, and he does throw a heck of a fun tour of the wineries of Walla Walla as well."

PERSONAL PRIVILEGE

Senator Fraser: "Well thank you, Mr. President. Well I, too, would like to express my appreciation for having a great relationship with Senator Hewitt over the years as a colleague and as a friend and also having the great opportunity to get acquainted with his wife Cory who for years managed the fantastic fair over in Walla Walla. Senator Hewitt has always represented his area of the state exceptionally well, he's a great ambassador for southeast Washington, the wine industry, the community college, the agricultural area, the history, and higher education and just a great ambassador for your area. And Senator Hewitt and I were the two capital budget leads for a couple of years, maybe longer I can't remember. And it was a total pleasure to work together. And we agreed on everything, it was a total pleasure so that was fun. And I sure wish you and Cory, I wish Senator Hewitt and his wife Cory a wonderful retirement and I know they are going to have a lot of fun, and I hope you take lots of great memories with you."

PERSONAL PRIVILEGE

Senator Baumgartner: "Well I want to express my admiration for Senator Mike Hewitt. You know we are losing some special members from this body, and like Senator Don Benton, like Senator Karen Fraser, like Senator Bruce Dammeier, Mike Hewitt is a great public servant and a great state legislator. And you know on our side, I think that Don Benton is the fighter, I think that Bruce Dammeier is the statesman, and I think of Mike Hewitt as the architect. And I think what he built with our team, which is the only Republican majority in the legislative body on the west coast, I think is monumental. And, sometimes I don't know whether to hug him or blame him on all my drives across the state, and all the time away from the family and the burdens and the challenges we go through, because he's one of the people that got me here in our team effort. And if you think about how he built this team, how he found people that fit and then that act

of leadership, that act of architecture, to make this thing work and then to step aside at that critical juncture, I just think that's monumental. It's telling. And if there were some sort of MVP award given for state legislators across the country, I think this would be your year to be the MVP if not previously. So, thank you for what you've done for our state and thank you for being the architect of what we're trying to do here."

PERSONAL PRIVILEGE

Senator Pearson: "Thank you, Mr. President. Well Senator Hewitt and I, we both got elected the same year, back in 2001, myself in the other chamber and Senator Hewitt in the Senate. I always admired him and at times we were at events and I talked to him though he was a wonderful guy. And twelve years later when my Senate seat came up and I was running for Senate, I was very excited because I wanted to serve under his leadership, and as has been mentioned earlier, he did step down and everything but to my delight when I was made chairman of Natural Resources, Senator Hewitt was on that committee. And one thing I will never forget, because even though Senator Hewitt and I have a different philosophy regarding wild fish and my belief of hatchery fish, I had kind of a contentious hearing, and it didn't bother me, but one of the people presenting was attacking me personally and I guess my beliefs. And was kind of getting out of hand a little bit. And I didn't want things to get out of hand and I gaveled it down, tried to correct the person. And I look to my left and Mike is raising his hand so I figured I better let him speak. I go, 'Senator Hewitt' and how he handled it I have never forgotten. He said, 'How dare you?' I've given to your group and I believe exactly with you but how dare you attack the chairman.' That stuck with me because of his respect for decorum and everything and I've never forgotten that - that Mike Hewitt had my back and he honored the position and everything. I will certainly miss him. It's been a true delight having him on the committee and serving with him and conferring with him and seeking counsel at certain times, but I'm also delighted for him. I know that spending your time with your wife, your best friend is something I look forward to someday, but I certainly will miss Senator Hewitt. And I certainly know he's had my back. And I was very much blessed for it. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Hobbs: "Mr. President, I met Mike ten years ago and he was one of the first people that reached out to me when I was a freshman in this body. And we had our differences at first but you know you taught me a lot. And what I learned about Mike Hewitt is even though he had to represent his caucus, he was willing to reach across the aisle. And there was a time when we had our recession and he did reach across the aisle and we worked together to build a bipartisan budget. And, at the same time, we passed good pieces of legislation working with the Governor, with UI reform, worker's comp. reform, that did protect the worker, and at the same time did protect the fund. But one thing you may not know about, is that during these hard times of the recession, even the Governor's budget, I think Apple Health, took a hit when she put her proposal out. And Senator Hewitt made a promise to me as we were working together. And that was to protect Apple Health for kids. And he held on to that promise. And that's why we kept Apple Health for kids during the recession. Mike, he taught me a lot. And there's two things you taught me: One is, it might be a good idea, but it's probably an unfunded mandate. That was one you taught me. The other thing you taught me, was something that Lisa Brown taught me and it was weird because it was almost verbatim. I had to decide,

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

I was trying to decide early on, do I go the chairmanship route, or do I go the leadership route, because those are really the only two routes you can go through as a senator. And you said, 'You should do the chairman route, because if you go through a leadership route, you've got to deal with the crazy people.' So I learned that from you and from Lisa Brown. I wish you well. You've done good work for the state, and you deserve a good retirement."

PERSONAL PRIVILEGE

Senator Becker: "Well first of all I have to say there's too dog gone many goodbyes this year. You know, when we're talking about Senator Fraser, Senator Benton, Senator Dammeier, Senator Hewitt, and you as well, that's just too dog gone many goodbyes. But I want to talk about Mike Hewitt here because he's the reason I'm here. And I'll never forget the first time I met him was up in Tukwila. And he started pummeling me with questions and then wanted me to run for office and I had to take a little while to think about it. But ever since I've been here he's always said something to me that I've always thought was very, very important, and it was to keep your friends close and your enemies closer. And when you think about that I really don't know that I have any enemies down here, hopefully not, but it is about keeping your friends close and learning what other people think and how they react to things, etc. And Mike I thank you very much for that, but what I really admire about you Mike Hewitt is your sense of humor and your ability to make a comment on something that is extremely controversial or whatever it may be, and you'll turn it in to something that makes you think about it in a different way, in a light way. When I found out that Rodney Tom wasn't running for office again, and I knew that he sat next to Hewitt in Ways & Means, I hotfooted it over and plunked myself down in that chair because I wanted to sit next to that man because of his knowledge and his viewpoints. And sitting next to him in Ways & Means has been a total honor. I've learned so much and I really like it when he hears somebody testifying and he says, 'Good job. That was a good testimony.' I never really thought about it that way until he started me thinking about it that way, and I've learned a lot from you Mike Hewitt. I totally love you Mike Hewitt and I will miss you. Thank you for being here."

PERSONAL PRIVILEGE

Senator Bailey: "You know there's some people that touch you. When I was asked to run for the Senate, Mike was here in the wings and I had a chat with him. He was with his wife after coming back from a very serious health issue. I have such admiration for him because he never, ever quit working. His constant aim and goal was for the wellbeing of all the people here in the Senate and especially those of us who were hoping to make the transition. I have so much respect for this man from the integrity he has in the job that he does. His sense of humor has been mentioned, but also the fact that I hope from here on out, Mike, I will always have a place to go and have wine. I wish you well my friend."

PERSONAL PRIVILEGE

Senator Brown: "Thank you, Mr. President. So, Senator Hewitt, Cory, and Jeri May, that is the trifecta of talent around here. Wow. I've always appreciated your honesty, your direction, your guidance, and just having my office right down the hall from yours has just been an invaluable asset of learning

how to get around this place. And if you wanted something to happen, all you had to do was go talk to Jeri May and talk to Senator Hewitt and they would help you figure out how to get there. And thank you for your honesty."

PERSONAL PRIVILEGE

Senator Litzow: "Mike was my first leader, the first leader that I had coming in new to the Senate, and he's been a tremendous example of how to act as a statesman. And he taught me three things: Representing your district is an honor, act accordingly; number two, resist with all your might the urge to speak on the floor; and number three, if you cannot resist the urge to speak, please button your jacket when you do. I will always remember that. Thank you, thank you for your service and thank you for serving with us."

PERSONAL PRIVILEGE

Senator Honeyford: "Well thank you. I first met Mike when he was at his kick-off announcement in the Tri-Cities and I said lots of nice things about somebody I didn't know anything about. Now he's here and I can say some nice things too, but I want to add one other rule that I believe Mike has, is don't believe your press releases. And I think that's a very important one for all members, but I have something if I may read? This is from Rebecca Japhet, the former director of communications here for the Senate Republicans, and I will read: 'Going on a media tour with Senator Hewitt was like going on a royal tour of the Sixteenth District. Senator Hewitt knew everyone, not just the media, he would introduce me to people everywhere we went from business owners, to college staff, to people walking down the sidewalk. He even pulled the car over one time along the road to introduce me to the infamous Izzy the Camel, just outside of Waitsburg. And if you don't know Izzy the Camel, you need to google it. I had to do that because I didn't know. I'll continue, 'It's such a joy to get to know those folks who adored Senator Hewitt and were so grateful to have him representing them in Olympia. I knew Senator Hewitt, but I didn't really get his influence and stature, no height joke intended here Senator, until I set foot in his district. Thank you for the great memories Senator Hewitt.' And I will just echo that, and just to remind you that, if you want good wine at a reasonable price, stop in Yakima Valley."

PERSONAL PRIVILEGE

Senator Parlette: "Well I came to the Senate at the same time that Senator Hewitt did. However, I had served four years in the other body. And our very first year, as many recall, we had the earthquake. So Senator Hewitt and I, along with another member, got to know each other very well, because I believe the desk that we sat on in the Pritchard building was probably as big as this desk except there were three of us sitting there. So we were in very, very tight corners and you honestly could hear each other breathe every minute, understood why they voted the way they did, and you do get to know somebody in close quarters. Ten years ago was my first year as caucus chair. Senator Hewitt was our leader. We had seventeen Republicans, and I give a lot of credit to Senator Hewitt to help put us in the majority. It takes a team to do that, but it takes a leader, leading the team. And, Senator Hewitt, you were the leader. He's great to work with and the greatest compliment he gave me was just a couple of weeks ago, when I gave him two bottles of wine from Lake Chelan from the father of my sons who helped make the wine.

And he said, 'This is really good.' So I will see you in Chelan at Tunnel Hill Winery. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you very much, Mr. President. Senator Becker has reminded us that a lot of the members are leaving this year and it's a sad time. And I just have to reflect a little bit. I think there are only two people in the chamber here, Senator Fraser, who is leaving, and Senator Hargrove, that have spent more time in the legislature and got to know more legislators over the years. But I want to say about Senator Hewitt that he's probably the most well-liked legislator that I've ever worked with. And it's pretty hard to be well-liked when you've got to be the tough guy, as the majority leader, or minority leader. When you have to be the tough guy it's hard to be well-liked. But when you work with people on that friendly basis across the aisle, and I've served on that side and I've served on this side, believe me it's not easy to do, but when you work with people you get things done. And Mike you've always represented your district so well and probably brought up the spirits of more people here in Olympia, than anyone I've ever met."

PERSONAL PRIVILEGE

Senator Mullet: "So I'll be brief, I know that's what Senator Hewitt appreciates. But I have to say when I ran for this office four years ago, I was kind of shocked by all the crazy things everybody said about me. I would get these flyers in the mail about me wanting to raise taxes and all these evil things I wanted to do, and I would go ask people, 'Who's behind all this?' And everybody would go, 'Well it's Senator Hewitt! He's the guy who masterminds all this stuff.' So when I finally got down here and then - this is what I love about the cafeteria below - is you get a chance to eat with everybody, and I'm having lunch with this guy and I'm just like this cannot be the same person. He's such a nice guy! And so he honestly is one of my favorite people to have lunch with in this building. I really enjoy it. And I just want to say I will miss you. And I have this dream of going to Walla Walla and seeing you driving around in the electric car, so we'll see if that ever comes to fruition or not. Thanks a lot."

PERSONAL PRIVILEGE

Senator Hill: "Thank you, Mr. President. And I will also be brief, and my top button is buttoned. So many great things have been said about Mike. And, again, I came in with a handful of freshman and Mike's one of the big reasons we got elected. He worked his tail off. But I think being a leader in the legislature has got to be an incredibly tough job and your managerial style is one which says: Find good people, find them a place where they can succeed, and then leave them alone and just let them be themselves. And I think it's very hard to do because we're all rather uniquely driven and rather uniquely confident in our abilities. And for him to be able to do that and do that successfully I think is really a mark of a great manager. And you're going to be woefully missed and Cory thank you for loaning him to us. It's just tough, as Senator Becker said, so many people are leaving but I know you're off to better things. Thank you."

PERSONAL PRIVILEGE

Senator Hewitt: "Mr. President, there are three ways out of this body. You can choose to leave on your own, and I remember the first day that I met the late Senator McCaslin, I had not even

shaken his hand, he walked up behind me at reorg and put this gargantuan hand on my shoulder and said to me, 'Young man, get out of here before you can't. And so I'm going to choose to do that. The other two ways to get out of here are: The people at home can send you home, and that's not pretty; the other way, is that the Lord can take you out of here and that's even uglier. So I'm choosing today, and in the future, to leave here under my own accord. I have a couple of things, and I have several thank yous I just have to say, but I want to say some things that I feel very strongly about, and right now I'm speaking to the voters and I'm hoping they're listening and I'm hoping they're watching. When you vote for an initiative please read it. Please read it and know what the consequences are. It has complicated our lives in the legislature dramatically and I've seen a huge influx of initiatives and it really is creating havoc with us down here. To the Supreme Court: Do your job, but please respect the separation of power, and I'm sure they'll hear that one. To my wife, Cory, Thank you very much. You've allowed me to do this for sixteen years, ten of those years when I was doing the fundraising as the leader and I was doing all the bad things that Senator Mullet talked about. I spent, I actually spent more time over here than I did in Walla Walla, and that's very hard on your body. It's hard on your mind. It's hard on your relationships. So I'm anxious to get back to that. When I came here there were only seven of you on this floor. That's how many are gone today. And we're seeing a huge number leave today as well, or hopefully Friday, or Saturday, or Sunday. I hope the Governor's listening. So, I think it speaks a lot about term limits. When I came here I didn't believe in term limits. I do believe in term limits today - I just believe we have them automatically. Mr. President, I have been so proud to serve in this body with you. I am so happy to call you my friend. I have been so happy to travel with you, both domestically and overseas. I've been proud to serve on the committee with you for the last sixteen years, you're economic development committee. But what I'm most proud of, is the decorum and the professionalism that you demand from this body. You can't eat on the floor. You used to not be able to drink, but at least we have a cup now. You require gentlemen to button their jackets, most of us. And you teach us to respect each other on the floor and you will not accept any other. Mr. President, you are a class act. Jeri May, you are the best kid. I'm telling you. You are the best. You do the job of three people. I get emails from her at five in the morning. I get emails from her at midnight. And I immediately say go home! You are absolutely the best I have ever had. It is unbelievable. She can take someone from district who is so mad at me, and they call and they are so mad, by the time she's done, they are licking out of her hand. It is remarkable. And I want to thank you so much for being there for me. Jerry Cooper, you've been back this is your second or third year. We have two Jerry's in my office, and we're the oldest office so we call ourselves the geriatrics. And Chase it was wonderful to have you here this year as well. I need to say a great big thank you to all the caucus staff on both sides of the aisle. These jobs are not possible without you. There is no possible way we could do what we do without you in the background. I want to say to other employees in the state, the ones we don't see but help us get through all of this, people in the mailroom, people in the Workroom, Code Reviser's, maintenance people, grounds, and the guys in security: You are awesome. You're all awesome. You're just fun to be around. I want to thank my constituents for sending me down here four times, I think. Sometimes I wish they hadn't, but you know what, it's been fun. To all of my friends up in the gallery that I've spent a lot of time with, many of you have become some of my best friends and I appreciate everything you've done, all the hospitality you've provided me. I was always at the top of the

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

list for spending for dinners. That's okay. I never cared. There are, I remember a famous line in a movie, it was Lonesome Dove, and remember Augustus McCrae lost his leg along the way and he was in the hospital and Captain Woodrow called and was there and they were having a discussion and he said to him, 'She's been a hell of a party ain't she Captain?' And that's the way I feel. It's been a hell of a party for sixteen years. We've accomplished so many things and done so many good things for the people of this state, it's just remarkable. So to all of you I say, happy trails to you until we meet again. Happy trails to you. Keep smiling until then."

INTRODUCTION OF GUESTS

The President welcomed and introduced Mrs. Cory Hewitt, wife of Senator Hewitt, and Ms. Jeri May, his Legislative Assistant, who were seated in the gallery.

REMARKS BY THE PRESIDENT

President Owen: "So the President would like to share with you a great recipe addition by Cory. My wife uses it all the time and she wanted me to make sure I said thank you for the tip of putting chopped smokehouse almonds in your cole slaw. It makes it amazing. There's a tip for you. Write it down. Thank you very much for that. Senator Hewitt, I'm going to have a lot of time on my hands if you want to go fishing."

PERSONAL PRIVILEGE

Senator Hargrove: "First of all, today is the first day that Senator Fain has let me down. He promised I could have the floor two hours and fifteen minutes ago. But I'm standing to say it's time for me to go. I will not be running again. I can't even get through the first line, it's ridiculous. So I wanted to go through a little history here. When I first came to the Legislature, Cherberg was the Lieutenant Governor. I served with John O'Brien in the House, and when I came to the Senate, I have a picture in my office coming down the center aisle, shaking hands with Irv Newhouse. So I've been here a while and over that time, my notes are disorganized. You know I'm not the type of person to read very much, but I've had some great staff and I want to mention a few that I think are in the all-star level of staff over my time. The first one is Antonio Sanchez, who was my staff when I had the subcommittee on corrections in the House, and he really helped me start to build policy in the corrections area. The second that I can think of is Bernie Ryan. Some of you know him. He was a staff person on Human Services and Corrections in the Senate when we built the empire of the Human Services and Corrections Committee that Senator O'Ban has let slip away to Senator Padden. We had half the issues in the Senate going through one committee at one time. Another person I would like to mention of staff is Jo Arlow. I know many of you know her. She's about this big and she is an absolute dynamo. And it was an absolute privilege to have her work with me. And then there's a couple that are on staff right now that I would put in that category. Heather Lewis-Lechner, who dislocated my hip once when she gave me a body check - a la her skating career, and Victoria Cantore, both excellent staff that I would put in that all-star category. I wanted to cover just a little bit of the policy that I'm proud of working on over the years, and the most important is the Becca legislation. I think we have had incredible success reducing juvenile crime. Keeping kids out of prison. Helping kids get on with their lives. And, you know, I wanted to go back. Everybody thinks it was just me and

Mike Carrell but it wasn't. It was Governor Mike Lowry who signed that bill. Christine Gregoire was the Attorney General. Jean Soliz was the DSHS secretary. A lady named Vickie Wallen was the children's ombudsman that worked for the Governor at the time that worked on that, and Justice Bobbe Bridge also was working on that bill. This was a major effort and I still have, I think the most respect for Governor Lowry who never broke his word to me. Not saying others did, but we were miles apart on lots of policy, but he went up to the University District in Seattle and defended this bill that would give parents rights to know where their kids are and make sure they got them back, and I respect that and I will forever. I'm also very proud of the mental health legislation we did that gave the local option and we're finally going to be combining mental health and drug and alcohol treatment through the BHO's by April first. I can remember however, the first time I introduced a bill to do that, in my committee, showed up Senator Lorraine Wojahn and Senator Alex Deccio to testify against my bill. So I don't know if any of you know those people, but it was like the Norse god of terror and Senator Deccio had a bit of respect on the other side. It didn't pass that year if you would know. There's legislators that I've served with over the years that taught me a lot. I have great relationships with, and the first one I can think of was Wayne Ehlers, my first Speaker. And then Joe King, who I said never stabbed me in the back, just in the front. We heard that about Senator Benton yesterday, but I actually had a nightmare once about getting in a fight with him on the floor of the House, but anyway. But we worked well together on lots of things. But in the Senate, Senator Long, who worked with me on the Human Services Committee, then Senator Val Stevens, and then Mike Carrell. All of which shared the same vision. And I think if I might just say another word about Mike Carrell, because this is something that I hope people get back to, is that he was totally about evidenced-based data on programming. And he relied on WSSIP and the data they created to tell us whether or not a proposal, when you modeled it, would lower crime or what it would do. I think we need to get back to more research driven legislation. Senator Wojahn in the Senate. I can still remember one time after a domestic violence bill that she passed, she came to me and said, 'Thanks for letting my bill pass.' And I was like, huh? She was a pretty powerful person. She actually sent me a note and some flowers after that and I guess I felt like I maybe had started to grow up a little by then. Rosa Franklin was very important and many of you have actually seen the picture I've shown of the whole chart of Becca and Rosa was there with me and she was a prime driver from the Tacoma area because of what was happening to the kids in her neighborhood. And Lisa Brown I want to mention, who I worked with for years. So more recently, I've worked in a very good, bipartisan fashion with Senator Hill and Braun. And I appreciate you guys. I mean, there's a lot of partisan bomb throwing around here, but I can tell you, when we sit down to go through the budget, they have deferred to me on most of the things in mental health, DD, children's issues. And I respect the fact that we've worked together on that. And I can tell you, that if you do not work in a bipartisan fashion next year, you are not going to get it down, ok? There is too big a challenge here to have too much partisanship go into what happens next year. Another example of that bipartisanship is O'Ban and Darnielle. Thank you very much for maintaining the way that committee works and working in a totally bipartisan fashion. I appreciate you guys, standing up and doing that. So, next category here. I'm only on page one here Lieutenant Governor. We didn't put a three minute or a thirty minute rule in place did we? So the next level here is apologies, ok? So last Friday you witnessed when we were talking about

Brad Tower and the tragic event and when I apologized to lobbyists there was spontaneous applause. So at least I got the lobbyists out of the way. All three hundred of them I've offended over time. I have offended staff I'm sure. I'm very gruff and straightforward. Usually too busy, too much in a hurry, many times to realize that they're real people and the things I say may hurt them. And I would like to apologize to them. I'd like to apologize to other government officials, because I'm sure I've insulted everybody from governors to legislators, to city councils, to sheriffs, to whatever. Agency heads they fall right in there, too. The public typically gets a rough - you also, oh yes, the media. Rachel I apologize. They may get it the worst. Though my son is here and he's in the media. He fell pretty far from the tree, that apple. I also have some thank yous. I want to go back and some of my long time staff. Lois Cotton worked for me for twenty-three years. And then Patsy Feeley also worked for me for twenty-three years. And then Shawn has now worked for me for seven years. And I both need to apologize to him and thank him so much because he's another one of these people. I don't read emails. I don't call people back. But he does and he just turns lemons into lemonade all the time with my constituents. I appreciate that so much. So, I also want to thank the citizens of the Twenty-fourth District that have sent me here for thirty-two years. In fact, for twenty years in a row I didn't even have an opponent. So I really appreciate their confidence in me. You know, to be able to serve here one year would be a privilege. I have had a lifetime here. Thirty-two years. My entire life. Not my entire life, that would be Dassel's entire life. So, I can't remember the first speech I gave when I came, but I can remember that I never gave a gift. So, I have a gift for you today. And I have a bible for each one of you. And I want to let you know that I prayed over each one. Each one of your names. And I will continue to pray for you. Hopefully you open that bible and use it, because God's word will not return void. I hope it will bless your life and I hope it will help you with the challenges ahead. There is one scripture I would like to read to you. If I may Mr. President? It's in Galatians 2:10, and it's when Paul was being sent out and Peter and John said to him, they desired only that we should remember the poor. The very thing which I was eager to do, so I implore you to remember the poor and the disadvantaged and the ill. The developmentally disabled and the people that, really, you are their voice here. Not all the powerful special interest groups that have thousands of people and give lots of money to campaigns, but the people who don't. So I also want to thank my family who's all here. They are actually down here. My wife and two kids, two grandkids, and my daughter is in L.A. unfortunately. They've been a huge support and the reason that I could get here today is that I've been thinking about this for some time. But we had a family meeting right after Christmas and I wanted to know what they thought about me retiring. And I expected them to kind of say, 'Dad whatever God wants you to do.' But they didn't. They were very emotional. They really believed that this is what I should do. So much so that they said, 'If you're going to change your mind and not retire, you need to check back with us.' You can imagine the freedom that was to have that. One final vignette here. When my daughter was about six years old and I was running for office, we were at the dinner table praying, and she said, 'God I pray that Dad wins his elections so he doesn't have to go back to being a regular man.' I'm going to be going back to being a regular man. Thank you."

REMARKS BY THE PRESIDENT

President Owen: "Senator Hargrove and I go back to the beginning. I believe that I was there to encourage you to run in

the first place and I'm very proud that you did that. I think it's a great privilege to serve the years you and I have served together but I want to tell you how grateful I am for all the one liners you fed me. I wish you the best."

INTRODUCTION OF GUESTS

The President welcomed and introduced Mrs. Laurie Hargrove, wife of Senator Hargrove; Mr. Daniel Hargrove; and Mr. Jimmy Hargrove, sons of Senator Hargrove, who were present in the wings.

PERSONAL PRIVILEGE

Senator Nelson: "Thank you, Mr. President. Well I really got to know Senator Hargrove in 2013. We were the odd couple. I don't know how else to describe it. Senator Murray was the leader and he decided on budget, I should be Senator Hargrove's shadow, making sure he didn't go too far to the right and I could move him to the left. Senator Hargrove quickly became suspicious of the shadow. Very suspicious. Of course, at that point in time, I really didn't know that his heart was about human services and foster kids and the developmentally disabled. Our hearts were in the same place there. And we will continue to protect those services as you leave. But, we truly became a pair. Fighting for a budget that stood for our values. Checking back in with each other, and occasionally I had to threaten him. I wear three inch heels for a reason, Mr. President. They are the way I deal with those who do not stay in line. I only had to injure him once I remember. It was not severe. But that's when I got to know Senator Hargrove. And we came out with a budget we both believed in, through ups and downs and turmoil, and a few tears. And we are going to miss you, Jim, but we will protect human services. Believe me we will. We will take up education and it will be a challenge, but it will not be on the backs of the poor, our foster kids, or the developmentally disabled. You have left a legacy of your life here and we will protect it. Thank you."

PERSONAL PRIVILEGE

Senator Hewitt: "Thank you, Mr. President. Senator, sixteen years now you've been my mentor. I've never told you that. I have admired you. I've watched you. I loathe you. You are a tremendous person, and what I admired most, I think, about you, was the way that you could handle yourself across the aisle. We've worked together now for sixteen years, a Democrat and a Republican. You never talked politics. You never bring politics into the policy. It is a very difficult and very hard position to do, but somehow you've managed to do that. And I've always admired you for that, and I always will admire you for that. Thank you for thirty-two years of public service. Thank you Laurie for giving him to us for thirty-two years. That's quite an accomplishment. I wish you the best in your retirement. Come to Walla Walla and we won't drink any wine. And you won't have to kill any of my bills any longer. Anyway, good luck to you Senator."

PERSONAL PRIVILEGE

Senator Schoesler: "Thank you, Mr. President. You think I'd start getting really good at this the past couple of days, but it gets tougher and tougher with our friends leaving. Jim, I admire a man who is not afraid to show his faith in our Capitol. And I always admired for most of twenty years how well you and Lynn Kessler and former Representative Buck worked together because you represented the same district. But you all three had some

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

different priorities in your work, but I don't think there was a better team in Olympia, than you and Lynn and Jim. And you know, I still count Lynn Kessler as a friend who calls me from time to time. Jim Buck, and I hope when you've been gone as long as they have, that you still call me, because I'll still call you my friend. Those were important things. On the lighter side of some memories Jim, you won every belly butting contest you and I ever had in the wings. And I think the press once wrote about you chasing me around wanting to strangle me, but I know you were kidding. At least I think so. And when I was a relative newcomer, Mike Padden was just leaving, and we worked an omnibus corrections bill together with the late Ida Ballasiotes. You and I, Antonio Sanchez, and you know we stuck together through that thing. All the way. And that was when I learned how to work with a senator. A very valuable lesson. And the lessons working with you have been invaluable so please continue to be my friend like Lynn and Jim Buck have."

PERSONAL PRIVILEGE

Senator Ranker: "I need to start, where's Laurie? We need to thank Laurie for sharing this remarkable man with us. You've supported him and been by his side and frankly given him leadership on so many issues and given me leadership. I need to point out I was in middle school when Senator Hargrove started out in the Legislature. I worked it out this morning and I was like, 'Wow, I was in the seventh grade!' I was talking to my wife about Senator Hargrove stepping down and I was laughing. I said, 'He's a likeable curmudgeon.' He's this frustrating curmudgeon who walks into rooms and lifts tables and thinks that's amusing. He's the only person ever, and I have to thank Governor Jay Inslee for recognizing that this necessarily wasn't appropriate, but with past governors he's the only person ever I know who would walk straight into the governors office and open the door. No appointment. No nothing. He does it with the Speaker. He does it with our leader. He tries to do it with the governors. He's been a tireless advocate for children, particularly children that need us most, for human services, for victims, for mental health, for those in our communities that need the most help. And he's represented his district extremely well and he's taught us how to do that. I'm, for one reason very glad he's leaving so I won't have to hear about log trucks anymore, but on the other side, he doesn't know that, a lot of folks don't know that he's stood up for the environment. For the last few years, and under Gregoire, he's been an advocate for climate action. He has this absolutely amusing love-hate relationship with staff, and media, and many of us, but most of all he's been a mentor to me. He taught me some incredible lessons that we need to be reminded of. Never burn a bridge you may need to walk over. Be truthful and always stick to your core convictions and your principles. Take this institution very seriously, but never take yourself too seriously. And mostly, care for one another. Care for each other in this institution, and care deeply for the people we represent. Senator Hargrove is a statesman in the truest sense of the word, and mostly he's a very dear friend. The final thing I'll say is that, and maybe I'll do a bill, or maybe this goes through F & O, but I think for the remainder of this institution's history going forward we should have a Hargrove Hamburger Day downstairs and celebrate Senator Hargrove. Thank you for all the lessons, the mentorship, and the friendship."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you, Mr. President. Well, I've served with Senator Hargrove a long, long time. When I started

in 1990, Senator Hargrove and I had a lot in common. We had both worked - Jim still works - for the Quinault Indian Tribe. And we had a group of nine legislators that we pulled together, called the Coastal Caucus. And, Mr. President, you were a senator at that time and a member of the Coastal Caucus. I remember some of the outstanding members, Mike Riley is no longer with us from Longview. Bob Basich, no longer with us, from Aberdeen, others. And it was very effective and I learned very much from Senator Hargrove. How much and how effective, how much he loved, and how effective he was in his district. And at that time of Washington's history we had something called the Endangered Species Act and the spotted owl. So instead of logging three hundred million board feet from the forest service lands on the Peninsula, we dropped down to about five million feet. I mean, what a difference that made. What a difference that made in the community. And at that time I represented the Harbor all the way to Cosmopolis. And the politics are very interesting down there, very, very interesting. But Senator Hargrove was always such an effective, hardworking, extremely honest, well respected representative and then senator from his district that I don't know anybody who could carry the load that you did down there, with all the issues. And then the social services which was so important to your district. And then as you progressed through the Legislature you made that the statewide issue for yourself, so there's nobody like you Jim. Nobody like you at all. And now I saw the governor briefly came in, and if he calls a special session tonight, you will be going to your fortieth extraordinary session. You will have spent, Senator Hargrove, you will have spent over one and a half years here in special session. You deserve a break. Thank you, Jim."

PERSONAL PRIVILEGE

Senator Fraser: "Thank you, Mr. President. Well I realize sitting here that I have served with Senator Hargrove for twenty-eight of his thirty-two years. We served together in the House. Although we didn't work closely on committees but after we both got here to the Senate, I believe we both came the same year, we were part of a big group of House members who came over at the same time, and actually made quite a difference here in the Senate in a variety of ways. I tried to think about some words to describe him: dedicated; indefatigable; integrity; smart; even though he tries to put on an 'aw shucks' front; caring; an exceptionally hard worker; just as dedicated as any legislator could ever be, and probably above. He's left some wonderful legacies which I hope are carried on. I served with him on the Natural Resources Committee and I think everybody knows he's a true expert on all matters natural resources. And whether he's on the committee or not he has a wonderful influence on our natural resources policies in the state. As a budget leader for our caucus he is amazing. And he has done a fabulous job representing the interests of our members in the budget negotiating process. And this has been mentioned, and it's worth mentioning multiple times. He has left a great legacy of great caring, of effective caring, about the poor, and the infirm, people with special problems, special needs, caring about our corrections institutions and caring about public employees. So he's left a wonderful legacy on human services. And another legacy he has, which I hope will carry on, is he has been, I'll use this word again, indefatigable, in assuring we use good data, and he has been a great leader in ensuring that excellent studies that come from the Institute for Public Policy are actually used to make significant policy decisions. And then, of course, he is a master at representing his far flung district. And when I worked on the capital budget for a long time, and he does hold a record for the

longest capital budget reappropriation in history. I think it started out in the House, continued on in the Senate, I don't know how many years it was, maybe twenty years, this got reappropriated, because he was indefatigable, was the Seventh Avenue Theater restoration in Hoquiam. And I had the pleasure of going down to the dedication for that and I can see why he was so dedicated to the Seventh Avenue Theater. I wish you and your family a wonderful retirement and I hope the legacies, I hope the legacies that Senator Hargrove has contributed will carry on."

INTRODUCTION OF GUEST

The President welcomed and introduced The Honorable Jay Inslee, Governor, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Governor Inslee to address the Senate.

REMARKS BY THE GOVERNOR

Governor Inslee: "Thank you, Mr. President. I appreciate it, too. To honor these two remarkable Senators. I want to first thank Senator Hewitt who had an incredible impact in Eastern Washington. When he first started serving sixteen years ago, if you called somebody an enofile at a bar, it would lead to a fight and now with his leadership we have a great industry and a great friend who I heard somebody said is the guy everybody liked most and I think there's a reason for that and I've really enjoyed getting to work with you for a few years. And good luck. But when Senator Hargrove as many of you know this is an extraordinary term of service, but I want to tell you I've served with a lot of legislators, Tom Foley, Paul Ryan, Nancy Pelosi, but I can truly say I've never seen someone who combined a passion for the least amongst us, as the good book says with an effectiveness serving them. It's rare that you find someone with such a big heart with such passion for the least amongst us with the effectiveness that wants to use evidence-based numerical ways to really judge performance. And because of that unique combination of heartfelt passion and ability to recognize what really works and reform our institutions. He's done so much that will be remembered by so many for so many years. And I've enjoyed working with him. I used to sit right back there. I think in Andy's seat, back in 1989 and I respected him then and I respect him more three decades worth since. That's what you did for our state, Senator. Thanks for your faith. It's made a big impact. Thank you."

PERSONAL PRIVILEGE

Senator Angel: "Well I, like many of you and the comments we're hearing on the floor, I didn't get all those years with Senator Hargrove. But he may remember, which he probably won't, about ten years ago, a county commissioner came in front of him fighting for RSNs and she'd never been in front of a hearing before and was scared to death. And to make a point of the paperwork and the burden of our RSNs, I brought a handtruck with papers stacked up on it into the hearing room. And you not only listened, but you took my written comments and got back to me time after time after time again. And I was so impressed. First of all that you listened, and second of all that you continued to get back to me with good solutions. And I thank you for listening to the little guy the first time. Good grief look what happened! But I thank you for the gift today. Please know it is cherished. And thank you for the man that you are. God bless you."

PERSONAL PRIVILEGE

Senator Dansel: "Thank you, Mr. President. Well Senator Hargrove, a good man, he calls me Eddie Haskel, character off of Leave it to Beaver, and I call him Ward or dad or grandpa or one of those things. But I truly am as old as he has been here and that's interesting to me. But what's really interesting and cool to me actually is, before Senator Morton passed away, I had a phone call with him about every week and one of the first pieces of advice that I got from him, when I was like, 'Hey, who can I get that's a Democrat that might be a little sympathetic to ranchers or farmers or miners?' And he said, 'Jim Hargrove.' And he has been. He has been somebody that I've been able to go to for advice on many different occasions when it comes to natural resources. I try not to listen to him too much. I'm actually glad to hear the news tonight. I just don't know what took you so long. No, not at all. I'm going to really miss him. And I think that he's been an absolute champion for those things. And, unlike Senator Ranker, I'm going to miss somebody talking about logging trucks. So maybe Kevin, pardon me, Senator Ranker can take that up for him. But no, I just want to say that I appreciate everything you've done. I appreciate your ability to work across party lines. You are going to be missed and I think that you're going to be on the Mount Rushmore when it comes to senators that have served in a long time with a lot of distinction. Thank you, sir."

PERSONAL PRIVILEGE

Senator Darneille: "Thank you, Mr. President. Well, I'm probably going to turn into a blubbing idiot so I'll try to get through as much as I can. This is unexpected today. I may not forgive him. I have to tell you my twelve years in the House, you know you've heard of the movie Fear and Loathing in Las Vegas? Well I think this was fear and loathing in Olympia. I never understood the power of this man. I couldn't understand how he would flip a bill around, something you had worked on, put your blood, sweat, and tears into, and he could find a way to turn it, so that even when something was failing, he could find a way for it to succeed. But then he also killed a lot of things too. But I kept my distance from him. I knew that politically maybe we were on different ends of the spectrum in the Democratic Party. And I can remember one time standing outside the Governor's office when I tried to engage him in a faith discussion about LGBT rights. He held his own and so did I, and we had an impasse. When I came to the Senate, of course, I had a few discussions with him during the summer, and told him that I wanted to be on the Human Services Committee, and he knew that things were going to happen that I didn't know at that time, of course because he always knows everything that's going to happen, and most of us are in the dark, but he let me have his Human Services Committee as the ranking member. And I remember at the time going, I have twelve years of experience in human services, and of course he granted me that opportunity, but he said I'm going to stay on the committee just to make sure you do it right. Which he has done now for four years. But he has been a real miracle worker around human services and corrections issues in our legislative history. I think because he brings a great amount of institutional memory, and in that memory he can actually figure out how to solve problems. And I've actually told him a few times this session, or I've admired him from afar, and said I wanted to learn how he did those things. I'm really mad at him because he's been a real open book about everything except today. And, again, there's my real denial that this would ever happen, and I can find, in my memory, things that he has said, as recently as today, saying to a member who's leaving, we'll really miss you. So I think he had a little bit of his own denial going

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

on, or he just kept the act going as long as he could before he spilled his beans. I'm going to hold my paper here so I can emulate him a little bit, but I think about most of all the lives that he has touched, all the lives that he has changed, and all the lives that he has saved. And I just want to end by saying I love him, and I have a session aide position open next year, and I really want to offer it to him today. Thank you, Mr. President."

PERSONAL PRIVILEGE

Senator Hill: "Well, you know I started chairing Ways & Means when I'd been here for two years. I was the drippy nose freshman, and we worked on a bipartisan budget and I think everybody thought that was the best way to do it and we'd have better policy and more enduring policy, and the fact of the matter is, that I realized Jim Hargrove was the most effective legislator in the entire legislature. And I figured, geez I'll just study at the foot of the master, and I'll just soak it up because he gets things done that are unbelievable. So I just, everybody talked about me being his mentor but he was my secret mentor and I was just soaking it up. I will mention a few things I learned, and I still don't do it as well as you, not even close, but the ability to find compromise where it seems like there is none. The ability to take a crazy idea that is put out there to poke the other side, and say if we do this, this, and this we can actually get some policy that works. The ability to stomp out a smoldering dispute before it erupts into a major blowup. You know, behind the scenes, on the floor, in committee, I mean Jim really, really helps to keep things running smoothly. And finally what I've learned is despite the efforts of Steve Jones, how to enact legislation that is blatantly unconstitutional and get away with it. But, Jim, I hold you in the highest regard. You are a man of incredible integrity, a man of your word, an absolute joy to work with because what you see is what you get. And, again, I see you as one of the most effective legislators around here. I wish you'd stick around because I still have a lot to learn, but I thank you for everything you taught me. I thank you for your service to the state because it really has been amazing, and I believe a lot of your policy will endure, and endure, and endure."

PERSONAL PRIVILEGE

Senator McCoy: "Well, Mr. President, like you, Jim, I lobbied before I got elected and learned some things then on how to work with him. And as everybody knows, I'm on the high end of the technology spectrum and then when I had to deal with Jim I had to go back to paper and pencil. Which was difficult but I managed. And so in working with him over the years, I've found you don't need a blank piece of paper, just any scrap of paper that you can jot a note on and if he took the note and folded it neatly, well not all the time neatly, but if he put it in his shirt pocket, you had half a chance, but if he just threw it on the desk you were toast. So I didn't have too many hit the desk, but I did have a few go in the shirt pocket. Did all of them make it? No. But at least I knew that I had a chance. And I've worked with him on a number of issues throughout the years and it was just a great pleasure to work with him and we'll miss you Jim. Thank you."

PERSONAL PRIVILEGE

Senator Padden: "Thank you, Mr. President. Well I came to the House back in 1981, so I was there four years when in 1985, then Representative Hargrove arrived, and we worked together on numerous issues for eight years. And I mean, somebody like me, I didn't know there was such a thing as pro-life Democrats, but

you were one and I appreciate all the times you were out there on the steps of the Capitol speaking at the March for Life. But there were other issues too that we worked on, then I took a hiatus for about sixteen years. You know no fool like an old fool coming back here, but in 2011 I came back and I observed then a lot of what Senator Hill said earlier. You know, Republicans in control, Democrats in control, for most of us that's a pretty earth shaking deal. Senator Hargrove didn't make any difference, you were equally effective no matter who's in control. And I felt that was extremely amazing. I think a lot of that is due to not only your core principles, but your personality and the way you are able to work with everybody and work in such a constructive way and the fact that you're not really that partisan of a guy. I think all those things really made a difference. And I remember coming back working with you. And you'd had a campaign in which you were charged with kind of being soft on rapists. I mean it was something that was totally wrong because I knew you. And we were able to work together and pass a bill extending the statute of limitations on rape and I enjoyed working with you so much on that. You know, just a few weeks ago I was asking you whether you were going to run again. I maybe shouldn't have said this but I urged you to run again. So I'm sorry you're not because I think you're such a positive influence on this whole legislature. I think I figured out maybe why you decided you could retire. It was probably getting that forestry school reinstated at WSU. But anyway, and just the type of person you are. Thank you so much Jim for the gift you've given all of us, the bible. I know it comes from your heart and we will really appreciate the prayers and all the good wishes and I hope we still get to see you once in a while."

PERSONAL PRIVILEGE

Senator Roach: "I wanted to thank Senator Hargrove for his example to us. I don't think many of us are very good examples all the time, but I think Senator Hargrove has been a good example all the time. I call it righteous indignation if you get mad at somebody. When you call things like they are. I don't think there's a problem with that. So I appreciate the new bible, and I want to go back in history a little bit. I think it was thirty-five years ago I had a son born on March sixteenth, 3:16, and I named him John. So this is my very favorite scripture. Mr. President? 'For God so loved the world that he gave his one and only Son, that whoever believes in him shall not perish but have everlasting life.' And Senator Hargrove has a compass. I think most of us have a compass, sometimes they're not always tuned in the way they should be. But I've been honored to know Senator Hargrove. Honored to even know who he was when I was then a legislative aide to Senator Kent Pullen. And Kent Pullen is the one who said we ought to have a legislative shootout said Kent Pullen, and I was his aide so I got to do the work. And we had the first legislative shootout in something like 1987 or '88, something around there. So I'm maybe the first one today to thank you for your strong stand on the second amendment. We have a lot in common. Our feelings about unborn babies, but I also think the second amendment is something that should be mentioned. I'm going to miss your participation and the fun you have when you're down at the end of the firing range with your cop friends, and blowing up, I don't know what you're doing. I never go down. I'm afraid to. But whatever you're doing is really loud. Senator Darnielle, who came this year, remembers how loud it was. I want to thank you for your advice and help. One particular CPS case that I had, you pointed me in the right direction to someone who could help. You understood the problem. And for those of you that have never been involved in

a CPS case, they take a lot of time. The state can come in and try to take children from families that do not deserve, in any way, to have them taken. Even forgetting and throwing aside grandparents who have had nothing to do with anything bad at all. To place them in somebody else's home. That is a real thing that happens. There's no accountability in it. There's no punishment for anyone who lies in a courtroom. It's pretty devastating. We have a lot of hurt going on in Washington State. Imagine someone coming and taking your child. And Senator Hargrove had been through enough of those. I don't know, I could only do a couple of them. It just tears you up. So I want to thank you for your friendship from that long ago. Your example that you are to all of us. The beautiful bible that you've given me. Of course I have other copies, but this one's special. It's from you. This one's special because it's even highlighted my very favorite scripture. Thank you, sir, for all you've been to us, to each one of us, and to the state of Washington. You cannot be replaced, but what we can do is honor your presence here and the things that we do going forward and it has been a blessing in my life to know you. Thank you very much."

PERSONAL PRIVILEGE

Senator Liias: "I haven't known Senator Hargrove as long as many of the people here. I was three years old when he joined the Legislature. And just like Senator Darnielle, my first experiences were that he was just the grumpy old man who would come yell at House members. So it was a delight to discover that beneath all of that, there is a wonderfully soft and gentle human being. And I would just like to share a passage from the book that Senator Hargrove gave us as well if I could? In the book of Micah it says, 'He has shown you O mortal, what is good. And what does the Lord require of you? To act justly, and to love mercy, and to walk humbly with your God.' And Jim you've done all three of those excellently for thirty-one years. Well I was going to say the love mercy part was the one where you could do a little bit better, but you've done a real good job at all three. And thank you for the gift. And thank you for the gift of your friendship."

PERSONAL PRIVILEGE

Senator Pearson: "Thank you, Mr. President. I will miss Senator Hargrove. And just a few stories when I first was over in the other chamber, I didn't know him very well but one thing we did have in common, we were both weightlifters and we could bench over three hundred pounds. And I remember he used to come over and testify and make fun of my thick neck, and I'm going, 'Who is this guy?' But I remember having bills going in front of his committee. I really didn't know him that well. He says, 'Representative Pearson,' at the time, 'Oh here's your stupid little bill and what is it? Tell us what it is.' If that wasn't intimidating. I remember another time I came with another legislator and we were testifying on a bill and he called her by name and he called me sidekick. And so I didn't know what it was going to be like coming over to the Senate when I did as someone's sidekick. But what I will remember mostly, it was our first year and right in front of me was Senator Carrell and I was on the Human Services Committee. I got to be Senator Carrell's vice chair, and little by little through session, Senator Carrell wouldn't show up and it was really hard because I had my committee as chair, but I was taking more of Senator Carrell's work and if it wasn't for Senator Darnielle, who would be very helpful, but also Senator Hargrove, you know very helpful to get the bills through because a lot of bills went through that committee and it was one of the first times that I had dealt with

Human Services. But what meant the world to me after session, because I was going to decide what route, and this was before Senator O'Ban came over, what route do I want to go? Senator Hargrove told me I did a really good job. And coming from you Senator Hargrove, that meant a lot to me. That really touched my heart and I'll really miss you. You've been a really inspirational person to me. I've never told that to you. And I know you're a strong man of faith, but I do love you Senator Hargrove. I think you're just a wonderful man and I'll always want to be your friend. I'll always want to hear from you in the years coming up. So, God bless you my friend."

PERSONAL PRIVILEGE

Senator Jayapal: "Thank you, Mr. President. There's a lot of lore and myth surrounding Jim, Senator Hargrove. And before I came to the Senate, everybody told me about this man who had just an unbelievable amount of power. Everybody was afraid of him. He was gruff. He was mean. He was very, very important in this body. And several people said to me, 'You really need to get to know Senator Hargrove.' And so I made it a point to reach out to him, but I was nervous about it. And I remember we had lunch in your office and we prayed over the food. You asked me if that was okay and I told you that I had actually grown up with Southern Baptists and I actually played Jesus in eighth grade. I was the first brown Jesus to play that part there in the church, and I was quite comfortable with that. And we talked about a lot of things, including deep challenges that you had had a couple of years before, and I felt very privileged that we had that conversation. And you gave me a number of pieces of advice, most of which I didn't listen to, but some I took very much to heart, and I'll tell you what they are in a second. But, also, we started talking after that about some issues that we really care about and that we really disagree on, like minimum wage, and we had some deep arguments about that. But what I realized in having those arguments with you, is that people were wrong about you. That you did want to listen. I think you just push people to see if they really have some substance, and if they have an argument to make and if they are willing to stand up to you. And so I realized early on that you actually didn't mind if I stood up to you, and if we argued about things, and if we came out in different places on those things. And I can't tell you how much I have appreciated your kindness and your generosity towards me, even on the issues that we disagree on. And the things that you taught me about, were you told me to be slow to give my word but when I do to keep it. You said that was really, really important. That the only thing that you have is your trust and integrity. And so if you're going to tell somebody something about a position, make sure that you really mean it. You told me to stand up for what I believe in, because it's actually the only thing I'm going to go home to. I don't know if you remember that, but you said you only live with yourself and you've got to go home to it, so make sure you stand up for what you believe in. And then, Jim Hargrove, you taught the Thirty-seventh Legislative District senator, the radical crazy lefty, how to shoot a gun. And I shot that gun that has the huge boom, and the sheriff from your district said, 'What are you doing Senator Hargrove? You can't give that to her!' But it was really important to me because we have really different views on guns, but being able to actually shoot that thing and see what the difference was. I have a lot of interest in understanding what I'm talking about. And you got me to do something that I don't think anybody else could have done. I won't do it again because I did so well that time that I want to keep that lore very strong. But, Jim you've been incredibly kind to me. You've been a mentor. You've really been gracious, and all of that lore about you may be right. The

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

power and the knowledge that you have from this body, but what is also true is that you have a deep, deep compassionate heart. A heart that lifts up the people that are most vulnerable in our districts and our state, that we have a duty here in this body to remember those people, and a duty to be kind. Even if you don't always show it on the outside, you are one of the kindest men I have met. And I love you very much and I will miss you. And I was deeply shocked when you told me you were leaving today. And so I wasn't ready for this, but I really appreciate all your mentorship and leadership and service to the people of the state of Washington."

PERSONAL PRIVILEGE

Senator Becker: "Thank you, Mr. President. First of all Senator Hargrove, thank you from the bottom of my heart. This will be something I'll keep forever, and ever, and ever, and I'll read it, but you should have gotten one with bigger print. I'll never forget the first time I met you. Val Stevens and I, she kind of drug me over to your office, and the whole way over she said, 'He's kind of a gruff old bear but he's got the biggest heart of anybody I know.' And we were coming over to talk to you about one of my very first bills I got passed. It was when the Binion's lost their son, and it was a loophole in the law and they couldn't get him committed for the treatment that he needed, and he committed suicide in their front room. And when they came in and testified, the entire place was in tears, and deservedly so. So I thank you for that, because that was probably one of the biggest pieces of legislation that we can do to help somebody in crisis like that. But she told me that you had a heart of gold and she was right. And the other day you made me feel so special, and you probably don't even know it, but you asked me to work on the Western State Hospital thing, earlier on and then again. And it made me feel really good because it came from you. And I think I'll probably hold that in my heart for a long, long time. But I can remember when you went out for the Rally for Life, and you said I'm standing up here and I'm supporting you, and whatever your words were, and you said, I'm a Democrat. And it just crossed all lines that anybody can stand up and say really good things and you've been just remarkable and I know people are saying all sorts of good things about you, but I have a question, Mr. President. I'm not asking you to yield, I want to know who else is retiring because I'm tired of people leaving this place today. Anybody else? Ok, good, you're the last one then. All I want to do is say thank you very much, that meeting with you that first day and you asked me what else was in that bill, and I had this blank look and you said, 'That's okay. You know it's okay not to know everything that's in the bill, but to learn it before you actually come before you, because you're going to question you. Thank you for everything. Thank you."

PERSONAL PRIVILEGE

Senator Habib: "Thank you, Mr. President. You know, I want to say as I talk to people about the State Senate, which I've been doing a lot recently, one of the words that comes to mind is unpredictable. Because I tell them you know the difference between the House and the Senate, and presiding over the House and the Senate, and I hope you'd agree Mr. President, is that this can be an unpredictable place a lot of times. And Senator Hargrove, and I've had the great privilege of sitting just in front of him, can be unpredictable in several different ways and those ways are so organic to the culture of the Senate. In one way, he's unpredictable with respect to his words on the Senate floor and I know those sometimes lead to the greatest one liners, as you

pointed out Mr. President. But they've also led to some great floor speeches, even in the limited time I've spent serving with him here in the Senate. I remember last year, for example, there was a speech that he gave on a bill that we did having to do with driver's licenses that were suspended because of child custody payments, back-owed child custody payments. And I hope I'm not sharing a secret with TVW land out there when I say that many times we come to the floor already having decided how we're going to vote, and we give speeches in large part to explain our votes to others, but it's very, very rare that someone's vote will change because of a floor speech. And that day was the first time, for me, that my intended vote changed because of a speech that Senator Hargrove gave. Where he explained really what the bill was doing in a way that I hadn't thought about and put it in a social justice lens. And I happen to believe that others, certainly others on my side of the aisle, changed their votes that day because of a floor speech. So he's unpredictable in what he says, and because of that, people really listen and pay attention when he talks on the Senate floor. He's also unpredictable in how he votes. And this is an area that I really cherish in the Senate as well. Which is that we don't all vote as a block. You do see people voting in different ways, and voting their districts, and sometimes that can lead to different outcomes. And we don't talk about. It's not appropriate to talk about political party here, but I want to say that, I will say that, as a Democrat, it's important to me that we continue to have that diversity that Senator Hargrove represents, that he brings with his voice to our caucus, and to our party, and to the Senate. I can tell you as the person who votes right before him, and I think I've got my vote figured out, we all vote. I hear 'Fraser,' 'Froct,' 'Habib,' you know, and then 'Hargrove,' and it's a completely different vote then what I thought. And then I'm suddenly panicked. What did I miss? And I have to scramble to ask him why he voted that way and sometimes it's because it's about alcohol or marijuana but sometimes it's another thing. And then finally, he's unpredictable when it comes to his movements. His physical movements around the Senate. And I'll tell you that because I do sit near him, that as the person who has to do vote counts. You know I asked at first when I became the whip, can I text everybody and ask everybody for your vote counts when we're counting votes? And of course what did Jim Hargrove say, 'Absolutely not, there's no way you can text me to ask for my vote, just come and find me.' Easier said than done in the best of circumstances, Mr. President. In my situation, even harder. So he's unpredictable in many of those ways. I suspect now that he'll be back in the Twenty-fourth you may be slightly easier to find than when running around the Senate chamber. But to a delightfully, unpredictable, brilliant, charming, kind-hearted, and compassionate man, I'm just so honored to have gotten a chance to sit near and work with Senator Jim Hargrove. Thank you so much."

PERSONAL PRIVILEGE

Senator Ericksen: "So on the first Tuesday of this legislative session, I pulled into the parking lot at about seven o'clock, and my phone beeped, and it said Tuesday morning fellowship, and I had not been to Tuesday morning fellowship in years. And I think it was a bit of divine intervention that my phone beeped that day when I walked into the parking lot, because I got to spend this year with Senator Hargrove, listening to him share and pray at Tuesday morning fellowship. And it was very important to me, and I really appreciate it."

PERSONAL PRIVILEGE

Senator Hobbs: "I just received this email, if you don't mind if I read it? This came from the member's cafeteria, 'Due to the recent retirement announcements of Benton and Hargrove, our meal prices are going down next year. Because of an overabundance of food.' So that's good news there. Well this explains your level of grumpiness, much higher than your normal level of grumpiness that you have. You've been trying to keep this from a lot of people. I kind of found out a little earlier today, and I was very disheartened but I totally understand. When I first came here to the Senate, as a moderate you try to find other moderates, and Senator Hargrove you're certainly that moderate that I look up to and try to emulate and try to learn from, even though you tell me time and time again, 'Why don't you ever listen to me? You never listen to me.' But it's true I do listen to you, and I have watched you over the years. I have these, I call them Hargrovisms, that I have followed over the years. Here's some I have written down: build relationships so that you can get your stuff in the budget even when you're not on Ways & Means and other members don't even know how you got it in there. And those of you who have been in the Senate for a while, you'll open up the budget and say, 'How did he even get that in there? He's not even on Ways & Means.' But somehow you were able to do it and I've learned from that so I've got some stuff in there I'm pretty sure, you'll probably take it out though since you'll be working on it. I don't know if you know this but the Transportation supplemental budget has been passed. The other thing is always, always, always, you've told me this, always give your caucus a heads up when you go against them. Have I not done that Senator Nelson? She says yes. Let the other side know when you're going to change your vote. I think that's important to do. And always count your votes. Always count your votes. You taught me that you can be a fiscal conservative and a moderate and protect the safety net. And the last one I think is very, very important, and I take this to heart. You taught me that the government's role is to check power, and to be there for those that don't have a lobbyist, don't have a special interest group. You taught me that sometimes we have to go against corporations, a political party, a caucus, a business association, our allies, labor and the environmentalists. You taught me to do that, because there are those that don't even know that we're here. They don't vote for us, because they don't even vote, because they've lost all hope. The logger who's lost his job, doesn't know how he's going to feed his family. The senior citizen who's wondering how they're going to heat their home. The small business owner who's felt the pressure of bureaucracy and doesn't know how to make payment. And the single mom who struggles to make ends meet and is trying to dream of opportunity. They don't know who you are, but you've been there for them. And I know you've been thinking about them all your years that you've been here. And I pray to God that I can be that senator that you have been. Thank you for everything."

PERSONAL PRIVILEGE

Senator Baumgartner: "I want to express my admiration and respect for Senator Jim Hargrove. You know, I think when you come to the Senate there are two great privileges of being here. The first great privilege, of course, is serving the people who send us here. The people back home. And the second great privilege is serving with the people that make this place so special. And Jim, you are an absolute giant when it comes to both types of service. You do it the right way for the people back home, and you do it the right way with the people here, and it is an absolute privilege and honor to have served with you. And I say that, probably being the only member of the Senate who came very

close to be physically beaten by you on the Senate floor once upon a time. Pearson was too far away to give defense at the moment, so I appreciate your discretion on that day. But you've been such a good senator. And as some of you know I remark from time to time that - I've got to get the top button here Senator Hewitt, sorry for being disrespectful - but as I remark from time to time, my father who is retired watches TVW on an almost daily basis, and has come to really admire all of you on the floor and he's probably the person I respect most in life, and he really, really, really likes and respects you, Jim Hargrove. And I am now going to close and stop saying nice things about you and I'm going to make a very sincere appeal which is don't do this. You've given thirty-two years out here and we really need thirty-three from you. I wish I had, or someone here had been, at the dinner meeting in January because next year is a tough, tough year. With what's coming up with education funding and other things, next year really, really needs Jim Hargrove. So maybe we can cut your committees. You can just roll in once a week. Whatever needs to happen. But I sincerely think we need to think about thirty-three for you. But in any event if we only do get thirty-two, that's thirty-two years to treasure for the people of this state and God bless you Jim."

PERSONAL PRIVILEGE

Senator Brown: "Thank you, Mr. President. I've had the opportunity to work with Senator Hargrove only over the past few years, very limited time, but I've learned a tremendous amount, and it's something that every single person in this body should learn. That when we're working for the victims of this state, when we worked on Jason's law, there was no political party behind our name, it was a victim, and I thank you for that."

PERSONAL PRIVILEGE

Senator Benton: "Thank you, Mr. President. Well my colleagues have probably seen me cry more this week than they did in the last twenty years so I'll try not to do it on this speech but it's awfully hard. When I first came to the Senate, Jim caught me about the first week and he just gave me hell for something. I mean he really read me the riot act. And he set me straight and I've operated under that advisement and that corrective criticism for the last twenty years. And so I thank you for that Jim, I appreciated it. He was serious, and concerned, but gave me the news like my father would, in hopes that I would correct that behavior. And he gives it to you in a way that makes you want to correct that behavior. That's the kind of man he is. And I love you for it and I always have. You're my favorite senator on that side of the aisle. There's no question about it. I've served with you for twenty years and you're a man of integrity and honor, which is rare in these halls, and I admire that about you. And the other thing I admire about you, is you're a Democrat all right and you stick with your party, but you never let your party get in the way of doing the right thing, or in the way of what is good for the American people and the people of Washington State. That's first for you, and I think that's pretty important. Mr. President, in your remarks the other day I think you addressed this very issue, and I agree with you, and you've exemplified that, Jim. Do the right thing first, the party thing second. If more of us did that, we'd get out on time every year because we'd solve these problems without worrying who's going to get the credit or how are we going to take some kind of political stripe off their back for that. In fact, when my very good friend Mike Carrell was ill, you voted for him, because you didn't believe you should take political advantage of someone's illness. That's character there. That's important stuff. Because we're all human beings and we

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

all suffer from some of the same concerns and problems, and you've never taken advantage of anyone's personal problem, or issue, or illness. In fact, you stand up and fight for them, and I've always admired that. Your leadership, your friendship, and your directness, that's what I've appreciated about you, Jim, and I thank you for it. You've made me a better man for having the opportunity to serve with you, thank you."

PERSONAL PRIVILEGE

Senator Keiser: "Thank you. I would like to add my thanks to the good Senator Hargrove. When I first came over to this chamber, I was House-broken. And I was terrified because I had heard the stories of the good Senator and I did not know what to expect. But I found that outside of the gruff exterior and the rough talk and the use of the rules and the power that he had, he was a great teacher. He was a mentor. I had a bill, a tiny little thing, a mental health directive. It was one of my first bills on the Senate floor, and I ran into some trouble with it and Senator Hargrove came to my rescue with his red book, and encouraged me to use the red book with the good President. It was an audacious day and auspicious as well, because with his mentoring and his support and his guidance, it's been a tremendous opportunity. I would have never been on the Health Care committee without his support. I would have never had the opportunity to work on Obamacare and get health care to tens of thousands, to hundreds of thousands of people in our state, and we all worked on that together. It's been rough, it's been tough, and it's been wonderful. Thank you, Senator Hargrove."

PERSONAL PRIVILEGE

Senator Rolfes: "Well as Senator Hargrove sits there, I'm thinking a little bit smugly, I want to be very clear that I came from the House, and that Representative Ruth Kagi was very clear with all of the newer members: Don't be afraid of Senator Jim Hargrove, he's a big pussycat. And so I have known Senator Hargrove long enough to know that that is true. What Senator Hargrove doesn't know about me, that I am going to confess to the entire room, but which the staff knows, is that when he and I were locked in a room together last summer trying to work out the details of a bipartisan McCleary plan, I would actually drink an entire cup of coffee before I entered the room so that I could compete with him in that room as we would talk about property taxes and levies. I'm glad you're laughing at that Jim. The last thing I want to say is that I have personally appreciated Jim's devotion to faith. I'm not half the spiritual person that Jim is, but when listening to some of our colleagues today, I thought there has to be something in Ecclesiastes that is perfect for this occasion, and I would like to read a couple of very short passages from Ecclesiastes? First, Senator Hargrove, 'the end of a matter is better than its beginning,' and 'patience is better than pride. Do not be quickly provoked in your spirit, for anger resides in the lap of fools. Wisdom, like an inheritance, is a good thing and benefits those who see the sun. Wisdom is a shelter as money is a shelter, but the advantage of knowledge is this: Wisdom preserves those who have it.' And finally, I want to conclude my remarks with chapter twelve of Ecclesiastes which says: 'Now all has been heard; here is the conclusion of the matter: fear God and keep his commandments, for this is the duty of all mankind. For God will bring every deed into judgement, including every hidden thing, whether it is good or evil.' And Senator Hargrove imparted that wisdom upon us and our caucus every day that we met together. Thank you, Senator Hargrove."

PERSONAL PRIVILEGE

Senator Braun: "Thank you, Mr. President. So I had a whole speech here that I was going to deliver for Senator Hargrove, but we've talked a lot here, and I don't like to talk that much so I'm going to abbreviate it. And I'm going to go to one thing that started us off here a while ago. I think to sum all this up, your daughter had it right, you are no regular man. You are no regular man. Thank you very much for your service, for your friendship. We have been blessed, the state has been blessed to have you here. And I wish you the very best and your family the very best."

PERSONAL PRIVILEGE

Senator Hasegawa: "I just want to quickly say that, Jim, I'm going to miss your mentorship. And you know how I come to you for counsel every now and then. And you truly are a person who works to get to a yes under seemingly impossible circumstances. I think that's going to be the strongest lesson that I'll take back from you. But you have to promise me that we're going to keep that commitment to do that ride over to Conway's place with Senator Dansel."

PERSONAL PRIVILEGE

Senator O'Ban: "I'll be brief. I spent a lot of time with Senator Carrell as he was dying in his hospital room, and my wife actually had a chance to be with him when he passed away. We're very close to the Carrells. And Mike and I were talking about this place and the people in it. I think, in part, he was preparing me. And I remember one conversation he was talking about the personalities here. And, of course, Jim Hargrove came up. Mike loved you. You were a very loyal friend to him and for that act of courage, loyalty, and great personal challenge, I commend you sir. And I believe that he was aware of that and his deep friendship for you only grew greater. And I have a duty to say on this day of your parting, the kind of friendship you showed to him during that period, so thank you."

PERSONAL PRIVILEGE

Senator Miloscia: "I first met Senator Hargrove at the March for Life in 1991. And I saw him and what he said and I thought: I could do that. I can come down here and serve and take the stance he takes for life, for the poor, for the vulnerable. You've made that the heart of what, the heart of your philosophy, a philosophy that we get from Jesus Christ. And you've lived your faith. You've been that sort of hero. That ideal. It's not just you. It's your wife. I don't know if you knew this, but I got your phone number and I call you at home. Sometimes I get you, but I'd rather get your answering machine, get that blessing from your wife, from God. So that's the center of what drove you, and what I helped use to guide me. Thank you for being who you are and for serving our brothers and sisters."

PERSONAL PRIVILEGE

Senator Dammeier: "Thank you, Mr. President. Many wonderful things have been said and I could echo, mentorship, coaching, scared out of your pants coming over from the House, all of those things would be true. I have been blessed to spend time with you, and I think I know your heart, and I think you know my heart and thank you for that. I have been pleased to go through Proverbs with you, and I would just leave you with Micah, the book of Micah, chapter six, verse eight, says: 'He has

shown you, O man, what is good. And what does the Lord require of you? But to do justice, to love kindness, and to walk humbly with your God.' Okay, you're still working on that one, but two out of three isn't bad. Jim, you are awesome. Thank you very much for your friendship and your leadership."

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

SUBSTITUTE HOUSE BILL NO. 2440,
SECOND SUBSTITUTE HOUSE BILL NO. 2449,
SUBSTITUTE HOUSE BILL NO. 2985.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6194.

Senator Fraser assumed the chair.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House receded from its amendment(s) to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 6455-S2.E AMH SANT H4717.3, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 28A.300 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in consultation with school districts, educational service districts, and other state agencies, shall develop and implement a comprehensive, statewide initiative to increase the number of qualified individuals who apply for teaching positions in Washington. In developing and implementing the initiative, the office of the superintendent of public instruction, in partnership with the employment security department, shall:

(a) Develop and implement a teacher recruitment campaign that targets groups of individuals who may be interested in teaching in Washington public schools, such as: College students who have not chosen a major; out-of-state teachers; military

personnel and their spouses; and individuals with teaching certificates who are not currently employed as teachers;

(b) Incorporate certificated positions into the employment security department's existing web-based depository for job applications that allows for access by school districts in the state for purposes of hiring teachers and other certificated positions. The services and tools developed under this subsection must be made available initially to small school districts, and to larger districts as resources are available. When defining small districts for the purpose of this subsection, the office of the superintendent of public instruction must consider whether a district has fewer than three hundred certificated staff;

(c) Create or enhance an existing web site that provides useful information to individuals who are interested in teaching in Washington; and

(d) Take other actions to increase the number of qualified individuals who apply for teaching positions in Washington.

(2) By December 1, 2019, the office of the superintendent of public instruction shall assess the efficiency and effectiveness of the centralized web-based depository for job applications required under subsection (1)(b) of this section, and shall submit a report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, that recommends whether the requirement for the application depository be continued, modified, or terminated. In performing the assessment required in this subsection (2), the office must solicit and consider feedback from small school districts.

(3) This section expires July 1, 2020.

NEW SECTION. Sec. 2. (1) Subject to the availability of amounts appropriated for this specific purpose, the workforce training and education coordinating board, in collaboration with the professional educator standards board, shall work with the student achievement council, the office of the superintendent of public instruction, school districts, educational service districts, the state board for community and technical colleges, the institutions of higher education, major employers, and other parties to develop and disseminate information designed to increase recruitment into professional educator standards board-approved teacher preparation programs. The information must be disseminated statewide through existing channels.

(2) This section expires July 1, 2019.

NEW SECTION. Sec. 3. (1) Subject to the availability of amounts appropriated for this specific purpose, the professional educator standards board shall create and administer the recruitment specialists grant program to provide funds to professional educator standards board-approved teacher preparation programs to hire, or contract with, recruitment specialists that focus on recruitment of individuals who are from traditionally underrepresented groups among teachers in Washington when compared to the common school population.

(2) This section expires July 1, 2018.

Sec. 4. RCW 28A.410.250 and 2005 c 498 s 2 are each amended to read as follows:

The agency responsible for educator certification shall adopt rules for professional certification that:

(1) Provide maximum program choice for applicants, promote portability among programs, and promote maximum efficiency for applicants in attaining professional certification;

(2) Require professional certification no earlier than the fifth year following the year that the teacher first completes provisional status, with an automatic two-year extension upon enrollment;

(3) Grant professional certification to any teacher who attains certification from the national board for professional teaching standards;

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(4) Permit any teacher currently enrolled in or participating in a program leading to professional certification to continue the program under administrative rules in place when the teacher began the program;

(5) Provide criteria for the approval of educational service districts, beginning no later than August 31, 2007, to offer programs leading to professional certification. The rules shall be written to encourage institutions of higher education and educational service districts to partner with local school districts or consortia of school districts, as appropriate, to provide instruction for teachers seeking professional certification;

(6) Encourage institutions of higher education to offer professional certificate coursework as continuing education credit hours. This shall not prevent an institution of higher education from providing the option of including the professional certification requirements as part of a master's degree program;

(7) Provide criteria for a liaison relationship between approved programs and school districts in which applicants are employed;

(8) Identify an expedited professional certification process for out-of-state teachers who have five years or more of successful teaching experience ((to demonstrate skills and impact on student learning commensurate with Washington requirements for professional certification. The rules may require these teachers, within one year of the time they begin to teach in the state's public schools, take a course in or show evidence that they can teach to the state's essential academic learning requirements)), including a method to determine the comparability of rigor between the Washington professional certification process and the advanced level teacher certification process of other states. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds: (a) A valid teaching certificate issued by the national board for professional teaching standards; or (b) an advanced level teacher certificate from another state that has been determined to be comparable to the Washington professional certificate; and

(9) Identify an evaluation process of approved programs that includes a review of the program coursework and applicant coursework load requirements, linkages of programs to individual teacher professional growth plans, linkages to school district and school improvement plans, and, to the extent possible, linkages to school district professional enrichment and growth programs for teachers, where such programs are in place in school districts. The agency shall provide a preliminary report on the evaluation process to the senate and house of representatives committees on education policy by November 1, 2005. The board shall identify:

(a) A process for awarding conditional approval of a program that shall include annual evaluations of the program until the program is awarded full approval;

(b) A less intensive evaluation cycle every three years once a program receives full approval unless the responsible agency has reason to intensify the evaluation;

(c) A method for investigating programs that have received numerous complaints from students enrolled in the program and from those recently completing the program;

(d) A method for investigating programs at the reasonable discretion of the agency; and

(e) A method for using, in the evaluation, both program completer satisfaction responses and data on the impact of educators who have obtained professional certification on student work and achievement.

NEW SECTION. Sec. 5. A new section is added to chapter 28A.410 RCW to read as follows:

The agency responsible for educator certification shall adopt rules for professional certification that identify an expedited

professional certification process for out-of-state teachers who have five years or more of successful teaching experience, including a method to determine the comparability of rigor between the Washington professional certification process and any United States federally issued or state-issued advanced level teacher certification process that allows an individual to teach internationally. A professional certificate must be issued to these experienced out-of-state teachers if the teacher holds a United States federally issued or state-issued advanced level teacher certificate that allows the individual to teach internationally and that has been determined to be comparable to the Washington professional certificate.

NEW SECTION. Sec. 6. A new section is added to chapter 28A.410 RCW to read as follows:

(1) By September 1, 2020, the Washington state institute for public policy must review the effect of the provisions in RCW 28A.410.250(8) and section 5 of this act and report to the appropriate committees of the legislature, in accordance with RCW 43.01.036. The review and report must include information on:

(a) The extent to which advanced level teacher certificates from other states compare to the standards and requirements of the Washington professional certificate;

(b) The extent to which United States federal or state-issued advanced level certificates that allow individuals to teach internationally compare to the standards and requirements of the Washington professional certificate; and

(c) Whether the provisions in RCW 28A.410.250(8) and section 5 of this act have increased the number of professional certifications issued to individuals from out-of-state.

(2) The Washington state institute for public policy must coordinate with state agencies including the office of the superintendent of public instruction, the employment security department, and the professional educator standards board to gather data that informs the review. These state agencies must cooperate in a timely manner with data requests in service of this review.

(3) This section expires July 1, 2021.

NEW SECTION. Sec. 7. A new section is added to chapter 41.32 RCW under the subchapter heading "provisions applicable to plan 2 and plan 3" to be codified between RCW 41.32.067 and 41.32.215 to read as follows:

In addition to the postretirement employment options available in RCW 41.32.802 or 41.32.862, and only until August 1, 2020, a teacher in plan 2 or plan 3 who has retired under the alternate early retirement provisions of RCW 41.32.765(3)(b) or 41.32.875(3)(b) may be employed with an employer for up to eight hundred sixty-seven hours per calendar year without suspension of his or her benefit, provided that: (1) The retired teacher reenters employment more than one calendar month after his or her accrual date and after the effective date of this section; (2) is employed exclusively as either a substitute teacher as defined in RCW 41.32.010(48)(a) in an instructional capacity, as opposed to other capacities identified in RCW 41.32.010(49); and (3) the employing school district compensates the district's substitute teachers at a rate that is at least eighty-five percent of the full daily amount allocated by the state to the district for substitute teacher compensation.

NEW SECTION. Sec. 8. A new section is added to chapter 28A.300 RCW to read as follows:

(1) By October 1st of each year, a school district must report to the office of the superintendent of public instruction:

(a) The number of substitute teachers hired per school year;

(b) The number of substitute teachers hired under section 5 of this act per school year;

(c) The full daily compensation rate per substitute teacher; and

(d) The reason for hiring the substitute teacher.

(2) By January 1st of each year, the office of the superintendent of public instruction must post on its web site the information identified in subsection (1) of this section.

NEW SECTION. Sec. 9. (1) Subject to the availability of amounts appropriated for this specific purpose, the professional educator standards board shall coordinate meetings between the school districts that do not have professional educator standards board-approved alternative route teacher certification programs and the nearest public or private institution of higher education with a professional educator standards board-approved teacher preparation program. The purpose of the meetings is to determine whether the districts and institutions can partner to apply to the professional educator standards board to operate an alternative route teacher certification program.

(2) Subject to the availability of amounts appropriated for this specific purpose, an institution of higher education, as defined in RCW 28B.10.016, with a professional educator standards board-approved teacher preparation program that does not operate a professional educator standards board-approved alternative route teacher certification program must seek approval from the professional educator standards board to offer an alternative route teacher certification program by submitting the proposal developed under RCW 28A.410.290, or an updated version of the proposal, by September 1, 2016. If approved, the institution of higher education must implement an alternative route teacher certification program according to a timeline suggested by the professional educator standards board.

(3) This section expires July 1, 2017.

NEW SECTION. Sec. 10. A new section is added to chapter 28B.10 RCW to read as follows:

(1) By July 1, 2018, each institution of higher education with a professional educator standards board-approved alternative route teacher certification program must develop a plan describing how the institution of higher education will partner with school districts in the general geographic region of the school, or where its programs are offered, regarding placement of resident teachers. The plans must be developed in collaboration with school districts desiring to partner with the institutions of higher education, and may include use of unexpended federal or state funds to support residencies and mentoring for students who are likely to continue teaching in the district in which they have a supervised student teaching residency.

(2) The plans required under subsection (1) of this section must be updated at least biennially.

Sec. 11. RCW 28A.415.265 and 2013 2nd sp.s. c 18 s 401 are each amended to read as follows:

(1) For the purposes of this section, a mentor is an educator who has achieved appropriate training in assisting, coaching, and advising beginning teachers or student teaching residents as defined by the office of the superintendent of public instruction, such as national board certification or other specialized training.

(2)(a) The educator support program is established to provide professional development and mentor support for beginning educators, candidates in alternative route teacher certification programs under RCW 28A.660.040, and educators on probation under RCW 28A.405.100, to be composed of the beginning educator support team for beginning educators and continuous improvement coaching for educators on probation, as provided in this section.

((2)(a)) (b) The superintendent of public instruction shall notify school districts about the educator support program and encourage districts to apply for program funds.

(3) Subject to ((funds appropriated for this specific)) the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall allocate funds for the beginning educator support team on a competitive basis to individual school districts or consortia of districts. School districts are encouraged to include educational service districts in creating regional consortia. In allocating funds, the office of the superintendent of public instruction shall give priority to:

(a) School districts with low-performing schools identified under RCW 28A.657.020 as being challenged schools in need of improvement; and

(b) School districts with a large influx of beginning classroom teachers.

(4) A portion of the appropriated funds may be used for program coordination and provision of statewide or regional professional development through the office of the superintendent of public instruction.

((b)) (5) A beginning educator support team must include the following components:

((i)) (a) A paid orientation or individualized assistance before the start of the school year for beginning educators;

((ii)) (b) Assignment of a trained and qualified mentor for the first three years for beginning educators, with intensive support in the first year and decreasing support over the following years depending on the needs of the beginning educator;

((iii)) (c) A goal to provide beginning teachers from underrepresented populations with a mentor who has strong ties to underrepresented populations;

(d) Professional development for beginning educators that is designed to meet their unique needs for supplemental training and skill development;

((iv)) (e) Professional development for mentors;

((v)) (f) Release time for mentors and their designated educators to work together, as well as time for educators to observe accomplished peers; and

((vi)) (g) A program evaluation using a standard evaluation tool provided from the office of the superintendent of public instruction that measures increased knowledge, skills, and positive impact on student learning for program participants.

((3)) (6) Subject to ((funds separately)) the availability of amounts appropriated for this specific purpose, the beginning educator support team components under subsection ((2)) (3) of this section may be provided for continuous improvement coaching to support educators on probation under RCW 28A.405.100.

NEW SECTION. Sec. 12. A new section is added to chapter 28A.300 RCW to read as follows:

(1) In fiscal year 2017, the office of the superintendent of public instruction, in collaboration with the professional educator standards board and institutions of higher education with professional educator standards board-approved teacher preparation programs, shall develop mentor training program goals, and shall post the goals on its web site.

(2) The office of the superintendent of public instruction is encouraged to develop professional development curricula aligned with the mentor training program goals required under this section. The purpose of this curricula is to standardize mentorship training statewide in order to develop high quality mentors.

NEW SECTION. Sec. 13. A new section is added to chapter 28A.330 RCW to read as follows:

By June 15th of each year, a school district shall report to the office of the superintendent of public instruction the number of classroom teachers hired in the previous school year and the district projects will be hired in the following school year, disaggregated by content area.

Sec. 14. RCW 28A.660.050 and 2015 3rd sp.s. c 9 s 2 are each amended to read as follows:

Subject to the availability of amounts appropriated for ((these)) this specific purpose((s)), the conditional scholarship programs in this chapter are created under the following guidelines:

(1) The programs shall be administered by the student achievement council. In administering the programs, the council has the following powers and duties:

(a) To adopt necessary rules and develop guidelines to administer the programs;

(b) To collect and manage repayments from participants who do not meet their service obligations; and

(c) To accept grants and donations from public and private sources for the programs.

(2) Requirements for participation in the conditional scholarship programs are as provided in this subsection (2).

(a) The alternative route conditional scholarship program is limited to interns of professional educator standards board-approved alternative route((s to teaching)) teacher certification programs under RCW 28A.660.040. For fiscal year 2011, priority must be given to fiscal year 2010 participants in the alternative route partnership program. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment in an alternative ((certification)) route((s)) teacher certification program through a professional educator standards board-approved program;

(ii) Continue to make satisfactory progress toward completion of the alternative route teacher certification program and receipt of a residency teaching certificate; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed eight thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route teacher certification program in which the recipient is enrolled. The council may adjust the annual award by the average rate of resident undergraduate tuition and fee increases at the state universities as defined in RCW 28B.10.016.

(b) The pipeline for paraeducators conditional scholarship program is limited to qualified paraeducators as provided by RCW 28A.660.042. In order to receive conditional scholarship awards, recipients shall:

(i) Be accepted and maintain enrollment at a community and technical college for no more than two years and attain an associate of arts degree;

(ii) Continue to make satisfactory progress toward completion of an associate of arts degree. This progress requirement is a condition for eligibility into a route one program of the alternative route((s to)) teacher certification program for ((a)) an early childhood education, elementary education, mathematics, computer science, special education, bilingual education, or English as a second language endorsement; and

(iii) Receive no more than the annual amount of the scholarship, not to exceed four thousand dollars, for the cost of tuition, fees, and educational expenses, including books, supplies, and transportation for the alternative route teacher certification program in which the recipient is enrolled. The student achievement council may adjust the annual award by the average rate of tuition and fee increases at the state community and technical colleges.

(c) The educator retooling conditional scholarship program is limited to current K-12 teachers. In order to receive conditional scholarship awards:

(i) Individuals currently employed as teachers shall pursue an endorsement in a subject or geographic endorsement shortage

area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, elementary education, early childhood education, bilingual education, English language learner, computer science education, or environmental and sustainability education; or

(ii) Individuals who are certificated with an elementary education endorsement shall pursue an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education; and

(iii) Individuals shall use one of the pathways to endorsement processes to receive an endorsement in a subject or geographic endorsement shortage area, as defined by the professional educator standards board, including but not limited to((,)) mathematics, science, special education, bilingual education, English language learner, computer science education, or environmental and sustainability education, which shall include passing an endorsement test plus observation and completing applicable coursework to attain the proper endorsement; and

(iv) Individuals shall receive no more than the annual amount of the scholarship, not to exceed three thousand dollars, for the cost of tuition, test fees, and educational expenses, including books, supplies, and transportation for the endorsement pathway being pursued.

(3) The Washington professional educator standards board shall select individuals to receive conditional scholarships. In selecting recipients, preference shall be given to eligible veterans or national guard members. In awarding conditional scholarships to support additional bilingual education or English language learner endorsements, the board shall also give preference to teachers assigned to schools required under state or federal accountability measures to implement a plan for improvement, and to teachers assigned to schools whose enrollment of English language learner students has increased an average of more than five percent per year over the previous three years.

(4) For the purpose of this chapter, a conditional scholarship is a loan that is forgiven in whole or in part in exchange for service as a certificated teacher employed in a Washington state K-12 public school. The state shall forgive one year of loan obligation for every two years a recipient teaches in a public school. Recipients who fail to continue a course of study leading to residency teacher certification or cease to teach in a public school in the state of Washington in their endorsement area are required to repay the remaining loan principal with interest.

(5) Recipients who fail to fulfill the required teaching obligation are required to repay the remaining loan principal with interest and any other applicable fees. The student achievement council shall adopt rules to define the terms for repayment, including applicable interest rates, fees, and deferments.

(6) The student achievement council may deposit all appropriations, collections, and any other funds received for the program in this chapter in the future teachers conditional scholarship account authorized in RCW 28B.102.080.

NEW SECTION. Sec. 15. A new section is added to chapter 28B.102 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office shall develop and administer the teacher shortage conditional grant program as a subprogram within the future teachers conditional scholarship and loan repayment program. The purpose of the teacher shortage conditional grant program is to encourage individuals to become teachers by providing financial aid to individuals enrolled in

professional educator standards-approved teacher preparation programs.

(2) The office has the power and duty to develop and adopt rules as necessary under chapter 34.05 RCW to administer the program described in this section.

(3) As part of the rule-making process under subsection (2) of this section, the office must collaborate with the professional educator standards board, the Washington state school directors' association, and the professional educator standards board-approved teacher preparation programs to develop a framework for the teacher shortage conditional grant program, including eligibility requirements, contractual obligations, conditional grant amounts, and loan repayment requirements.

(4)(a) In developing the eligibility requirements, the office must consider: Whether the individual has a financial need, is a first-generation college student, or is from a traditionally underrepresented group among teachers in Washington; whether the individual is completing an alternative route teacher certification program; whether the individual plans to obtain an endorsement in a hard-to-fill subject, as defined by the professional educator standards board; the characteristic of any geographic shortage area, as defined by the professional educator standards board, that the individual plans to teach in; and whether a school district has committed to offering the individual employment once the individual obtains a residency teacher certificate.

(b) In developing the contractual obligations, the office must consider requiring the individual to: Obtain a Washington state residency teacher certificate; teach in a subject or geographic endorsement shortage area, as defined by the professional educator standards board; and commit to teach for five school years in an approved education program with a need for a teacher with such an endorsement at the time of hire.

(c) In developing the conditional grant award amounts, the office must consider whether the individual is: Enrolled in a public or private institution of higher education, a resident, in a baccalaureate or postbaccalaureate program, or in an alternative route teacher certification program. In addition, the award amounts must not result in a reduction of the individual's federal or state grant aid, including Pell grants, state need grants, college bound scholarships, or opportunity scholarships.

(d) In developing the repayment requirements for a conditional grant that is converted into a loan, the terms and conditions of the loan must follow the interest rate and repayment terms of the federal direct subsidized loan program. In addition, the office must consider the following repayment schedule:

(i) For less than one school year of teaching completed, the loan obligation is eighty-five percent of the conditional grant the student received, plus interest and an equalization fee;

(ii) For less than two school years of teaching completed, the loan obligation is seventy percent of the conditional grant the student received, plus interest and an equalization fee;

(iii) For less than three school years of teaching completed, the loan obligation is fifty-five percent of the conditional grant the student received, plus interest and an equalization fee; and

(iv) For less than four school years of teaching completed, the loan obligation is forty percent of the conditional grant the student received, plus interest and an equalization fee.

(5) By November 1, 2018, and November 1, 2020, the office shall submit reports, in accordance with RCW 43.01.036, to the appropriate committees of the legislature that recommend whether the teacher shortage conditional grant program under this section should be continued, modified, or terminated, and that include information about the recipients of the grants under this program.

NEW SECTION. **Sec. 16.** A new section is added to chapter 28A.630 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the teacher endorsement and certification help pilot project, known as the TEACH pilot, is created. The scale of the TEACH pilot is dependent on the level of funding appropriated.

(2) The student achievement council, after consultation with the professional educator standards board, shall have the power and duty to develop and adopt rules as necessary under chapter 34.05 RCW to administer the pilot project described in this section. The rules, which must be adopted by August 1, 2016, must include:

(a) A TEACH pilot grant application process;

(b) A financial need verification process;

(c) The order of priority in which the applications will be approved; and

(d) A process for disbursing TEACH pilot grant awards to selected applicants.

(3) A student seeking a TEACH pilot grant to cover the costs of basic skills and content tests required for teacher certification and endorsement must submit an application to the student achievement council, following the rules developed under this section.

(4) To qualify for financial assistance, an applicant must meet the following criteria:

(a) Be enrolled in, have applied to, or have completed a professional educator standards board-approved teacher preparation program;

(b) Demonstrate financial need, as defined by the office of student financial assistance and consistent with the income criteria required to receive the state need grant established in chapter 28B.92 RCW;

(c) Apply for a TEACH pilot grant under this section; and

(d) Register for an endorsement competency test in one or more endorsement shortage areas.

(5) Beginning September 1, 2016, the student achievement council, in collaboration with the professional educator standards board, shall award a TEACH pilot grant to a student who meets the qualifications listed in this section and in rules developed under this section. The TEACH pilot grant award must cover the costs of basic skills and content tests required for teacher certification. The council shall prioritize TEACH pilot grant awards first to applicants registered for competency tests in endorsement shortage areas and second to applicants with greatest financial need. The council shall scale the number of TEACH pilot grant awards to the amount of funds appropriated for this purpose.

(6) The student achievement council and the professional educator standards board shall include information about the TEACH pilot in materials distributed to schools and students.

(7) By December 31, 2018, and in compliance with RCW 43.01.036, the student achievement council, in collaboration with the professional educator standards board, shall submit a preliminary report to the appropriate committees of the legislature that details the effectiveness and costs of the pilot project. The preliminary report must (a) compare the numbers and demographic information of students taking and passing tests in the endorsement shortage areas before and after implementation of the pilot project, and (b) determine the amount of TEACH pilot grant award financial assistance awarded each pilot year and per student.

(8) By December 31, 2020, and in compliance with RCW 43.01.036, the student achievement council, in collaboration with the professional educator standards board, shall submit a final report to the appropriate committees of the legislature that details

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

the effectiveness and costs of the pilot project. In addition to updating the preliminary report, the final report must (a) compare the numbers and demographic information of students obtaining teaching certificates with endorsement competencies in the endorsement shortage areas before and after implementation of the pilot project, and (b) recommend whether the pilot project should be modified, continued, and expanded.

(9) This section expires July 1, 2021.

NEW SECTION. Sec. 17. A new section is added to chapter 28B.76 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the office shall administer a student teaching residency grant program to provide additional funds to individuals completing student teaching residencies at public schools in Washington.

(2) To qualify for the grant, recipients must be enrolled in a professional educator standards board-approved teacher preparation program, be completing or about to start a student teaching residency at a Title I school, and demonstrate financial need, as defined by the office and consistent with the income criteria required to receive the state need grant established in chapter 28B.92 RCW.

(3) The office shall establish rules for administering the grants under this section.

Sec. 18. RCW 28B.15.558 and 2015 c 55 s 221 are each amended to read as follows:

(1) The governing boards of the state universities, the regional universities, The Evergreen State College, and the community and technical colleges may waive all or a portion of the tuition and services and activities fees for state employees as defined under subsection (2) of this section and teachers ((and)), other certificated instructional staff under subsection (3) of this section, and K-12 classified staff under subsection (4) of this section. The enrollment of these persons is pursuant to the following conditions:

(a) Such persons shall register for and be enrolled in courses on a space available basis and no new course sections shall be created as a result of the registration;

(b) Enrollment information on persons registered pursuant to this section shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall such persons be considered in any enrollment statistics that would affect budgetary determinations; and

(c) Persons registering on a space available basis shall be charged a registration fee of not less than five dollars.

(2) For the purposes of this section, "state employees" means persons employed half-time or more in one or more of the following employee classifications:

(a) Permanent employees in classified service under chapter 41.06 RCW;

(b) Permanent employees governed by chapter 41.56 RCW pursuant to the exercise of the option under RCW 41.56.201;

(c) Permanent classified employees and exempt paraprofessional employees of technical colleges; and

(d) Faculty, counselors, librarians, and exempt professional and administrative employees at institutions of higher education as defined in RCW 28B.10.016.

(3) The waivers available to state employees under this section shall also be available to teachers and other certificated instructional staff employed at public common and vocational schools, holding or seeking a valid endorsement and assignment in a state-identified shortage area.

(4) The waivers available under this section shall also be available to classified staff employed at K-12 public schools when used for coursework relevant to the work assignment.

(5) In awarding waivers, an institution of higher education may award waivers to eligible persons employed by the institution before considering waivers for eligible persons who are not employed by the institution.

((5)) (6) If an institution of higher education exercises the authority granted under this section, it shall include all eligible state employees in the pool of persons eligible to participate in the program.

((6)) (7) In establishing eligibility to receive waivers, institutions of higher education may not discriminate between full-time employees and employees who are employed half-time or more.

NEW SECTION. Sec. 19. Section 7 of this act expires July 1, 2021."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Dammeier moved that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455.

Senators Dammeier and Mullet spoke in favor of the motion.

MOTION

On motion of Senator Mullet, and without objection, Senator Ranker was excused.

Senator Fraser declared the question before the Senate to be the motion by Senator Dammeier that the Senate concur in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455.

The motion by Senator Dammeier carried and the Senate concurred in the House amendment(s) to Engrossed Second Substitute Senate Bill No. 6455 by voice vote.

Senator Fraser declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6455, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6455, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dinsel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

The Senate resumed consideration of Engrossed Second Substitute House Bill No. 2439 which had been deferred on the previous day.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439, by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Walsh, Senn, Johnson, Orwall, Dent, McBride, Reykdal, Jinkins, Tharinger, Fey, Tarleton, Stanford, Springer, Frame, Kilduff, Sells, Bergquist and Goodman)

Increasing access to adequate and appropriate mental health services for children and youth.

The measure was read the second time.

MOTION

Senator O'Ban moved that the following striking amendment no. 753 by Senator O'Ban be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature understands that adverse childhood experiences, such as family mental health issues, substance abuse, serious economic hardship, and domestic violence, all increase the likelihood of developmental delays and later health and mental health problems. The legislature further understands that early intervention services for children and families at high risk for adverse childhood experience help build secure parent-child attachment and bonding, which allows young children to thrive and form strong relationships in the future. The legislature finds that early identification and intervention are critical for children exhibiting aggressive or depressive behaviors indicative of early mental health problems. The legislature intends to improve access to adequate, appropriate, and culturally responsive mental health services for children and youth. The legislature further intends to encourage the use of behavioral health therapies and other therapies that are empirically supported or evidence-based and only prescribe medications for children and youth as a last resort.

(2) The legislature finds that nearly half of Washington's children are enrolled in medicaid and have a higher incidence of serious health problems compared to children who have commercial insurance. The legislature recognizes that disparities also exist in the diagnosis and initiation of treatment services for children of color, with studies demonstrating that children of color are diagnosed and begin receiving early interventions at a later age. The legislature finds that within the current system of care, families face barriers to receiving a full range of services for children experiencing behavioral health problems. The legislature intends to identify what network adequacy requirements, if strengthened, would increase access, continuity, and coordination of behavioral health services for children and families. The legislature further intends to encourage managed care plans and behavioral health organizations to contract with the same providers that serve children so families are not required to duplicate mental health screenings, and to recommend provider rates for mental health services to children and youth which will ensure an adequate network and access to quality based care.

(3) The legislature recognizes that early and accurate recognition of behavioral health issues coupled with appropriate and timely intervention enhances health outcomes while minimizing overall expenditures. The legislature intends to assure that annual depression screenings are done consistently with the highly vulnerable medicaid population and that children and families benefit from earlier access to services.

NEW SECTION. Sec. 2. (1) The children's mental health work group is established to identify barriers to accessing mental health services for children and families, and to advise the legislature on statewide mental health services for this population.

(2)(a) The work group shall include diverse, statewide representation from the public and nonprofit and for-profit entities. Its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(b) The work group shall consist of not more than twenty-five members, as follows:

(i) The president of the senate shall appoint one member and one alternative member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member and one alternative member from each of the two largest caucuses in the house of representatives.

(iii) The governor shall appoint at least one representative from each of the following: The department of early learning, the department of social and health services, the health care authority, the department of health, and a representative of the governor.

(iv) The superintendent of public instruction shall appoint one representative from the office of the superintendent of public instruction.

(v) The governor shall request participation by a representative of tribal governments.

(vi) The governor shall appoint one representative from each of the following: Behavioral health organizations, community mental health agencies, medicaid managed care organizations, pediatricians or primary care providers, providers that specialize in early childhood mental health, child health advocacy groups, early learning and child care providers, the managed health care plan for foster children, the evidence-based practice institute, parents or caregivers who have been a recipient of early childhood mental health services, and foster parents.

(c) The work group shall seek input and participation from stakeholders interested in the improvement of statewide mental health services for children and families.

(d) The work group shall choose two cochairs, one from among its legislative membership and one representative of a state agency. The representative from the health care authority shall convene the initial meeting of the work group.

(3) The children's mental health work group shall review the barriers that exist to identifying and treating mental health issues in children with a particular focus on birth to five and report to the appropriate committees of the legislature. At a minimum the work group must:

(a) Review and recommend developmentally, culturally, and linguistically appropriate assessment tools and diagnostic approaches that managed care plans and behavioral health organizations should use as the mechanism to establish eligibility for services;

(b) Identify and review billing issues related to serving the parent or caregiver in a treatment dyad and the billing issues related to services that are appropriate for serving children, including children birth to five;

(c) Evaluate and identify barriers to billing and payment for behavioral health services provided within primary care settings

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

in an effort to promote and increase the use of behavioral health professionals within primary care settings;

(d) Review workforce issues related to serving children and families, including issues specifically related to birth to five;

(e) Recommend strategies for increasing workforce diversity and the number of professionals qualified to provide children's mental health services;

(f) Review and make recommendations on the development and adoption of standards for training and endorsement of professionals to become qualified to provide mental health services to children birth to five and their parents or caregivers;

(g) Analyze, in consultation with the department of early learning, the health care authority, and the department of social and health services, existing and potential mental health supports for child care providers to reduce expulsions of children in child care and preschool; and

(h) Identify outreach strategies that will successfully disseminate information to parents, providers, schools, and other individuals who work with children and youth on the mental health services offered through the health care plans, including referrals to parenting programs, community providers, and behavioral health organizations.

(4) Legislative members of the work group are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the work group must be paid jointly by the senate and the house of representatives. Work group expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The work group shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2016.

(7) Staff support for the committee must be provided by the house of representatives office of program research, the senate committee services, and the office of financial management.

(8) This section expires December 1, 2017.

NEW SECTION. Sec. 3. A new section is added to chapter 74.09 RCW to read as follows:

To better assure and understand issues related to network adequacy and access to services, the authority and the department shall report to the appropriate committees of the legislature by December 1, 2017, and annually thereafter, on the status of access to behavioral health services for children birth through age seventeen using data collected pursuant to RCW 70.320.050. At a minimum, the report must include the following components broken down by age, gender, and race and ethnicity:

(1) The percentage of discharges for patients ages six through seventeen who had a visit to the emergency room with a primary diagnosis of mental health or alcohol or other drug dependence during the measuring year and who had a follow-up visit with any provider with a corresponding primary diagnosis of mental health or alcohol or other drug dependence within thirty days of discharge;

(2) The percentage of health plan members with an identified mental health need who received mental health services during the reporting period; and

(3) The percentage of children served by behavioral health organizations, including the types of services provided.

NEW SECTION. Sec. 4. (1)(a) Subject to appropriation, health care authority shall expand the partnership access line

service by selecting a rural inclusive region of the state to offer an additional level of child mental health care support services for primary care, to be referred to as the PAL plus pilot program.

(b) For purposes of the PAL plus pilot program, the health care authority shall work in collaboration with faculty from the University of Washington working on the integration of mental health and medical care.

(2)(a) The PAL plus service is targeted to help children and families with medicaid coverage who have mental health concerns not already being served by the regional support network system or other local specialty care providers, and who instead receive treatment from their primary care providers. Services must be offered by regionally based and multipractice shared mental health service providers who deliver in person and over the telephone the following services upon primary care request:

(i) Evaluation and diagnostic support;

(ii) Individual patient care progress tracking;

(iii) Behavior management coaching; and

(iv) Other evidence supported psychosocial care supports which are delivered as an early and easily accessed intervention for families.

(b) The PAL team of child psychiatrists and psychologists shall provide mental health service providers with training and support, weekly care plan reviews and support on their caseloads, direct patient evaluations for selected enhanced assessments, and must utilize a shared electronic reporting and tracking system to ensure that children not improving are identified as such and helped to receive additional services. The PAL team shall promote the appropriate use of cognitive behavioral therapies and other treatments which are empirically supported or evidence-based and encourage providers to use psychotropic medications as a last resort.

(3)(a) The health care authority shall monitor PAL plus service outcomes, including, but not limited to:

(i) Characteristics of the population being served;

(ii) Process measures of service utilization;

(iii) Behavioral health symptom rating scale outcomes of individuals and aggregate rating scale outcomes of populations of children served;

(iv) Claims data comparison of implementation versus nonimplementation regions;

(v) Service referral patterns to local specialty mental health care providers; and

(vi) Family and provider feedback.

(b) By December 31, 2017, the health care authority shall make a preliminary evaluation of the viability of a statewide PAL plus service program and report to the appropriate committees of the legislature, with a final evaluation report due by December 31, 2018. The final report must include recommendations on sustainability and leveraging funds through behavioral health and managed care organizations.

(4) This section expires December 31, 2019.

NEW SECTION. Sec. 5. (1) The joint legislative audit and review committee shall conduct an inventory of the mental health service models available to students in schools, school districts, and educational service districts and report its findings by October 31, 2016. The report must be submitted to the appropriate committees of the house of representatives and the senate, in accordance with RCW 43.01.036.

(2) The committee must perform the inventory using data that is already collected by schools, school districts, and educational service districts. The committee must not collect or review student-level data and must not include student-level data in the report.

(3) The inventory and report must include information on the following:

(a) How many students are served by mental health services funded with nonbasic education appropriations in each school, school district, or educational service district;

(b) How many of these students are participating in medicaid programs;

(c) How the mental health services are funded, including federal, state, local, and private sources;

(d) Information on who provides the mental health services, including district employees and contractors; and

(e) Any other available information related to student access and outcomes.

(4) The duties of this section must be carried out within existing appropriations.

(5) This section expires July 1, 2017.

Sec. 6. RCW 28A.310.500 and 2013 c 197 s 6 are each amended to read as follows:

(1) Each educational service district shall develop and maintain the capacity to offer training for educators and other school district staff on youth suicide screening and referral, and on recognition, initial screening, and response to emotional or behavioral distress in students, including but not limited to indicators of possible substance abuse, violence, and youth suicide. An educational service district may demonstrate capacity by employing staff with sufficient expertise to offer the training or by contracting with individuals or organizations to offer the training. Training may be offered on a fee-for-service basis, or at no cost to school districts or educators if funds are appropriated specifically for this purpose or made available through grants or other sources.

(2)(a) Subject to the availability of amounts appropriated for this specific purpose, Forefront at the University of Washington shall convene a one-day in-person training of student support staff from the educational service districts to deepen the staff's capacity to assist schools in their districts in responding to concerns about suicide. Educational service districts shall send staff members to the one-day in-person training within existing resources.

(b) Subject to the availability of amounts appropriated for this specific purpose, after establishing these relationships with the educational service districts, Forefront at the University of Washington must continue to meet with the educational service districts via videoconference on a monthly basis to answer questions that arise for the educational service districts, and to assess the feasibility of collaborating with the educational service districts to develop a multiyear, statewide rollout of a comprehensive school suicide prevention model involving regional trainings, on-site coaching, and cohorts of participating schools in each educational service district.

(c) Subject to the availability of amounts appropriated for this specific purpose, Forefront at the University of Washington must work to develop public-private partnerships to support the rollout of a comprehensive school suicide prevention model across Washington's middle and high schools.

(d) The comprehensive school suicide prevention model must consist of:

(i) School-specific revisions to safe school plans required under RCW 28A.320.125, to include procedures for suicide prevention, intervention, assessment, referral, reentry, and intervention and recovery after a suicide attempt or death;

(ii) Developing, within the school, capacity to train staff, teachers, parents, and students in how to recognize and support a student who may be struggling with behavioral health issues;

(iii) Improved identification such as screening, and response systems such as family counseling, to support students who are at risk;

(iv) Enhanced community-based linkages of support; and

(v) School selection of appropriate curricula and programs to enhance student awareness of behavioral health issues to reduce stigma, and to promote resilience and coping skills.

(e) Subject to the availability of amounts appropriated for this specific purpose, and by December 15, 2017, Forefront at the University of Washington shall report to the appropriate committees of the legislature, in accordance with RCW 43.01.036, with the outcomes of the educational service district trainings, any public-private partnership developments, and recommendations on ways to work with the educational service districts or others to implement suicide prevention.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act, with the exception of sections 1, 2, and 3 of this act, referencing this act by bill or chapter number, is not provided by June 30, 2016, in the omnibus appropriations act, this act, except for sections 1, 2, and 3 of this act, is null and void."

On page 1, line 2 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 28A.310.500; adding a new section to chapter 74.09 RCW; creating new sections; and providing expiration dates."

WITHDRAWAL OF AMENDMENT

On motion of Senator Frockt, and without objection, the following amendment no. 757 by Senator Frockt to the striking amendment to Engrossed Second Substitute House Bill No. 2439 was withdrawn:

On page 5, line 14 of the amendment, after "(a)" strike "Subject to appropriation," and insert "The"

MOTION

Senator O'Ban moved that the following amendment no. 758 by Senator O'Ban to the striking amendment be adopted:

Beginning on page 5, line 14 of the amendment, strike all of section 4

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Fraser declared the question before the Senate to be the adoption of amendment no. 758 by Senator O'Ban to the striking amendment to Engrossed Second Substitute House Bill No. 2439.

The motion by Senator O'Ban carried and the amendment to the striking amendment was adopted by voice vote.

Senator Fraser declared the question before the Senate to be the adoption of the striking amendment no. 753 by Senator O'Ban, as amended, to Engrossed Second Substitute House Bill No. 2439.

The motion by Senator O'Ban carried and the striking amendment as amended was adopted by voice vote.

MOTION

On motion of Senator O'Ban, the rules were suspended, Engrossed Second Substitute House Bill No. 2439, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator O'Ban spoke in favor of passage of the bill.

The Senator Fraser declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 2439 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 2439, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 1; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dandel, Darneille, Ericksen, Fain, Fraser, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Frockt

Absent: Senator Hargrove

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Ranker, and without objection, Senator Hargrove was excused.

Senator Benton assumed the chair.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 9, 2016

MR. PRESIDENT:

The House refuses to concur in the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 2841 and asks the Senate to recede therefrom.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Angel moved that the Senate recede from its position on the Senate amendments to Substitute House Bill No. 2841.

Senator Benton declared the question before the Senate to be motion by Senator Angel that the Senate recede from its position on the Senate amendments to Substitute House Bill No. 2841.

The motion by Senator Angel carried and the Senate receded from its amendments to Substitute House Bill No. 2841.

MOTION

On motion of Senator Angel, the rules were suspended and Substitute House Bill No. 2841 was returned to second reading for the purposes of amendment.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2841, by House Committee on Local Government (originally sponsored by Representatives Senn and Buys)

Concerning the state building code council.

The measure was read the second time.

MOTION

Senator Angel moved that the following striking amendment no. 760 by Senators Angel and Roach be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 19.27.070 and 2011 1st sp.s. c 43 s 244 are each amended to read as follows:

There is hereby established in the department of enterprise services a state building code council, to be appointed by the governor.

(1) The state building code council shall consist of fifteen members:

(a) Two members must be county elected legislative body members or elected executives;

(b) Two members must be city elected legislative body members or mayors;

(c) One member must be a local government building code enforcement official;

(d) One member must be a local government fire service official;

(e) One member must be a person with a physical disability and shall represent the disability community;

(f) One member must represent the general public; and

(g) Seven members must represent the private sector as follows:

(i) One member shall represent general construction, specializing in commercial and industrial building construction;

((f)) (ii) One member shall represent general construction, specializing in residential and multifamily building construction;

((g)) (iii) One member shall represent the architectural design profession;

((h)) (iv) One member shall represent the structural engineering profession;

((i)) (v) One member shall represent the mechanical engineering profession;

((j)) (vi) One member shall represent the construction building trades;

((k)) (vii) One member shall represent manufacturers, installers, or suppliers of building materials and components(;

(l) One member must be a person with a physical disability and shall represent the disability community; and

(m) One member shall represent the general public)).

(2) At least six of these fifteen members shall reside east of the crest of the Cascade mountains.

(3) The council shall include: Two members of the house of representatives appointed by the speaker of the house, one from each caucus; two members of the senate appointed by the president of the senate, one from each caucus; and an employee of the electrical division of the department of labor and industries, as ex officio, nonvoting members with all other privileges and rights of membership.

(4)(a) Terms of office shall be for three years, or for so long as the member remains qualified for the appointment.

(b) The council shall elect a member to serve as chair of the council for one-year terms of office.

(c) Any member who is appointed by virtue of being an elected official or holding public employment shall be removed from the council if he or she ceases being such an elected official or holding such public employment.

(d)(i) Any member who is appointed to represent a specific private sector industry must maintain sufficiently similar employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement or unemployment is not cause for termination. However, if a councilmember enters into employment outside of the industry he or she has been appointed to represent, then he or she shall be removed from the council.

(ii) Any member who is appointed after the effective date of this section to represent a specific private sector industry must maintain sufficiently similar private sector employment or circumstances throughout the term of office to remain qualified to represent the specified industry. Retirement or unemployment is not cause for termination. However, if a councilmember appointed after the effective date of this section to represent a specific private sector industry enters into employment outside of the industry, or outside of the private sector, he or she has been appointed to represent, then he or she shall be removed from the council.

(e) Any member who no longer qualifies for appointment under this section may not vote on council actions, but may participate as an ex officio, nonvoting member until a replacement member is appointed. A member must notify the council staff and the governor's office within thirty days of the date the member no longer qualifies for appointment under this section. The governor shall appoint a qualified replacement for the member within sixty days of notice.

(5) Before making any appointments to the building code council, the governor shall seek nominations from recognized organizations which represent the entities or interests identified in this section.

(6) Members shall not be compensated but shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

((7) The department of enterprise services shall provide administrative and clerical assistance to the building code council.))

Sec. 2. RCW 19.27.074 and 1989 c 266 s 3 are each amended to read as follows:

(1) The state building code council shall:

(a) Adopt and maintain the codes to which reference is made in RCW 19.27.031 in a status which is consistent with the state's interest as set forth in RCW 19.27.020. In maintaining these codes, the council shall regularly review updated versions of the codes referred to in RCW 19.27.031 and other pertinent information and shall amend the codes as deemed appropriate by the council;

(b) Approve or deny all county or city amendments to any code referred to in RCW 19.27.031 to the degree the amendments apply to single-family or multifamily residential buildings;

(c) As required by the legislature, develop and adopt any codes relating to buildings; and

(d) Propose a budget for the operation of the state building code council to be submitted to the office of financial management pursuant to RCW 43.88.090.

(2) The state building code council may:

(a) Appoint technical advisory committees which may include members of the council; and

(b) ((Employ permanent and temporary staff and contract for services; and

(c)) Conduct research into matters relating to any code or codes referred to in RCW 19.27.031 or any related matter.

(3)(a) All meetings of the state building code council shall be open to the public under the open public meetings act, chapter 42.30 RCW. All actions of the state building code council which adopt or amend any code of statewide applicability shall be pursuant to the administrative procedure act, chapter 34.05 RCW.

(b) All council decisions relating to the codes enumerated in RCW 19.27.031 shall require approval by at least a majority of the members of the council.

(c) All decisions to adopt or amend codes of statewide application shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

(4) The department of enterprise services shall employ permanent and temporary staff and contract for services for the state building code council.

Sec. 3. RCW 19.27A.020 and 2015 c 11 s 3 are each amended to read as follows:

(1) The state building code council in the department of enterprise services shall adopt rules to be known as the Washington state energy code as part of the state building code.

(2) The council shall follow the legislature's standards set forth in this section to adopt rules to be known as the Washington state energy code. The Washington state energy code shall be designed to:

(a) Construct increasingly energy efficient homes and buildings that help achieve the broader goal of building zero fossil-fuel greenhouse gas emission homes and buildings by the year 2031;

(b) Require new buildings to meet a certain level of energy efficiency, but allow flexibility in building design, construction, and heating equipment efficiencies within that framework; and

(c) Allow space heating equipment efficiency to offset or substitute for building envelope thermal performance.

(3) The Washington state energy code shall take into account regional climatic conditions. One climate zone includes: Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Skamania, Spokane, Stevens, Walla Walla, Whitman, and Yakima counties. The other climate zone includes all other counties not listed in this subsection (3). The assignment of a county to a climate zone may not be changed by adoption of a model code or rule. Nothing in this section prohibits the council from adopting the same rules or standards for each climate zone.

(4) The Washington state energy code for residential buildings shall be the 2006 edition of the Washington state energy code, or as amended by rule by the council.

(5) The minimum state energy code for new nonresidential buildings shall be the Washington state energy code, 2006 edition, or as amended by the council by rule.

(6)(a) Except as provided in (b) of this subsection, the Washington state energy code for residential structures shall preempt the residential energy code of each city, town, and county in the state of Washington.

(b) The state energy code for residential structures does not preempt a city, town, or county's energy code for residential structures which exceeds the requirements of the state energy code and which was adopted by the city, town, or county prior to March 1, 1990. Such cities, towns, or counties may not subsequently amend their energy code for residential structures to exceed the requirements adopted prior to March 1, 1990.

(7) The state building code council shall consult with the department of enterprise services as provided in RCW 34.05.310 prior to publication of proposed rules. The director of the department of enterprise services shall recommend to the state building code council any changes necessary to conform the proposed rules to the requirements of this section.

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(8) The state building code council shall evaluate and consider adoption of the international energy conservation code in Washington state in place of the existing state energy code.

(9) The definitions in RCW 19.27A.140 apply throughout this section.

NEW SECTION. Sec. 4. A new section is added to chapter 19.27 RCW to read as follows:

(1)(a) A legislative task force on the state building code council's administration and operations is established, with members as provided in this subsection.

(i) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(iii) The president of the senate and the speaker of the house of representatives shall appoint the following eight members:

(A) Two current members of the building code council representing the private sector;

(B) One current member of the building code council representing local government;

(C) One current member of the building code council representing labor interests; and

(D) Four members who regularly work with the council, each representing one of the following: Local government, private sector interests, labor interests, and environmental interests.

(iv) The director of the department of enterprise services shall appoint one member from the department of enterprise services and one member from the department of commerce energy program.

(b) The task force shall choose its chair from among its legislative membership. The legislative members of the task force shall convene the initial meeting of the task force.

(2) The task force shall review and provide recommendations on the following issues:

(a) The current structure, operations, and resources of the council;

(b) The building code development process and length, including the policy and procedure, technical, and economic aspects including the public and private construction costs of review and adoption of the state building code;

(c) Total resources necessary for an effective state building code development process, including staffing and needs;

(d) Options for long-term, reliable funding of the council;

(e) The powers, duties, and support services of the department of enterprise services relevant to the council;

(f) Council membership, composition, and size; and

(g) The council's compliance with current statutes and requirements.

(3) Staff support for the task force must be provided by senate committee services and the office of program research.

(4) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(5) The expenses of the task force must be paid jointly by the senate and the house of representatives. Task force expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

(6) The task force shall report its findings and recommendations to the appropriate committees of the legislature by October 1, 2017.

(7) This section expires October 1, 2017."

On page 1, line 1 of the title, after "council;" strike the remainder of the title and insert "amending RCW 19.27.070, 19.27.074, and 19.27A.020; adding a new section to chapter 19.27 RCW; and providing an expiration date."

Senator Benton declared the question before the Senate to be the adoption of the striking amendment no. 760 by Senators Angel and Roach to Substitute House Bill No. 2841.

The motion by Senator Angel carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator Angel, the rules were suspended, Substitute House Bill No. 2841, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.

Senators Liias and McCoy spoke against passage of the bill.

Senator Benton declared the question before the Senate to be the final passage of Substitute House Bill No. 2841, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2841, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 32; Nays, 17; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dassel, Ericksen, Fain, Habib, Hargrove, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Fraser, Froct, Hasegawa, Jayapal, Keiser, Liias, McAuliffe, McCoy, Nelson, Pedersen and Takko

SUBSTITUTE HOUSE BILL NO. 2841, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Hewitt assumed the chair.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House receded from its amendment(s) to SUBSTITUTE SENATE BILL NO. 6327. Under suspension of the rules, the bill was returned to second reading for the purposes of amendment(s). The House adopted the following amendment(s): 6327-S AMH CODY H4757.1, and passed the bill as amended by the House.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.41.020 and 2015 c 23 s 5 are each reenacted and amended to read as follows:

Unless the context clearly indicates otherwise, the following terms, whenever used in this chapter, shall be deemed to have the following meanings:

(1) "Aftercare" means the assistance provided by a lay caregiver to a patient under this chapter after the patient's discharge from a hospital. The assistance may include, but is not limited to, assistance with activities of daily living, wound care, medication assistance, and the operation of medical equipment. "Aftercare" includes assistance only for conditions that were present at the time of the patient's discharge from the hospital. "Aftercare" does not include:

(a) Assistance related to conditions for which the patient did not receive medical care, treatment, or observation in the hospital; or

(b) Tasks the performance of which requires licensure as a health care provider.

(2) "Department" means the Washington state department of health.

((2)) (3) "Discharge" means a patient's release from a hospital following the patient's admission to the hospital.

(4) "Distant site" means the site at which a physician or other licensed provider, delivering a professional service, is physically located at the time the service is provided through telemedicine.

((3)) (5) "Emergency care to victims of sexual assault" means medical examinations, procedures, and services provided by a hospital emergency room to a victim of sexual assault following an alleged sexual assault.

((4)) (6) "Emergency contraception" means any health care treatment approved by the food and drug administration that prevents pregnancy, including but not limited to administering two increased doses of certain oral contraceptive pills within seventy-two hours of sexual contact.

((5)) (7) "Hospital" means any institution, place, building, or agency which provides accommodations, facilities and services over a continuous period of twenty-four hours or more, for observation, diagnosis, or care, of two or more individuals not related to the operator who are suffering from illness, injury, deformity, or abnormality, or from any other condition for which obstetrical, medical, or surgical services would be appropriate for care or diagnosis. "Hospital" as used in this chapter does not include hotels, or similar places furnishing only food and lodging, or simply domiciliary care; nor does it include clinics, or physician's offices where patients are not regularly kept as bed patients for twenty-four hours or more; nor does it include nursing homes, as defined and which come within the scope of chapter 18.51 RCW; nor does it include birthing centers, which come within the scope of chapter 18.46 RCW; nor does it include psychiatric hospitals, which come within the scope of chapter 71.12 RCW; nor any other hospital, or institution specifically intended for use in the diagnosis and care of those suffering from mental illness, intellectual disability, convulsive disorders, or other abnormal mental condition. Furthermore, nothing in this chapter or the rules adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any hospital conducted for those who rely primarily upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well recognized church or religious denominations.

((6)) (8) "Lay caregiver" means any individual designated as such by a patient under this chapter who provides aftercare assistance to a patient in the patient's residence. "Lay caregiver" does not include a long-term care worker as defined in RCW 74.39A.009.

(9) "Originating site" means the physical location of a patient receiving health care services through telemedicine.

((7)) (10) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

((8)) (11) "Secretary" means the secretary of health.

((9)) (12) "Sexual assault" has the same meaning as in RCW 70.125.030.

((10)) (13) "Telemedicine" means the delivery of health care services through the use of interactive audio and video technology, permitting real-time communication between the patient at the originating site and the provider, for the purpose of diagnosis, consultation, or treatment. "Telemedicine" does not include the use of audio-only telephone, facsimile, or email.

((11)) (14) "Victim of sexual assault" means a person who alleges or is alleged to have been sexually assaulted and who presents as a patient.

NEW SECTION. Sec. 2. A new section is added to chapter 70.41 RCW to read as follows:

(1) In addition to the requirements in RCW 70.41.320, hospital discharge policies must ensure that the discharge plan is appropriate for the patient's physical condition, emotional and social needs, and, if a lay caregiver is designated takes into consideration, to the extent possible, the lay caregiver's abilities as disclosed to the hospital.

(2) As part of a patient's individualized treatment plan, discharge criteria must include, but not be limited to, the following components:

(a) The details of the discharge plan;

(b) Hospital staff assessment of the patient's ability for self-care after discharge;

(c) An opportunity for the patient to designate a lay caregiver;

(d) Documentation of any designated lay caregiver's contact information;

(e) A description of aftercare tasks necessary to promote the patient's ability to stay at home;

(f) An opportunity for the patient and, if designated, the patient's lay caregiver to participate in the discharge planning;

(g) Instruction or training provided to the patient and, if designated, the patient's lay caregiver, prior to discharge, to perform aftercare tasks. Instruction or training may include education and counseling about the patient's medications, including dosing and proper use of medication delivery devices when applicable; and

(h) Notification to a lay caregiver, if designated, of the patient's discharge or transfer.

(3) In the event that a hospital is unable to contact a designated lay caregiver, the lack of contact may not interfere with, delay, or otherwise affect the medical care provided to the patient, or an appropriate discharge of the patient.

NEW SECTION. Sec. 3. A new section is added to chapter 70.41 RCW to read as follows:

Section 2 of this act does not require a hospital to adopt discharge policies or criteria that:

(1) Delay a patient's discharge or transfer to another facility or to home; or

(2) Require the disclosure of protected health information to a lay caregiver without obtaining a patient's consent as required by state and federal laws governing health information privacy and security, including chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and related regulations.

NEW SECTION. Sec. 4. A new section is added to chapter 70.41 RCW to read as follows:

Nothing in section 2 of this act may be construed to:

(1) Interfere with the rights or duties of an agent operating under a valid health care directive under RCW 70.122.030;

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

(2) Interfere with designations made by a patient pursuant to a physician order for life-sustaining treatment under RCW 43.70.480;

(3) Interfere with the rights or duties of an authorized surrogate decision maker under RCW 7.70.065;

(4) Establish a new requirement to reimburse or otherwise pay for services performed by the lay caregiver for aftercare;

(5) Create a private right of action against a hospital or any of its directors, trustees, officers, employees, or agents, or any contractors with whom the hospital has a contractual relationship;

(6) Hold liable, in any way, a hospital, hospital employee, or any consultants or contractors with whom the hospital has a contractual relationship for the services rendered or not rendered by the lay caregiver to the patient at the patient's residence;

(7) Obligate a designated lay caregiver to perform any aftercare tasks for any patient;

(8) Require a patient to designate any individual as a lay caregiver as defined in RCW 70.41.020;

(9) Obviate the obligation of a health carrier as defined in RCW 48.43.005 or any other entity issuing health benefit plans to provide coverage required under a health benefit plan; and

(10) Impact, impede, or otherwise disrupt or reduce the reimbursement obligations of a health carrier or any other entity issuing health benefit plans.

Sec. 5. RCW 70.41.320 and 1998 c 245 s 127 are each amended to read as follows:

(1) Hospitals and acute care facilities shall:

(a) Work cooperatively with the department of social and health services, area agencies on aging, and local long-term care information and assistance organizations in the planning and implementation of patient discharges to long-term care services.

(b) Establish and maintain a system for discharge planning and designate a person responsible for system management and implementation.

(c) Establish written policies and procedures to:

(i) Identify patients needing further nursing, therapy, or supportive care following discharge from the hospital;

(ii) Subject to section 2 of this act, develop a documented discharge plan for each identified patient, including relevant patient history, specific care requirements, and date such follow-up care is to be initiated;

(iii) Coordinate with patient, family, caregiver, lay caregiver as provided in section 2 of this act, and appropriate members of the health care team which may include a long-term care worker or a home and community-based service provider. For the purposes of this subsection (1)(c)(iii), long-term care worker has the meaning provided in RCW 74.39A.009 and home and community-based service provider includes an adult family home as defined in RCW 70.128.010, an assisted living facility as defined in RCW 18.20.020, or a home care agency as defined in RCW 70.127.010;

(iv) Provide any patient, regardless of income status, written information and verbal consultation regarding the array of long-term care options available in the community, including the relative cost, eligibility criteria, location, and contact persons;

(v) Promote an informed choice of long-term care services on the part of patients, family members, and legal representatives; ((and))

(vi) Coordinate with the department and specialized case management agencies, including area agencies on aging and other appropriate long-term care providers, as necessary, to ensure timely transition to appropriate home, community residential, or nursing facility care; and

(vii) Inform the patient or his or her surrogate decision maker designated under RCW 7.70.065 if it is necessary to complete a

valid disclosure authorization as required by state and federal laws governing health information privacy and security, including chapter 70.02 RCW and the federal health insurance portability and accountability act of 1996 and related regulations, in order to allow disclosure of health care information, including the discharge plan, to an individual or entity that will be involved in the patient's care upon discharge, including a lay caregiver as defined in RCW 70.41.020, a long-term care worker as defined in RCW 74.39A.009, a home and community-based service provider such as an adult family home as defined in RCW 70.128.010, an assisted living facility as defined in RCW 18.20.020, or a home care agency as defined in RCW 70.127.010. If a valid disclosure authorization is obtained, the hospital may release information as designated by the patient for care coordination or other specified purposes.

(d) Work in cooperation with the department which is responsible for ensuring that patients eligible for medicaid long-term care receive prompt assessment and appropriate service authorization.

(2) In partnership with selected hospitals, the department of social and health services shall develop and implement pilot projects in up to three areas of the state with the goal of providing information about appropriate in-home and community services to individuals and their families early during the individual's hospital stay.

The department shall not delay hospital discharges but shall assist and support the activities of hospital discharge planners. The department also shall coordinate with home health and hospice agencies whenever appropriate. The role of the department is to assist the hospital and to assist patients and their families in making informed choices by providing information regarding home and community options.

In conducting the pilot projects, the department shall:

(a) Assess and offer information regarding appropriate in-home and community services to individuals who are medicaid clients or applicants; and

(b) Offer assessment and information regarding appropriate in-home and community services to individuals who are reasonably expected to become medicaid recipients within one hundred eighty days of admission to a nursing facility."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Bailey moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6327.

Senator Hewitt declared the question before the Senate to be the motion by Senator Bailey that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6327.

The motion by Senator Bailey carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6327 by voice vote.

Senator Hewitt declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6327, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6327, as amended by the House, and the bill

passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE SENATE BILL NO. 6327, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House insists on its position regarding the House amendment(s) to SENATE BILL NO. 6274 and asks the Senate to concur thereon.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Parlette moved that the Senate concur in the House amendment(s) to Senate Bill No. 6274.

Senators Parlette and Jayapal spoke in favor of the motion.

Senator Hewitt declared the question before the Senate to be the motion by Senator Parlette that the Senate concur in the House amendment(s) to Senate Bill No. 6274.

The motion by Senator Parlette carried and the Senate concurred in the House amendment(s) to Senate Bill No. 6274 by voice vote.

Senator Hewitt declared the question before the Senate to be the final passage of Senate Bill No. 6274, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6274, as amended by the House, and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SENATE BILL NO. 6274, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Sheldon: "Mr. President, points of personal privileges are about experiences unique to individual legislators, and I had a friend who paid me a visit yesterday and he flew his private plane into the Shelton airport. And as he came into Shelton, he flew over your house and when he landed I started talking to him about you. And he said, 'Senator Sheldon, did the Lieutenant Governor put in a new swimming pool at his house?' I said, 'No, no. That's the blue tarp on top of Hargrove's trailer.' So we got that figured out."

Senator Hargrove assumed the chair.

MESSAGE FROM THE HOUSE

March 3, 2016

MR. PRESIDENT:

The House passed SUBSTITUTE SENATE BILL NO. 6523 with the following amendment(s): 6523-S AMH ENGR H4638.E

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) Local governments formed intergovernmental consortiums, also known as provider groups, to provide emergency medical services over their shared geographic area. Funds collected through an emergency services levy under RCW 84.52.069 were used to fund the consortium. Employees funded by the consortium provided services to the citizens of all the consortium members.

(2) The attorney general has ruled that where such a consortium is formed pursuant to an interlocal agreement, the consortium members retain their legal responsibilities as employers under the law enforcement officers' and firefighters' retirement system and public employees' retirement system. That is, the employees providing services to the consortium are entitled to retirement system membership if they otherwise meet membership eligibility requirements (*AGO 2007 No. 6*).

(3) This act is intended to provide those public employees with an opportunity to establish service credit in the public employees' retirement system for emergency medical services they provided to the public on behalf of a consortium or provider group.

NEW SECTION. Sec. 2. A new section is added to chapter 41.40 RCW under the subchapter heading "provisions applicable to plan 1, plan 2, and plan 3" to read as follows:

(1) An employee providing emergency medical services for a consortium of local governments, where some of those local governments qualified as public employees' retirement system employers at the time the service was rendered, may make an election to establish credit for service performed prior to July 27, 2003, as a full-time emergency medical technician serving the consortium to the public employees' retirement system. This option is only available to employees who:

(a) Performed services for a consortium of local governments fully contained within the boundaries of a county whose population on the effective date of this section exceeds seven hundred thousand residents but is less than eight hundred thousand residents; and

(b) File a written election to establish service credit under this section with the department of retirement systems no later than June 30, 2026.

(2)(a) The department of retirement systems shall treat the consortium member with the largest current population among consortium members who qualified as a public employees' retirement system employer at the time the service was rendered

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

as the employer for purposes of this section. This employer classification:

(i) Is solely for the purpose of streamlining reporting service and compensation credit and paying contributions for periods of service covered by this section; and

(ii) Does not mean that the consortium member is the employee's employer for any other purpose.

(b) All contributions required for past periods of service established under this section shall be paid by the employees electing to establish service credit under this section.

(i) Employee contributions shall be calculated by the department equal to the contributions that would have been paid by the employee had the employee been a member of public employees' retirement system.

(ii) Employer contributions shall be calculated by the department equal to the contributions that would have been paid by the employer had the employee been reported in public employees' retirement system.

(iii) All contributions must be submitted by the employee within five years of electing to establish service credit under this section.

(3) If a member who elected to establish service credit under this section dies or retires for disability prior to payment of contributions under subsection (2)(b) of this section, the member, or in the case of death the surviving spouse or eligible minor children, may:

(a) Pay the bill in full;

(b) If a continuing monthly benefit is chosen, have the benefit actuarially reduced to reflect the amount of the unpaid obligation under subsection (2)(b) of this section; or

(c) Continue to make payment against the obligation under subsection (2)(b) of this section, provided that payment in full is made no later than five years from the member's original election date."

Correct the title.

BERNARD DEAN, Deputy Chief Clerk

MOTION

Senator Pearson moved that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6523.

Senator Pearson spoke in favor of the motion.

Senator Hargrove declared the question before the Senate to be the motion by Senator Pearson that the Senate concur in the House amendment(s) to Substitute Senate Bill No. 6523.

The motion by Senator Pearson carried and the Senate concurred in the House amendment(s) to Substitute Senate Bill No. 6523 by voice vote.

MOTION

On motion of Senator Jayapal, and without objection, Senator Ranker was excused.

Senator Hargrove declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6523, as amended by the House.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6523, as amended by the House, and the bill

passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Ranker, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

SUBSTITUTE SENATE BILL NO. 6523, as amended by the House, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The President resumed the chair.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 2839, by House Committee on Appropriations (originally sponsored by Representatives Springer and Nealey)

Providing a sales and use tax exemption for certain new building construction to be used by maintenance repair operators for airplane repair and maintenance.

The measure was read the second time.

MOTION

Senator Baumgartner moved that the following amendment no. 761 by Senators Baumgartner, Padden and Billig be adopted:

On page 3, beginning on line 31, after "station" strike all material through "thousand" on line 33

MOTION

Senator Baumgartner demanded a roll call vote.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senators Baumgartner, Carlyle, Padden, Dansel, Roach, Ericksen, Pedersen, Hasegawa and Sheldon spoke in favor of adoption of the amendment.

Senators King, Hobbs, Keiser and Ranker spoke against adoption of the amendment.

MOTION

On motion of Senator Pedersen, and without objection, Senator Hargrove was excused.

The President declared the question before the Senate to be the adoption of the amendment no. 761 by Senators Baumgartner, Billig and Padden to Second Substitute House Bill No. 2839.

ROLL CALL

The Secretary called the roll on the adoption of amendment no. 761 by Senators Baumgartner, Billig and Padden and the amendment was not adopted by the following vote: Yeas, 21; Nays, 26; Absent, 1; Excused, 1.

Voting yea: Senators Baumgartner, Billig, Braun, Carlyle, Chase, Cleveland, Danel, Darneille, Ericksen, Fraser, Frockt, Hasegawa, Jayapal, McAuliffe, McCoy, Nelson, Padden, Pedersen, Roach, Rolfes and Sheldon

Voting nay: Senators Angel, Bailey, Becker, Brown, Conway, Dammeier, Fain, Habib, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, Miloscia, Mullet, O'Ban, Parlette, Pearson, Ranker, Rivers, Schoesler, Takko and Warnick

Absent: Senator Benton

Excused: Senator Hargrove

MOTION

On motion of Senator Hill, the rules were suspended, Second Substitute House Bill No. 2839 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill, Hobbs, King, Schoesler, Keiser, Angel and Mullet spoke in favor of passage of the bill.

Senators Carlyle, Baumgartner, Hasegawa and Chase spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 2839.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 2839 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

Voting yea: Senators Angel, Bailey, Becker, Benton, Braun, Brown, Dammeier, Fain, Habib, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, Miloscia, Mullet, O'Ban, Parlette, Pearson, Ranker, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Baumgartner, Billig, Carlyle, Chase, Cleveland, Conway, Danel, Darneille, Ericksen, Fraser, Frockt, Hasegawa, Jayapal, Liias, McAuliffe, McCoy, Nelson, Padden, Pedersen and Rolfes

Excused: Senator Hargrove

SECOND SUBSTITUTE HOUSE BILL NO. 2839, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 7:26 p.m., on motion of Senator Fain, and without objection, the Senate was declared to be at ease subject to the call of the President.

 EVENING SESSION

The Senate was called to order at 9:05 p.m. by the President of the Senate, Lt. Governor Owen presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

SENATE BILL NO. 6274,

SUBSTITUTE SENATE BILL NO. 6327,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455,

SUBSTITUTE SENATE BILL NO. 6523.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE BILL NO. 6274,

SUBSTITUTE SENATE BILL NO. 6327,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6455,

SUBSTITUTE SENATE BILL NO. 6523.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House concurred in the Senate amendments to the following bills and passed the bills as amended by the Senate:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

FOURTH SUBSTITUTE HOUSE BILL NO. 1541,

SUBSTITUTE HOUSE BILL NO. 2427,

SUBSTITUTE HOUSE BILL NO. 2440,

SECOND SUBSTITUTE HOUSE BILL NO. 2449,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2667,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700,

SECOND SUBSTITUTE HOUSE BILL NO. 2839,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928,

SUBSTITUTE HOUSE BILL NO. 2985.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:
ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 6194
and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:
ENGROSSED SECOND SUBSTITUTE HOUSE BILL
NO. 2439
and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The House has adopted:
HOUSE CONCURRENT RESOLUTION NO. 4416,
HOUSE CONCURRENT RESOLUTION NO. 4417.
and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- FOURTH SUBSTITUTE HOUSE BILL NO. 1541,
- SUBSTITUTE HOUSE BILL NO. 2427,
- SUBSTITUTE HOUSE BILL NO. 2440,
- SECOND SUBSTITUTE HOUSE BILL NO. 2449,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2667,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2700,
- SECOND SUBSTITUTE HOUSE BILL NO. 2839,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2908,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 2928,
- SUBSTITUTE HOUSE BILL NO. 2985.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2439

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Fain moved adoption of the following resolution:

SENATE RESOLUTION
8739

By Senators Schoesler and Nelson

WHEREAS, The 2016 Regular Session of the Sixty-fourth Legislature is drawing to a close; and

WHEREAS, It is necessary to provide for the completion of the work of the Senate after its adjournment and during the interim period between the close of the 2016 Regular Session of the Sixty-fourth Legislature and the convening of the next regular session;

NOW, THEREFORE, BE IT RESOLVED, That the Senate Facilities and Operations Committee shall have full authority and direction over the authorization and execution of any contracts or subcontracts that necessitate the expenditure of Senate appropriations, subject to all applicable budget controls and limitations; and

BE IT FURTHER RESOLVED, That the Senate Facilities and Operations Committee may, as they deem appropriate, authorize travel for which members and staff may receive therefor their actual necessary expenses, and such per diem as may be authorized by law, subject to all applicable budget controls and limitations, to be paid upon receipt of their vouchers out of funds appropriated for legislative expenses; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Senate Facilities and Operations Committee be, and they hereby are, authorized to retain such employees as they may deem necessary and that said employees be allowed such rate of pay therefor, subject to all applicable budget controls and limitations, as the Secretary of the Senate and the Senate Facilities and Operations Committee shall deem proper; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and he or she hereby is, authorized and directed to make out and execute the necessary vouchers upon which warrants for legislative expenses and expenditures shall be drawn from funds provided therefor; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate and the Facilities and Operations Committee be, and they hereby are, authorized to approve written requests by standing committees to meet during the interim period; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate be, and hereby is, authorized and directed to have printed a copy of the Senate Journals of the 2016 Regular Session of the Sixty-fourth Legislature; and

BE IT FURTHER RESOLVED, That the Rules Committee is authorized to assign subject matters to standing committees for study during the interim, and the Majority Leader is authorized to create special committees as may be necessary to carry out the functions of the Senate in an orderly manner and appoint members thereto with the approval of the Facilities and Operations Committee; and

BE IT FURTHER RESOLVED, That the Secretary of the Senate is authorized to express the sympathy of the Senate by sending flowers or memorials in the event of a bereavement in the legislative "family"; and

BE IT FURTHER RESOLVED, That such use of the Senate facilities is permitted upon such terms as the Secretary of the Senate shall deem proper.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8739.

The motion by Senator Fain carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HCR 4416 By Representatives Sullivan and Kretz
Returning bills to their house of origin.
BOOST.

HCR 4417 By Representatives Sullivan and Kretz
Adjourning the 2016 Regular Session of the
Sixty- fourth Legislature SINE DIE.
BOOST.

MOTION

On motion of Senator Fain, under suspension of the rules House Concurrent Resolution No. 4416 and House Concurrent Resolution No. 4417 were placed on the second reading calendar.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

PERSONAL PRIVILEGE

Senator Fain: "Thank you, Mr. President. I'm coming back next year, so the press can take pictures of you right now if you like."

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4416, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Concurrent Resolution No. 4416 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President declared the question before the Senate to be the adoption of House Concurrent Resolution No. 4416

The motion by Senator Fain carried and the resolution was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4417, by Representatives Sullivan and Kretz

Adjourning the 2016 Regular Session of the Sixty-fourth Legislature SINE DIE.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Concurrent Resolution No. 4417 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4417.

The motion by Senator Fain carried and the resolution was adopted by voice vote.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the second and third reading calendars and being held at the desk were referred to the Committee on Rules.

MOTION

On motion of Senator Fain, and without objection, the reading of the Journal for the sixtieth day of the 2016 Regular Session of the Sixty-Fourth Legislature was dispensed with and it was approved.

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4416, the following House Bills were returned to the House of Representatives:

SECOND SUBSTITUTE HOUSE BILL NO. 1037,
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1094,
HOUSE BILL NO. 1231,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1236,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1248,
SUBSTITUTE HOUSE BILL NO. 1290,
HOUSE BILL NO. 1294,
ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1295,
HOUSE BILL NO. 1322,
SUBSTITUTE HOUSE BILL NO. 1428,
HOUSE BILL NO. 1512,
HOUSE BILL NO. 1565,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1571,
ENGROSSED HOUSE BILL NO. 1590,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1605,
SUBSTITUTE HOUSE BILL NO. 1631,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1645,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1646,
SUBSTITUTE HOUSE BILL NO. 1718,
ENGROSSED HOUSE BILL NO. 1770,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1808,
SUBSTITUTE HOUSE BILL NO. 1855,
SUBSTITUTE HOUSE BILL NO. 1874,

SIXTIETH DAY, MARCH 10, 2016

2016 REGULAR SESSION

SECOND SUBSTITUTE HOUSE BILL NO. 1900,
 SUBSTITUTE HOUSE BILL NO. 1915,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1949,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1983,
 ENGROSSED HOUSE BILL NO. 2033,
 SECOND ENGROSSED HOUSE BILL NO. 2086,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2148,
 SUBSTITUTE HOUSE BILL NO. 2214,
 SUBSTITUTE HOUSE BILL NO. 2296,
 HOUSE BILL NO. 2298,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2307,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2340,
 SUBSTITUTE HOUSE BILL NO. 2342,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2346,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2366,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2376,
 SUBSTITUTE HOUSE BILL NO. 2381,
 SUBSTITUTE HOUSE BILL NO. 2396,
 HOUSE BILL NO. 2399,
 SUBSTITUTE HOUSE BILL NO. 2429,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2430,
 SUBSTITUTE HOUSE BILL NO. 2441,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2450,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2453,
 HOUSE BILL NO. 2462,
 SUBSTITUTE HOUSE BILL NO. 2483,
 HOUSE BILL NO. 2494,
 SUBSTITUTE HOUSE BILL NO. 2500,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2518,
 HOUSE BILL NO. 2522,
 HOUSE BILL NO. 2526,
 ENGROSSED HOUSE BILL NO. 2534,
 SUBSTITUTE HOUSE BILL NO. 2575,
 SUBSTITUTE HOUSE BILL NO. 2583,
 ENGROSSED HOUSE BILL NO. 2610,
 SUBSTITUTE HOUSE BILL NO. 2615,
 HOUSE BILL NO. 2619,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2621,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2647,
 ENGROSSED HOUSE BILL NO. 2659,
 SUBSTITUTE HOUSE BILL NO. 2674,
 HOUSE BILL NO. 2679,
 SUBSTITUTE HOUSE BILL NO. 2682,
 ENGROSSED HOUSE BILL NO. 2698,
 SUBSTITUTE HOUSE BILL NO. 2705,
 SUBSTITUTE HOUSE BILL NO. 2716,
 SUBSTITUTE HOUSE BILL NO. 2743,
 HOUSE BILL NO. 2764,
 SECOND SUBSTITUTE HOUSE BILL NO. 2769,
 ENGROSSED HOUSE BILL NO. 2775,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2778,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2804,
 SUBSTITUTE HOUSE BILL NO. 2805,
 HOUSE BILL NO. 2806,
 HOUSE BILL NO. 2844,
 SUBSTITUTE HOUSE BILL NO. 2849,
 SUBSTITUTE HOUSE BILL NO. 2871,
 HOUSE BILL NO. 2888,
 HOUSE BILL NO. 2930,
 SECOND SUBSTITUTE HOUSE BILL NO. 2933,
 SUBSTITUTE HOUSE BILL NO. 2936,

SUBSTITUTE HOUSE BILL NO. 2964,
 SUBSTITUTE HOUSE BILL NO. 2973,
 HOUSE JOINT MEMORIAL NO. 4000.

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4416, the following House Bills were returned to the House of Representatives:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1067,
 SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1100,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1390,
 ENGROSSED HOUSE BILL NO. 1465,
 THIRD SUBSTITUTE HOUSE BILL NO. 1499,
 HOUSE BILL NO. 1560,
 HOUSE BILL NO. 1561,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1581,
 SUBSTITUTE HOUSE BILL NO. 1632,
 SECOND SUBSTITUTE HOUSE BILL NO. 1651,
 HOUSE BILL NO. 1659,
 THIRD SUBSTITUTE HOUSE BILL NO. 1713,
 SECOND SUBSTITUTE HOUSE BILL NO. 1725,
 SECOND SUBSTITUTE HOUSE BILL NO. 1737,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1745,
 SUBSTITUTE HOUSE BILL NO. 1790,
 HOUSE BILL NO. 1804,
 SUBSTITUTE HOUSE BILL NO. 1867,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1875,
 SUBSTITUTE HOUSE BILL NO. 2287,
 SUBSTITUTE HOUSE BILL NO. 2300,
 HOUSE BILL NO. 2315,
 HOUSE BILL NO. 2321,
 HOUSE BILL NO. 2331,
 SUBSTITUTE HOUSE BILL NO. 2334,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2355,
 HOUSE BILL NO. 2388,
 HOUSE BILL NO. 2390,
 SUBSTITUTE HOUSE BILL NO. 2417,
 SUBSTITUTE HOUSE BILL NO. 2435,
 SUBSTITUTE HOUSE BILL NO. 2452,
 SUBSTITUTE HOUSE BILL NO. 2465,
 HOUSE BILL NO. 2493,
 SUBSTITUTE HOUSE BILL NO. 2496,
 SUBSTITUTE HOUSE BILL NO. 2501,
 SUBSTITUTE HOUSE BILL NO. 2503,
 HOUSE BILL NO. 2507,
 HOUSE BILL NO. 2512,
 HOUSE BILL NO. 2543,
 ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2573,
 HOUSE BILL NO. 2578,
 SUBSTITUTE HOUSE BILL NO. 2585,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2604,
 SUBSTITUTE HOUSE BILL NO. 2632,
 HOUSE BILL NO. 2639,
 HOUSE BILL NO. 2648,
 HOUSE BILL NO. 2675,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2708,
 SUBSTITUTE HOUSE BILL NO. 2725,
 SUBSTITUTE HOUSE BILL NO. 2767,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2783,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2825,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2834,

HOUSE BILL NO. 2845,
 SUBSTITUTE HOUSE BILL NO. 2851,
 SUBSTITUTE HOUSE BILL NO. 2895,
 HOUSE BILL NO. 2929,
 HOUSE BILL NO. 2970,
 HOUSE CONCURRENT RESOLUTION NO. 4401.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4416, the following Senate bills are returned to the Senate:

SENATE BILL NO. 5094,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5105,
 SENATE BILL NO. 5205,
 SUBSTITUTE SENATE BILL NO. 5221,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5243,
 SENATE BILL NO. 5271,
 SENATE BILL NO. 5277,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5343,
 SENATE BILL NO. 5363,
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575,
 SUBSTITUTE SENATE BILL NO. 5583,
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5623,
 SECOND ENGROSSED SENATE BILL NO. 5624,
 SUBSTITUTE SENATE BILL NO. 5640,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5694,
 SENATE BILL NO. 5779,
 SENATE BILL NO. 5894,
 SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5915,
 SENATE BILL NO. 5937,
 SUBSTITUTE SENATE BILL NO. 6007,
 SUBSTITUTE SENATE BILL NO. 6019,
 SENATE BILL NO. 6150,
 SENATE BILL NO. 6155,
 SENATE BILL NO. 6169,
 SENATE BILL NO. 6178,
 SECOND SUBSTITUTE SENATE BILL NO. 6187,
 SENATE BILL NO. 6199,
 ENGROSSED SENATE BILL NO. 6207,
 SUBSTITUTE SENATE BILL NO. 6210,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6215,
 SECOND SUBSTITUTE SENATE BILL NO. 6239,
 SECOND SUBSTITUTE SENATE BILL NO. 6243,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6246,
 SENATE BILL NO. 6262,
 SUBSTITUTE SENATE BILL NO. 6265,
 SUBSTITUTE SENATE BILL NO. 6268,
 SUBSTITUTE SENATE BILL NO. 6289,
 SENATE BILL NO. 6291,
 SENATE BILL NO. 6292,
 SECOND SUBSTITUTE SENATE BILL NO. 6297,
 SUBSTITUTE SENATE BILL NO. 6301,

ENGROSSED SUBSTITUTE SENATE BILL NO. 6317,
 ENGROSSED SENATE BILL NO. 6321,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6334,
 SENATE BILL NO. 6350,
 SENATE BILL NO. 6396,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6406,
 SECOND SUBSTITUTE SENATE BILL NO. 6408,
 SUBSTITUTE SENATE BILL NO. 6409,
 SUBSTITUTE SENATE BILL NO. 6411,
 SENATE BILL NO. 6414,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6426,
 SUBSTITUTE SENATE BILL NO. 6439,
 SUBSTITUTE SENATE BILL NO. 6464,
 SUBSTITUTE SENATE BILL NO. 6483,
 SENATE BILL NO. 6488,
 SECOND SUBSTITUTE SENATE BILL NO. 6497,
 SENATE BILL NO. 6538,
 SENATE BILL NO. 6545,
 SUBSTITUTE SENATE BILL NO. 6583,
 ENGROSSED SENATE BILL NO. 6617,
 ENGROSSED SENATE BILL NO. 6631,
 SECOND ENGROSSED SENATE JOINT RESOLUTION NO. 8204.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:

The Speaker has signed:

HOUSE CONCURRENT RESOLUTION NO. 4416,
 HOUSE CONCURRENT RESOLUTION NO. 4417,
 and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE CONCURRENT RESOLUTION NO. 4416,
 HOUSE CONCURRENT RESOLUTION NO. 4417

The President invited senators, staff and any members of the public present onto the senate floor and line the aisle asking that they not sit at the senators' desks to witness the joint closing of session.

MOTION

At 9:13 p.m., on motion of Senator Fain, the 2016 Regular Session of the Sixty-Fourth Legislature adjourned SINE DIE.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIRST DAY

EVENING SESSION

Senate Chamber, Olympia
Thursday, March 10, 2016

In accordance with Gubernatorial Proclamation issued pursuant to Article II, Section 12 and Article III, Section 7 of the Washington State Constitution, the Senate of the 2016 Extraordinary Session of the Sixty-Fourth Legislature of the State of Washington assembled in the Senate Chamber at the State Capitol, Olympia at 9:37 p.m., Thursday, March 10, 2016.

The Senate was called to order by the President of the Senate, Lt. Governor Owen presiding.

No roll call was taken.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

**MESSAGE FROM THE GOVERNOR
PROCLAMATION BY THE GOVERNOR**

16-03

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2016 regular session on March 10, 2016, the 60th day of the session; and

WHEREAS, work remains to be done with respect to the 2016 supplemental biennial operating budget and bills necessary to implement that budget; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Republican Leader, and Senate Democratic Leader, working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Thursday, March 10, 2016, at 9:30 p.m. for the purpose of enacting legislation as described above.

Signed and sealed with the official seal of the state of Washington this 10th day of March, A.D. Two-thousand and Sixteen at Olympia, Washington.

Signed
JAY INSLEE, Governor

Attested By the Governor
Kim Wyman, Secretary of State

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SCR 8407 by Senators Schoesler and Nelson

Specifying the status of bills, memorials, and resolutions for the 2016 regular and first special sessions of the Sixty-fourth Legislature.

BOOST.

MOTION

On motion of Senator Fain, under suspension of the rules, Senate Concurrent Resolution No. 8407 was placed on the second reading calendar.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

SENATE CONCURRENT RESOLUTION NO. 8407, by Senators Schoesler and Nelson

Specifying the status of bills, memorials, and resolutions for the 2016 regular and first special sessions of the Sixty-fourth Legislature.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Senate Concurrent Resolution No. 8407 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Senate Concurrent Resolution No. 8407.

SENATE CONCURRENT RESOLUTION NO. 8407 having received a majority was adopted by voice vote.

MOTION

At 9:40 p.m., on motion of Senator Fain, the Senate adjourned until 1:30 p.m., Friday, March 11, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SECOND DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Friday, March 11, 2016

March 11, 2016

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Owen presiding.

No roll call was taken.

MOTION

On motion of Senator Hill, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Hill, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8407
and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

At 1:31 p.m., on motion of Senator Hill, the Senate adjourned until 12:00 o'clock noon, Monday, March 14, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, March 14, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

On motion of Senator Schoesler, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Schoesler, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6678 by Senator King

AN ACT Relating to aligning the issuance of certain documents issued by the department of licensing with federal requirements; amending RCW 46.20.091, 46.20.117, 46.25.010, 46.25.070, and 46.25.---; reenacting and amending RCW 46.01.130; adding a new section to chapter 46.20 RCW; adding a new section to chapter 46.25 RCW; repealing RCW 43.41.390 and 46.20.191; and providing effective dates.

Referred to Committee on Transportation.

SB 6679 by Senators Benton, Baumgartner, Dansel, Ericksen and Angel

AN ACT Relating to the security and authentication of state-issued identification; amending RCW 46.20.091, 46.20.117, and 46.20.117; reenacting and amending RCW 46.01.130; adding a new section to chapter 43.07 RCW; adding new sections to chapter 46.20 RCW; creating new sections; repealing RCW 43.41.390 and 46.20.191; providing effective dates; and providing an expiration date.

Referred to Committee on Transportation.

MOTION

On motion of Senator Schoesler, and without objection, all measures listed on the Introduction and First Reading report were referred to the committee as designated.

MOTION

At 12:01 p.m., on motion of Senator Schoesler, the Senate adjourned until 12:00 o'clock noon, Wednesday, March 16, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SEVENTH DAY

NOON SESSION

Senate Chamber, Olympia
Wednesday, March 16, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

On motion of Senator Schoesler, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Schoesler, and without objection, the Senate advanced to the fifth order of business.

SB 6680 by Senator Roach

AN ACT Relating to an exemption from disclosure of certain financial, commercial, and proprietary information submitted to or obtained by a city retirement board on behalf of its employees' retirement system; and amending RCW 42.56.270.

Referred to Committee on Government Operations & Security.

SB 6681 by Senators Roach and Schoesler

AN ACT Relating to establishing a joint select committee to consider the political, economic, and security issues at Washington's largest ports; creating a new section; and providing an expiration date.

Referred to Committee on Government Operations & Security.

SJR 8217 by Senator Chase

Proposing an amendment to the Constitution regarding the prohibition on loaning of credit.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Schoesler, and without objection, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SENATE CONCURRENT RESOLUTION NO. 8407

MOTION

At 12:01 p.m., on motion of Senator Schoesler, the Senate adjourned until 12:00 o'clock noon, Friday, March 18, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

NINTH DAY

NOON SESSION

Senate Chamber, Olympia
Friday, March 18, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

On motion of Senator Schoesler, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Schoesler, and without objection, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 10, 2016, Governor Inslee approved the following Senate Bills entitled:

- Senate Bill No. 5342,
Relating to human trafficking definitions;
- Substitute Senate Bill No. 5864,
Relating to sales and use tax for cities to offset municipal service costs to newly annexed areas;
- Senate Bill No. 6202,
Relating to the enforcement of employment rights arising from state active duty service by a member of the national guard;
- Substitute Senate Bill No. 6219,
Relating to sentencing for vehicular homicide;
- Senate Bill No. 6282,

- Relating to the mortgage lending fraud prosecution account; Substitute Senate Bill No. 6286,
- Relating to reimbursement of correctional employees for offender assaults; Substitute Senate Bill No. 6295,
- Relating to clarifying the venue in which coroner's inquests are to be convened and payment of related costs; Senate Bill No. 6376,
- Relating to recognizing human trafficking awareness day; Substitute Senate Bill No. 6421,
- Relating to authorized health care providers prescribing epinephrine autoinjectors in the name of authorized entities; Substitute Senate Bill No. 6463,
- Relating to luring.

Sincerely,
Miguel Perez-Gibson, Executive Director of Legislative Affairs

MOTION

On motion of Senator Schoesler, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 10, 2016

MR. PRESIDENT:
The Speaker has signed SENATE CONCURRENT RESOLUTION NO. 8407.

BARBARA BAKER, Chief Clerk

MOTION

At 12:02 p.m., on motion of Senator Schoesler, the Senate adjourned until 12:00 o'clock noon, Monday, March 21, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWELFTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, March 21, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

On motion of Senator Schoesler, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

At 12:00 o'clock noon, on motion of Senator Schoesler, the Senate adjourned until 12:00 o'clock noon, Tuesday, March 22, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

THIRTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Tuesday, March 22, 2016

The Senate was called to order at 12:00 o'clock noon by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

At 12:00 o'clock noon, on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Wednesday, March 23, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FOURTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Wednesday, March 23, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President of the Senate, Lt. Governor Owen presiding.
No roll call was taken.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6682 by Senator Benton

AN ACT Relating to private activity bond allocation; and amending RCW 39.86.120, 39.86.140, and 39.86.190.

Referred to Committee on Financial Institutions & Insurance.

SB 6683 by Senator Benton

AN ACT Relating to allowing a public depository to arrange for reciprocal deposits of public funds; and amending RCW 39.58.080 and 39.58.085.

Referred to Committee on Financial Institutions & Insurance.

MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committee as designated.

MOTION

At 11:01 a.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Thursday, March 24, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

FIFTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia
Thursday, March 24, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President Pro Tempore of the Senate, Senator Roach presiding.
No roll call was taken.

MOTION

On motion of Senator Parlette, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Parlette, and without objection, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

March 11, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

PHILLIP L. BARRETT, reappointed October 15, 2014, for the term ending September 30, 2019, as Member of the Shoreline Community College Board of Trustees .

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 15, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOEL BENOLIEL, appointed January 5, 2016, for the term ending September 30, 2021, as Member of the University of Washington Board of Regents.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 15, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LAYNE BLADOW, appointed August 11, 2015, for the term ending September 30, 2019, as Member of the Bates Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 8, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

DEBRA J. ENTENMAN, appointed June 5, 2015, for the term ending September 30, 2019, as Member of the Renton Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CLAUDIA KAUFFMAN, reappointed September 30, 2015, for the term ending September 30, 2020, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

DARRELL S. MITSUNAGA, reappointed December 15, 2015, for the term ending September 30, 2020, as Member of the Lake Washington Institute of Technology Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 21, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ANGELA G. ROARTY, reappointed December 15, 2015, for the term ending September 30, 2020, as Member of the Pierce College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 11, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JANE E. RUSHFORD, appointed January 6, 2015, for the term ending January 15, 2021, as Member of the Liquor and Cannabis Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Commerce & Labor.

March 11, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

ELIZABETH J. THEW, reappointed July 11, 2014, for the term ending June 30, 2018, as Member of the Workforce Training and Education Coordinating Board.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

March 15, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HAROLD W. WITHROW, appointed February 24, 2016, for the term ending September 30, 2020, as Member of the Clover Park Technical College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education.

MOTION

On motion of Senator Parlette, and without objection, all appointees listed on the Gubernatorial Appointments report were referred to the committee as designated.

MOTION

At 11:01 a.m., on motion of Senator Parlette, the Senate adjourned until 12:00 o'clock noon, Friday, March 25, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SIXTEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Friday, March 25, 2016

The Senate was called to order at 12:00 o'clock noon by the acting President of the Senate, Senator Parlette presiding.
No roll call was taken.

MOTION

On motion of Senator Schoesler, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

At 12:01 p.m., on motion of Senator Schoesler, the Senate adjourned until 12:00 o'clock noon, Monday, March 28, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

NINETEENTH DAY

NOON SESSION

Senate Chamber, Olympia
Monday, March 28, 2016

The Senate was called to order at 12:02 p.m. by the President Pro Tempore, Senator Roach presiding.

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present, with the exceptions of Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker.

The Sergeant at Arms Color Guard consisting of Mr. Jack Bridgewater and Mr. Jeremiah Allison, Washington State University student athletes, guests of Senator Baumgartner, presented the Colors.

Senator Pearson offered the prayer.

MOTION

On motion of Senator Fain the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

March 28, 2016

SB 6531 Prime Sponsor, Senator Hargrove: Changing who the department of corrections is required to supervise. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 6531 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Darneille; Frockt; Pearson and Roach.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Fain, and without objection, the measure listed on the Standing Committee report was referred to the committee as designated.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR

March 25, 2016

To the Honorable President and Members, The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 25, 2016, Governor Inslee approved the following Senate Bills entitled:

- Senate Bill No. 6200,
Relating to providing funding for steelhead conservation through the issuance of Washington's fish license plate collection;
- Substitute Senate Bill No. 6254,
Relating to Purple Heart license plates;
- Senate Bill No. 6299,
Relating to correcting certain manifest drafting errors in chapter 44, Laws of 2015 3rd sp. sess. (transportation revenue);
- Substitute Senate Bill No. 6314,
Relating to county road administration and maintenance;
- Substitute Senate Bill No. 6358,
Relating to rail fixed guideway public transportation system safety and security oversight, requiring rule making;
- Substitute Senate Bill No. 6363,
Relating to the design and construction of certain transportation facilities adjacent to or across a river or waterway;
- Senate Bill No. 6614,
Relating to measuring the performance of the state transportation system.

Sincerely,
Miguel Perez-Gibson, Executive Director of Legislative Affairs

**MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS**

March 24, 2016

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHARONNE A. NAVAS, appointed March 7, 2016, for the term ending September 30, 2017, as Member of the Green River College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Refer to Committee on Higher Education.

MOTION

On motion of Senator Fain, and without objection, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 12:09 p.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of a meeting of the Committee on Rules and for caucuses.

AFTERNOON SESSION

The Senate was called to order at 1:56 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

MOTION

On motion of Senator Rolfes, and without objection, Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker were excused.

THIRD READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5105, by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Frockt, O'Ban, Fain, Fraser, Pearson, Roach and Darneille)

Making a fourth driving under the influence offense a felony.

The bill was read on Third Reading.

Senator Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5105.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5105 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5105, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 6328, by Senate Committee on Health Care (originally sponsored by Senators Dammeier, Hasegawa, Conway, O'Ban, Becker and Carlyle)

Concerning vapor products in respect to provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirements prohibiting vapor product sales to minors, prohibition of the purchase and possession of vapor products by minors, the liquor and cannabis board's enforcement authority over vapor products, preemption of certain local regulation of vapor products, and a requirement for vendor-assisted sales of vapor products in retail establishments. Revised for 1st Substitute: Concerning vapor products in respect to youth substance use prevention associated with vapor products, amending and renaming the youth tobacco prevention account, provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirement

The measure was read the second time.

MOTION

Senator Dammeier moved that the following striking amendment no. 763 by Senator Dammeier be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 26.28.080 and 2013 c 47 s 1 are each amended to read as follows:

(1) Every person who sells or gives, or permits to be sold or given, to any person under the age of eighteen years any cigar, cigarette, cigarette paper or wrapper, tobacco in any form, or a vapor product is guilty of a gross misdemeanor.

(2) It ((shall be no)) is not a defense to a prosecution for a violation of this section that the person acted, or was believed by the defendant to act, as agent or representative of another.

(3) For the purposes of this section, "vapor product" ((means a noncombustible tobacco-derived product containing nicotine that employs a mechanical heating element, battery, or circuit, regardless of shape or size, that can be used to heat a liquid nicotine solution contained in cartridges. Vapor product does not include any product that is regulated by the United States food and drug administration under chapter V of the federal food, drug, and cosmetic)) has the same meaning as provided in section 4 of this act.

Sec. 2. RCW 70.155.120 and 1993 c 507 s 13 are each amended to read as follows:

(1) The youth tobacco and vapor products prevention account is created in the state treasury. All fees collected pursuant to RCW 82.24.520 ((and)), 82.24.530, 82.26.160, and 82.26.170 and funds collected by the liquor ((control)) and cannabis board from the imposition of monetary penalties ((and samplers' fees)) shall be deposited into this account, except that ten percent of all such fees and penalties shall be deposited in the state general fund.

(2) Moneys appropriated from the youth tobacco and vapor products prevention account to the department of health shall be used by the department of health for implementation of this chapter, including collection and reporting of data regarding enforcement and the extent to which access to tobacco products and vapor products by youth has been reduced.

(3) The department of health shall enter into interagency agreements with the liquor ((control)) and cannabis board to pay the costs incurred, up to thirty percent of available funds, in carrying out its enforcement responsibilities under this chapter. Such agreements shall set forth standards of enforcement,

consistent with the funding available, so as to reduce the extent to which tobacco products and vapor products are available to individuals under the age of eighteen. The agreements shall also set forth requirements for data reporting by the liquor ((control)) and cannabis board regarding its enforcement activities.

(4) The department of health, the liquor and cannabis board, and the department of revenue shall enter into an interagency agreement for payment of the cost of administering the tobacco retailer licensing system and for the provision of quarterly documentation of tobacco wholesaler, retailer, and vending machine names and locations.

(5) The department of health shall, within up to seventy percent of available funds, provide grants to local health departments or other local community agencies to develop and implement coordinated tobacco and vapor product intervention strategies to prevent and reduce tobacco and vapor product use by youth.

NEW SECTION. Sec. 3. PREEMPTION. (1) This chapter preempts political subdivisions from adopting or enforcing requirements for the licensure and regulation of vapor product promotions and sales at retail. No political subdivision may impose fees or license requirements on retail outlets for possessing or selling vapor products, other than general business taxes or license fees not primarily levied on such products.

(2) No political subdivision may regulate the use of vapor products in outdoor public places, unless the public place is an area where children congregate, such as schools, playgrounds, and parks.

(3) Subject to section 21 of this act, political subdivisions may regulate the use of vapor products in indoor public places.

NEW SECTION. Sec. 4. DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Board" means the Washington state liquor and cannabis board.

(2) "Business" means any trade, occupation, activity, or enterprise engaged in for the purpose of selling or distributing vapor products in this state.

(3) "Child care facility" has the same meaning as provided in RCW 70.140.020.

(4) "Closed system nicotine container" means a sealed, prefilled, and disposable container of nicotine in a solution or other form in which such container is inserted directly into an electronic cigarette, electronic nicotine delivery system, or other similar product, if the nicotine in the container is inaccessible through customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion or other contact by children.

(5) "Delivery sale" means any sale of a vapor product to a purchaser in this state where either:

(a) The purchaser submits the order for such sale by means of a telephonic or other method of voice transmission, the mails or any other delivery service, or the internet or other online service; or

(b) The vapor product is delivered by use of the mails or of a delivery service. The foregoing sales of vapor products constitute a delivery sale regardless of whether the seller is located within or without this state. "Delivery sale" does not include a sale of any vapor product not for personal consumption to a retailer.

(6) "Delivery seller" means a person who makes delivery sales.

(7) "Distributor" means any person who:

(a) Sells vapor products to persons other than ultimate consumers; or

(b) Is engaged in the business of selling vapor products in this state and who brings, or causes to be brought, into this state from outside of the state any vapor products for sale.

(8) "Liquid nicotine container" means a package from which nicotine in a solution or other form is accessible through normal and foreseeable use by a consumer and that is used to hold soluble nicotine in any concentration. "Liquid nicotine container" does not include closed system nicotine containers.

(9) "Manufacturer" means a person who manufactures and sells vapor products.

(10) "Minor" refers to an individual who is less than eighteen years old.

(11) "Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, copartnership, joint venture, club, company, joint stock company, business trust, municipal corporation, the state and its departments and institutions, political subdivision of the state of Washington, corporation, limited liability company, association, society, any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise.

(12) "Place of business" means any place where vapor products are sold or where vapor products are manufactured, stored, or kept for the purpose of sale.

(13) "Playground" means any public improved area designed, equipped, and set aside for play of six or more children which is not intended for use as an athletic playing field or athletic court, including but not limited to any play equipment, surfacing, fencing, signs, internal pathways, internal land forms, vegetation, and related structures.

(14) "Retail outlet" means each place of business from which vapor products are sold to consumers.

(15) "Retailer" means any person engaged in the business of selling vapor products to ultimate consumers.

(16)(a) "Sale" means any transfer, exchange, or barter, in any manner or by any means whatsoever, for a consideration, and includes and means all sales made by any person.

(b) The term "sale" includes a gift by a person engaged in the business of selling vapor products, for advertising, promoting, or as a means of evading the provisions of this chapter.

(17) "School" has the same meaning as provided in RCW 70.140.020.

(18) "Self-service display" means a display that contains vapor products and is located in an area that is openly accessible to customers and from which customers can readily access such products without the assistance of a salesperson. A display case that holds vapor products behind locked doors does not constitute a self-service display.

(19) "Vapor product" means any noncombustible product that may contain nicotine and that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor or aerosol from a solution or other substance.

(a) "Vapor product" includes any electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container that may contain nicotine in a solution or other form that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.

(b) "Vapor product" does not include any product that meets the definition of marijuana, useable marijuana, marijuana concentrates, marijuana-infused products, cigarette, or tobacco products.

(c) For purposes of this subsection (19), "marijuana," "useable marijuana," "marijuana concentrates," and "marijuana-infused products" have the same meaning as provided in RCW 69.50.101.

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

NEW SECTION. Sec. 5. VAPOR PRODUCTS LICENSES. (1) The licenses issuable by the board under this chapter are as follows:

- (a) A vapor product retailer's license;
- (b) A vapor product distributor's license; and
- (c) A vapor product delivery sale license.

(2) Application for the licenses must be made through the business licensing system under chapter 19.02 RCW. The board may adopt rules regarding the regulation of the licenses. The board may refuse to issue any license under this chapter if the board has reasonable cause to believe that the applicant has willfully withheld information requested for the purpose of determining the eligibility of the applicant to receive a license, or if the board has reasonable cause to believe that information submitted in the application is false or misleading or is not made in good faith. In addition, for the purpose of reviewing an application for a distributor's license, retailer's license, or delivery seller's license, and for considering the denial, suspension, or revocation of any such license, the board may consider criminal conduct of the applicant, including an administrative violation history record with the board and a criminal history record information check within the previous five years, in any state, tribal, or federal jurisdiction in the United States, its territories, or possessions, and the provisions of RCW 9.95.240 and chapter 9.96A RCW do not apply to such cases. The board may, in its discretion, issue or refuse to issue the retailer's license, distributor's license, and delivery sale license subject to the provisions of RCW 70.155.100.

(3) The application processes for the retailer license and the distributor license, and any forms used for such processes, must allow the applicant to simultaneously apply for a delivery sale license without requiring the applicant to undergo a separate licensing application process in order to be licensed to conduct delivery sales. However, a delivery sale license obtained in conjunction with a retailer or distributor license under this subsection remains a separate license subject to the delivery sale licensing fee established under this chapter.

(4) No person may qualify for a retailer's license, distributor's license, or delivery sale license under this section without first undergoing a criminal background check. The background check must be performed by the board and must disclose any criminal conduct within the previous five years in any state, tribal, or federal jurisdiction in the United States, its territories, or possessions. If the applicant or licensee also has a license issued under chapter 66.24, 69.50, 82.24, or 82.26 RCW, the background check done under the authority of chapter 66.24, 69.50, 82.24, or 82.26 RCW satisfies the requirements of this subsection.

(5) Each license issued under this chapter expires on the business license expiration date. The license must be continued annually if the licensee has paid the required fee and complied with all the provisions of this chapter and the rules of the board adopted pursuant to this chapter.

(6) Each license and any other evidence of the license required under this chapter must be exhibited in each place of business for which it is issued and in the manner required for the display of a business license.

NEW SECTION. Sec. 6. LICENSING REQUIRED.

(1)(a) No person may engage in or conduct business as a retailer, distributor, or delivery seller in this state without a valid license issued under this chapter, except as otherwise provided by law. Any person who sells vapor products to ultimate consumers by a means other than delivery sales must obtain a retailer's license under this chapter. Any person who sells vapor products to persons other than ultimate consumers or who meets the definition of distributor under this chapter must obtain a

distributor's license under this chapter. Any person who conducts delivery sales of vapor products must obtain a delivery sale license.

(b) A violation of this subsection is punishable as a class C felony according to chapter 9A.20 RCW.

(2) No person engaged in or conducting business as a retailer, distributor, or delivery seller in this state may refuse to allow the enforcement officers of the board, on demand, to make full inspection of any place of business or vehicle where any of the vapor products regulated under this chapter are sold, stored, transported, or handled, or otherwise hinder or prevent such inspection. A person who violates this subsection is guilty of a gross misdemeanor.

(3) Any person licensed under this chapter as a distributor, any person licensed under this chapter as a retailer, and any person licensed under this chapter as a delivery seller may not operate in any other capacity unless the additional appropriate license is first secured, except as otherwise provided by law. A violation of this subsection is a misdemeanor.

(4) No person engaged in or conducting business as a retailer, distributor, or delivery seller in this state may sell or give, or permit to sell or give, a product that contains any amount of any cannabinoid, synthetic cannabinoid, cathinone, or methcathinone, unless otherwise provided by law. A violation of this subsection (4) is punishable according to RCW 69.50.401.

(5) The penalties provided in this section are in addition to any other penalties provided by law for violating the provisions of this chapter or the rules adopted under this chapter.

NEW SECTION. Sec. 7. DISTRIBUTOR LICENSING FEE. A fee of one hundred fifty dollars must accompany each vapor product distributor's license application or license renewal application under section 5 of this act. If a distributor sells or intends to sell vapor products at two or more places of business, whether established or temporary, a separate license with a license fee of one hundred dollars is required for each additional place of business.

NEW SECTION. Sec. 8. RETAILER LICENSING FEE.

(1) A fee of one hundred seventy-five dollars must accompany each vapor product retailer's license application or license renewal application under section 5 of this act. A separate license is required for each separate location at which the retailer operates.

(2) A retailer applying for, or renewing, both a vapor products retailer's license under section 5 of this act and retailer's license under RCW 82.24.510 may pay a combined application fee of two hundred fifty dollars for both licenses.

Sec. 9. RCW 82.24.530 and 2012 2nd sp.s. c 4 s 12 are each amended to read as follows:

(1) A fee of ((ninety-three)) one hundred seventy-five dollars must accompany each retailer's license application or license renewal application. A separate license is required for each separate location at which the retailer operates. A fee of thirty additional dollars for each vending machine must accompany each application or renewal for a license issued to a retail dealer operating a cigarette vending machine. An additional fee of ninety-three dollars ((shall)) must accompany each application or renewal for a license issued to a retail dealer operating a cigarette-making machine.

(2) A retailer applying for, or renewing, both a retailer's license under RCW 82.24.510 and a vapor products retailer's license under section 5 of this act may pay a combined application fee of two hundred fifty dollars for both licenses.

NEW SECTION. Sec. 10. DELIVERY SALE LICENSING FEE. A fee of two hundred fifty dollars must

accompany each vapor product delivery sale license application or license renewal application under section 5 of this act.

NEW SECTION. Sec. 11. ENFORCEMENT—LICENSE SUSPENSION, REVOCATION. (1) The board, or its enforcement officers, has the authority to enforce provisions of this chapter.

(2) The board may revoke or suspend a retailer's, distributor's, or delivery seller's license issued under this chapter upon sufficient cause showing a violation of this chapter.

(3) A license may not be suspended or revoked except upon notice to the licensee and after a hearing as prescribed by the board.

(4) Any retailer's licenses issued under chapter 82.24 or 82.26 RCW to a person whose vapor product retailer's license or licenses have been suspended or revoked for violating RCW 26.28.080 must also be suspended or revoked during the period of suspension or revocation under this section.

(5) Any person whose license or licenses have been revoked under this section may reapply to the board at the expiration of two years of the license or licenses, unless the license was revoked pursuant to section 22(2)(e) of this act. The license or licenses may be approved by the board if it appears to the satisfaction of the board that the licensee will comply with the provisions of this chapter.

(6) A person whose license has been suspended or revoked may not sell vapor products or permit vapor products to be sold during the period of suspension or revocation on the premises occupied by the person or upon other premises controlled by the person or others or in any other manner or form.

(7) Any determination and order by the board, and any order of suspension or revocation by the board of the license or licenses issued under this chapter, or refusal to reinstate a license or licenses after revocation is reviewable by an appeal to the superior court of Thurston county. The superior court must review the order or ruling of the board and may hear the matter de novo, having due regard to the provisions of this chapter and the duties imposed upon the board.

(8) If the board makes an initial decision to deny a license or renewal, or suspend or revoke a license, the applicant may request a hearing subject to the applicable provisions under Title 34 RCW.

NEW SECTION. Sec. 12. SIGNAGE. (1) Except as provided in subsection (2) of this section, a person who holds a retailer's license issued under this chapter must display a sign concerning the prohibition of vapor product sales to minors. Such sign must:

(a) Be posted so that it is clearly visible to anyone purchasing vapor products from the licensee;

(b) Be designed and produced by the department of health to read: "The sale of vapor products to persons under age eighteen is strictly prohibited by state law. If you are under age eighteen, you could be penalized for purchasing a vapor product; photo id required;" and

(c) Be provided free of charge by the department of health.

(2) For persons also licensed under RCW 82.24.510 or 82.26.150, the board may issue a sign to read: "The sale of tobacco or vapor products to persons under age eighteen is strictly prohibited by state law. If you are under age eighteen, you could be penalized for purchasing a tobacco or vapor product; photo id required," provided free of charge by the board.

(3) A person who holds a license issued under this chapter must display the license or a copy in a prominent location at the outlet for which the license is issued.

NEW SECTION. Sec. 13. LABELING REQUIREMENTS. (1) A manufacturer or distributor that sells, offers for sale, or distributes liquid nicotine containers shall label

the vapor product with a: (a) Warning regarding the harmful effects of nicotine; (b) warning to keep the vapor product away from children; (c) warning that vaping is illegal for those under the legal age to use the product; and (d) except as provided in subsection (2) of this section, the amount of nicotine in milligrams per milliliter of liquid along with the total volume of the liquid contents of the product expressed in milliliters.

(2) For closed system nicotine containers as defined in section 4 of this act, a manufacturer that sells, offers for sale, or distributes vapor products in this state must annually provide the department of health with a disclosure of the nicotine content of such vapor product based on measurement standards to be established by the department of health.

(3)(a) This section expires on the effective date of the final regulations issued by the United States food and drug administration or by any other federal agency, when such regulations mandate warning or advertisement requirements for vapor products.

(b) The board must provide notice of the expiration date of this section to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the board.

NEW SECTION. Sec. 14. PURCHASING, POSSESSING BY PERSONS UNDER EIGHTEEN—CIVIL INFRACTION—JURISDICTION. (1) A person under the age of eighteen who purchases or attempts to purchase, possesses, or obtains or attempts to obtain vapor products commits a class 3 civil infraction under chapter 7.80 RCW and is subject to a fine as set out in chapter 7.80 RCW or participation in up to four hours of community restitution, or both. The court may also require participation in a smoking cessation program. This provision does not apply if a person under the age of eighteen, with parental authorization, is participating in a controlled purchase as part of a board, law enforcement, or local health department activity.

(2) Municipal and district courts within the state have jurisdiction for enforcement of this section.

NEW SECTION. Sec. 15. AGE IDENTIFICATION REQUIREMENT. (1) When there may be a question of a person's right to purchase or obtain vapor products by reason of age, the retailer or agent thereof, must require the purchaser to present any one of the following officially issued forms of identification that shows the purchaser's age and bears his or her signature and photograph: (a) Liquor control authority card of identification of a state or province of Canada; (b) driver's license, instruction permit, or identification card of a state or province of Canada; (c) "identocard" issued by the Washington state department of licensing under chapter 46.20 RCW; (d) United States military identification; (e) passport; (f) enrollment card, issued by the governing authority of a federally recognized Indian tribe located in Washington, that incorporates security features comparable to those implemented by the department of licensing for Washington drivers' licenses. At least ninety days prior to implementation of an enrollment card under this subsection, the appropriate tribal authority must give notice to the board. The board must publish and communicate to licensees regarding the implementation of each new enrollment card; or (g) merchant marine identification card issued by the United States coast guard.

(2) It is a defense to a prosecution under RCW 26.28.080 that the person making a sale reasonably relied on any of the officially issued identification as defined in subsection (1) of this section. The board must waive the suspension or revocation of a license if the licensee clearly establishes that he or she acted in good faith to prevent violations and a violation occurred despite the licensee's exercise of due diligence.

NEW SECTION. Sec. 16. VENDOR-ASSISTED SALES REQUIREMENT. (1) No person may offer a tobacco product or

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

a vapor product for sale in an open, unsecured display that is accessible to the public without the intervention of a store employee.

(2) It is unlawful to sell or distribute vapor products from self-service displays.

(3) Retail establishments are exempt from subsections (1) and (2) of this section if minors are not allowed in the store and such prohibition is posted clearly on all entrances.

NEW SECTION. Sec. 17. MAIL AND INTERNET SALES. (1) No person may conduct a delivery sale or otherwise ship or transport, or cause to be shipped or transported, any vapor product ordered or purchased by mail or through the internet to any person unless such seller has a valid delivery sale license as required under this chapter.

(2) No person may conduct a delivery sale or otherwise ship or transport, or cause to be shipped or transported, any vapor product ordered or purchased by mail or through the internet to any person under the minimum age required for the legal sale of vapor products as provided under section 14 of this act.

(3) A delivery sale licensee must provide notice on its mail order or internet sales forms of the minimum age required for the legal sale of vapor products in Washington state as provided by section 14 of this act.

(4) A delivery sale licensee must not accept a purchase or order from any person without first obtaining the full name, birth date, and residential address of that person and verifying this information through an independently operated third-party database or aggregate of databases, which includes data from government sources, that are regularly used by government and businesses for the purpose of age and identity verification and authentication.

(5) A delivery sale licensee must accept payment only through a credit or debit card issued in the purchaser's own name. The licensee must verify that the card is issued to the same person identified through identity and age verification procedures in subsection (4) of this section.

(6) Before a delivery sale licensee delivers an initial purchase to any person, the licensee must verify the identity and delivery address of the purchaser by mailing or shipping to the purchaser a notice of sale and certification form confirming that the addressee is in fact the person placing the order. The purchaser must return the signed certification form to the licensee before the initial shipment of product. Certification forms are not required for repeat customers. In the alternative, before a seller delivers an initial purchase to any person, the seller must first obtain from the prospective customer an electronic certification, such as by email, that includes a declaration that, at a minimum, the prospective customer is over the minimum age required for the legal sale of a vapor product, and the credit or debit card used for payment has been issued in the purchaser's name.

(7) A delivery sale licensee must include on shipping documents a clear and conspicuous statement which includes, at a minimum, that the package contains vapor products, Washington law prohibits sales to those under the minimum age established by this chapter, and violations may result in sanctions to both the licensee and the purchaser.

(8) A person who knowingly violates this section is guilty of a class C felony, except that the maximum fine that may be imposed is five thousand dollars.

(9) In addition to or in lieu of any other civil or criminal remedy provided by law, a person who has violated this section is subject to a civil penalty of up to five thousand dollars for each violation. The attorney general, acting in the name of the state, may seek recovery of the penalty in a civil action in superior court.

(10) The attorney general may seek an injunction in superior court to restrain a threatened or actual violation of this section and to compel compliance with this section.

(11) Any violation of this section is not reasonable in relation to the development and preservation of business and is an unfair and deceptive act or practice and an unfair method of competition in the conduct of trade or commerce in violation of RCW 19.86.020. Standing to bring an action to enforce RCW 19.86.020 for violation of this section lies solely with the attorney general. Remedies provided by chapter 19.86 RCW are cumulative and not exclusive.

(12)(a) In any action brought under this section, the state is entitled to recover, in addition to other relief, the costs of investigation, expert witness fees, costs of the action, and reasonable attorneys' fees.

(b) If a court determines that a person has violated this section, the court shall order any profits, gain, gross receipts, or other benefit from the violation to be disgorged and paid to the state treasurer for deposit in the general fund.

(13) Unless otherwise expressly provided, the penalties or remedies, or both, under this section are in addition to any other penalties and remedies available under any other law of this state.

(14) A licensee who violates this section is subject to license suspension or revocation by the board.

(15) The board may adopt by rule additional requirements for mail or internet sales.

(16) The board must not adopt rules prohibiting internet sales.

NEW SECTION. Sec. 18. CHILD-RESISTANT PACKAGING REQUIREMENT. (1) Any liquid nicotine container that is sold at retail shall be packaged in accordance with the child-resistant effectiveness standards set forth in 16 C.F.R. Sec. 1700.15, as in effect on the effective date of this section, as determined through testing in accordance with the method described in 16 C.F.R. Sec. 1700.20, as in effect on the effective date of this section.

(2) Any person that engages in retail sales of liquid nicotine containers in violation of this section is guilty of a gross misdemeanor.

NEW SECTION. Sec. 19. TASTINGS. (1) No person may offer a tasting of vapor products to the general public unless:

(a) The person is a licensed retailer under section 5 of this act;

(b) The tastings are offered only within the licensed premises operated by the licensee and the products tasted are not removed from within the licensed premises by the customer;

(c) Entry into the licensed premises is restricted to persons eighteen years of age or older;

(d) The vapor product being offered for tasting contains zero milligrams per milliliter of nicotine or the customer explicitly consents to a tasting of a vapor product that contains nicotine; and

(e) If the customer is tasting from a vapor device owned and maintained by the retailer, a disposable mouthpiece tip is attached to the vapor product being used by the customer for tasting or the vapor device is disposed of after each tasting.

(2) A violation of this section is a misdemeanor.

NEW SECTION. Sec. 20. COUPONS. (1) No person may give or distribute vapor products to a person free of charge by coupon, unless the vapor product was provided to the person as a contingency of prior or the same purchase as part of an in-person transaction or delivery sale.

(2) This section does not prohibit the use of coupons to receive a discount on a vapor product as part of an in-person transaction or delivery sale.

NEW SECTION. Sec. 21. USE OF VAPOR PRODUCTS IN CERTAIN PUBLIC PLACES. (1) Indoor areas.

(a) The use of vapor products is prohibited in the following indoor areas:

(i) Inside a child care facility, provided that a child care facility that is home-based is excluded from this paragraph when children enrolled in such child care facility are not present;

(ii) Schools;

(iii) Within five hundred feet of schools;

(iv) Schools buses; and

(v) Elevators.

(b) The use of vapor products is permitted for tasting and sampling in indoor areas of retail outlets.

(2) Outdoor areas. The use of vapor products is prohibited in the following outdoor areas:

(a) Real property that is under the control of a child care facility and upon which the child care facility is located, provided that a child care facility that is home-based is excluded from this paragraph when children enrolled in such child care facility are not present;

(b) Real property that is under the control of a school and upon which the school is located; and

(c) Playgrounds, during the hours between sunrise and sunset, when one or more persons under twelve years of age are present at such playground.

NEW SECTION. Sec. 22. PENALTIES, SANCTIONS, AND ACTIONS AGAINST LICENSEES. (1) The board may impose a monetary penalty as set forth in subsection (2) of this section, if the board finds that the licensee has violated RCW 26.28.080 or any other provision of this chapter.

(2) Subject to subsection (3) of this section, the sanctions that the board may impose against a person licensed under this chapter based upon one or more findings under subsection (1) of this section may not exceed the following:

(a) A monetary penalty of two hundred dollars for the first violation within any three-year period;

(b) A monetary penalty of six hundred dollars for the second violation within any three-year period;

(c) A monetary penalty of two thousand dollars for the third violation within any three-year period and suspension of the license for a period of six months for the third violation of RCW 26.28.080 within any three-year period;

(d) A monetary penalty of three thousand dollars for the fourth or subsequent violation within any three-year period and suspension of the license for a period of twelve months for the fourth violation of RCW 26.28.080 within any three-year period;

(e) Revocation of the license with no possibility of reinstatement for a period of five years for the fifth or more violation within any three-year period.

(3) If the board finds that a person licensed under this chapter and chapter 82.24 or 82.26 RCW has violated RCW 26.28.080, each subsequent violation of either of the person's licenses counts as an additional violation within that three-year period.

(4) Any retailer's licenses issued under chapter 82.24 or 82.26 RCW to a person whose vapor product retailer's license or licenses have been suspended or revoked for violating RCW 26.28.080 must also be suspended or revoked during the period of suspension or revocation under this section.

(5) The board may impose a monetary penalty upon any person other than a licensed retailer if the board finds that the person has violated RCW 26.28.080.

(6) The monetary penalty that the board may impose based upon one or more findings under subsection (5) of this section may not exceed fifty dollars for the first violation and one hundred dollars for each subsequent violation.

(7) The board may develop and offer a class for retail clerks and use this class in lieu of a monetary penalty for the clerk's first violation.

(8) The board may issue a cease and desist order to any person who is found by the board to have violated or intending to violate the provisions of this chapter or RCW 26.28.080, requiring such person to cease specified conduct that is in violation. The issuance of a cease and desist order does not preclude the imposition of other sanctions authorized by this statute or any other provision of law.

(9) The board may seek injunctive relief to enforce the provisions of RCW 26.28.080 or this chapter. The board may initiate legal action to collect civil penalties imposed under this chapter if the same have not been paid within thirty days after imposition of such penalties. In any action filed by the board under this chapter, the court may, in addition to any other relief, award the board reasonable attorneys' fees and costs.

(10) All proceedings under subsections (1) through (8) of this section must be conducted in accordance with chapter 34.05 RCW.

(11) The board may reduce or waive either the penalties or the suspension or revocation of a license, or both, as set forth in this chapter where the elements of proof are inadequate or where there are mitigating circumstances. Mitigating circumstances may include, but are not limited to, an exercise of due diligence by a retailer. Further, the board may exceed penalties set forth in this chapter based on aggravating circumstances.

Sec. 23. RCW 70.155.100 and 2006 c 14 s 5 are each amended to read as follows:

(1) The liquor ((control)) and cannabis board may suspend or revoke a retailer's license issued under RCW 82.24.510(1)(b) or 82.26.150(1)(b) held by a business at any location, or may impose a monetary penalty as set forth in subsection (((2))) (3) of this section, if the liquor ((control)) and cannabis board finds that the licensee has violated RCW 26.28.080, 70.155.020, 70.155.030, 70.155.040, 70.155.050, 70.155.070, or 70.155.090.

(2) Any retailer's licenses issued under section 5 of this act to a person whose license or licenses under chapter 82.24 or 82.26 RCW have been suspended or revoked for violating RCW 26.28.080 must also be suspended or revoked during the period of suspension or revocation under this section.

(3) The sanctions that the liquor ((control)) and cannabis board may impose against a person licensed under RCW 82.24.530 or 82.26.170 based upon one or more findings under subsection (1) of this section may not exceed the following:

(a) For violations of RCW 26.28.080 ((or)), 70.155.020, or 21 C.F.R. Sec. 1140.14, and for violations of RCW 70.155.040 occurring on the licensed premises:

(i) A monetary penalty of ((one)) two hundred dollars for the first violation within any ((two-year)) three-year period;

(ii) A monetary penalty of ((three)) six hundred dollars for the second violation within any ((two-year)) three-year period;

(iii) A monetary penalty of ((one)) two thousand dollars and suspension of the license for a period of six months for the third violation within any ((two-year)) three-year period;

(iv) A monetary penalty of ((one)) three thousand ((five hundred)) dollars and suspension of the license for a period of twelve months for the fourth violation within any ((two-year)) three-year period;

(v) Revocation of the license with no possibility of reinstatement for a period of five years for the fifth or more violation within any ((two-year)) three-year period;

(b) If the board finds that a person licensed under chapter 82.24 or 82.26 RCW and section 5 of this act has violated RCW 26.28.080, each subsequent violation of either of the person's licenses counts as an additional violation within that three-year period.

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

(c) For violations of RCW 70.155.030, a monetary penalty in the amount of one hundred dollars for each day upon which such violation occurred;

((c) For violations of RCW 70.155.040 occurring on the licensed premises:

(i) A monetary penalty of one hundred dollars for the first violation within any two-year period;

(ii) A monetary penalty of three hundred dollars for the second violation within any two-year period;

(iii) A monetary penalty of one thousand dollars and suspension of the license for a period of six months for the third violation within any two-year period;

(iv) A monetary penalty of one thousand five hundred dollars and suspension of the license for a period of twelve months for the fourth violation within any two-year period;

(v) Revocation of the license with no possibility of reinstatement for a period of five years for the fifth or more violation within any two-year period;))

(d) For violations of RCW 70.155.050, a monetary penalty in the amount of ((three)) six hundred dollars for each violation;

(e) For violations of RCW 70.155.070, a monetary penalty in the amount of ((one)) two thousand dollars for each violation.

((3)) (4) The liquor ((control)) and cannabis board may impose a monetary penalty upon any person other than a licensed cigarette or tobacco product retailer if the liquor ((control)) and cannabis board finds that the person has violated RCW 26.28.080, 70.155.020, 70.155.030, 70.155.040, 70.155.050, 70.155.070, or 70.155.090.

((4)) (5) The monetary penalty that the liquor ((control)) and cannabis board may impose based upon one or more findings under subsection ((3)) (4) of this section may not exceed the following:

(a) For violation of RCW 26.28.080 or 70.155.020, ((fifty)) one hundred dollars for the first violation and ((one)) two hundred dollars for each subsequent violation;

(b) For violations of RCW 70.155.030, ((one)) two hundred dollars for each day upon which such violation occurred;

(c) For violations of RCW 70.155.040, ((one)) two hundred dollars for each violation;

(d) For violations of RCW 70.155.050, ((three)) six hundred dollars for each violation;

(e) For violations of RCW 70.155.070, ((one)) two thousand dollars for each violation.

((5)) (6) The liquor ((control)) and cannabis board may develop and offer a class for retail clerks and use this class in lieu of a monetary penalty for the clerk's first violation.

((6)) (7) The liquor ((control)) and cannabis board may issue a cease and desist order to any person who is found by the liquor ((control)) and cannabis board to have violated or intending to violate the provisions of this chapter, RCW 26.28.080 ((or)), 82.24.500, or 82.26.190 requiring such person to cease specified conduct that is in violation. The issuance of a cease and desist order ((shall)) does not preclude the imposition of other sanctions authorized by this statute or any other provision of law.

((7)) (8) The liquor ((control)) and cannabis board may seek injunctive relief to enforce the provisions of RCW 26.28.080 ((or)), 82.24.500, 82.26.190 or this chapter. The liquor ((control)) and cannabis board may initiate legal action to collect civil penalties imposed under this chapter if the same have not been paid within thirty days after imposition of such penalties. In any action filed by the liquor ((control)) and cannabis board under this chapter, the court may, in addition to any other relief, award the liquor ((control)) and cannabis board reasonable attorneys' fees and costs.

((8)) (9) All proceedings under subsections (1) through ((6)) (7) of this section shall be conducted in accordance with chapter 34.05 RCW.

((9)) (10) The liquor ((control)) and cannabis board may reduce or waive either the penalties or the suspension or revocation of a license, or both, as set forth in this chapter where the elements of proof are inadequate or where there are mitigating circumstances. Mitigating circumstances may include, but are not limited to, an exercise of due diligence by a retailer. Further, the board may exceed penalties set forth in this chapter based on aggravating circumstances.

NEW SECTION. Sec. 24. LIQUOR AND CANNABIS BOARD AUTHORITY. (1) The board must have, in addition to the board's other powers and authorities, the authority to enforce the provisions of this chapter.

(2) The board and the board's authorized agents or employees have full power and authority to enter any place of business where vapor products are sold for the purpose of enforcing the provisions of this chapter.

(3) For the purpose of enforcing the provisions of this chapter, a peace officer or enforcement officer of the board who has reasonable grounds to believe a person observed by the officer purchasing, attempting to purchase, or in possession of vapor products is under eighteen years of age, may detain such person for a reasonable period of time and in such a reasonable manner as is necessary to determine the person's true identity and date of birth. Further, vapor products possessed by persons under eighteen years of age are considered contraband and may be seized by a peace officer or enforcement officer of the board.

(4) The board may work with local county health departments or districts and local law enforcement agencies to conduct random, unannounced, inspections to assure compliance.

(5) Upon a determination by the secretary of health or a local health jurisdiction that a vapor product may be injurious to human health or poses a significant risk to public health:

(a) The board, in consultation with the department of health and local county health jurisdictions, may cause a vapor product substance or solution sample, purchased or obtained from any vapor product retailer, distributor, or delivery sale licensee, to be analyzed by an analyst appointed or designated by the board;

(b) If the analyzed vapor product contains an ingredient, substance, or solution present in quantities injurious to human health or posing a significant risk to public health, as determined by the secretary of health or a local health jurisdiction, the board may suspend the license of the retailer or delivery sale licensee unless the retailer or delivery sale licensee agrees to remove the product from sales; and

(c) If upon a finding from the secretary of health or local health jurisdiction that the vapor product poses an injurious risk to public health or significant public health risk, the retailer or delivery sale licensee does not remove the product from sale, the secretary of health or local health officer may file for an injunction in superior court prohibiting the sale or distribution of that specific vapor product substance or solution.

(6) Nothing in subsection (5) of this section permits a total ban on the sale or use of vapor products.

NEW SECTION. Sec. 25. SOURCE AND USE OF FUNDS. All license fees collected and funds collected by the board from the imposition of monetary penalties pursuant to this chapter must be deposited into the youth tobacco and vapor products prevention account created in RCW 70.155.120.

NEW SECTION. Sec. 26. EXEMPTIONS. This chapter does not apply to a motor carrier or a freight forwarder as defined in 49 U.S.C. Sec. 13102 or an air carrier as defined in 49 U.S.C. Sec. 40102.

NEW SECTION. Sec. 27. SEVERABILITY. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Sec. 28. RCW 82.26.170 and 2005 c 180 s 13 are each amended to read as follows:

(1) A fee of ((ninety-three)) one hundred seventy-five dollars shall accompany each retailer's license application or license renewal application. A separate license is required for each separate location at which the retailer operates.

(2) The fee imposed under subsection (1) of this section does not apply to any person applying for a retailer's license or for renewal of a retailer's license if the person has a valid retailer's license under RCW 82.24.510 for the place of business associated with the retailer's license application or renewal application.

(3) A retailer applying for, or renewing, both a retailer's license under RCW 82.26.170 and a vapor products retailer's license under section 5 of this act may pay a combined application fee of two hundred fifty dollars for both licenses.

Sec. 29. RCW 66.08.145 and 2007 c 221 s 1 are each amended to read as follows:

(1) The liquor ((control)) and cannabis board may issue subpoenas in connection with any investigation, hearing, or proceeding for the production of books, records, and documents held under this chapter or chapters 70.155, 70.158, 70.--- (the new chapter created in section 31 of this act), 82.24, and 82.26 RCW, and books and records of common carriers as defined in RCW 81.80.010, or vehicle rental agencies relating to the transportation or possession of cigarettes or other tobacco products.

(2) The liquor ((control)) and cannabis board may designate individuals authorized to sign subpoenas.

(3) If any person is served a subpoena from the board for the production of records, documents, and books, and fails or refuses to obey the subpoena for the production of records, documents, and books when required to do so, the person is subject to proceedings for contempt, and the board may institute contempt of court proceedings in the superior court of Thurston county or in the county in which the person resides.

NEW SECTION. Sec. 30. A new section is added to chapter 70.155 RCW to read as follows:

(1) A person who holds a license issued under chapter 82.24 or 82.26 RCW or section 5 of this act must conduct the business and maintain the premises in compliance with Titles 9 and 9A RCW and chapter 69.50 RCW.

(2) The board may revoke or suspend a license issued under chapter 82.24 or 82.26 RCW or section 5 of this act upon sufficient cause showing a violation of this section.

NEW SECTION. Sec. 31. NEW CHAPTER CREATION. Sections 3 through 8, 10 through 22, and 24 through 26 of this act constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 32. EFFECTIVE DATE. (1) Sections 5 through 10 and 28 of this act take effect thirty days after the Washington state liquor and cannabis board prescribes the form for an application for a license required under section 6 of this act.

(2) The Washington state liquor and cannabis board must provide written notice of the effective date of sections 5 through 10 and 28 of this act to affected parties, the chief clerk of the house of representatives, the secretary of the senate, the office of the code reviser, and others as deemed appropriate by the department."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "youth vapor product substance use prevention, and vapor product regulation, without permitting a tax on the sale or production of vapor products; amending RCW

26.28.080, 70.155.120, 82.24.530, 70.155.100, 82.26.170, and 66.08.145; adding a new section to chapter 70.155 RCW; adding a new chapter to Title 70 RCW; prescribing penalties; providing a contingent effective date; and providing a contingent expiration date."

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment no. 763 by Senator Dammeier to Substitute Senate Bill No. 6328.

The motion by Senator Dammeier carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator Dammeier, the rules were suspended, Engrossed Substitute Senate Bill No. 6328 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dammeier, Darneille, Cleveland, Sheldon, Frockt, Baumgartner and Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6328.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6328 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 6; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Frockt, Hasegawa, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Dinsel, Ericksen, Hewitt, Padden and Pearson

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 6328, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6531, by Senator Hargrove

Changing who the department of corrections is required to supervise. Revised for 1st Substitute: Changing who the department of corrections is required to supervise based on the current offense as defined in RCW 9.94A.501(4)(e)(ii) and the maximum duration of community custody as defined in RCW 9.94A.501(8).

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6531 was substituted for Senate Bill No. 6531 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 6531 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

Senator Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6531.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6531 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6531, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING

SECOND SUBSTITUTE SENATE BILL NO. 5127, by Senate Committee on Ways & Means (originally sponsored by Senators Angel, Roach and O'Ban)

Providing that veterans with total disability ratings and their surviving spouses and domestic partners are eligible to qualify for a property tax exemption without meeting certain income requirements. Revised for 2nd Substitute: Revising a property tax exemption for veterans with total disability ratings and their surviving spouses or domestic partners.

The bill was read on Third Reading.

MOTION

On motion of Senator Angel, the rules were suspended and Second Substitute Senate Bill No. 5127 was returned to second reading for the purpose of amendment.

MOTION

Senator Angel moved that the following striking amendment no. 584 by Senator Angel be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) This section is the tax preference performance statement for the tax preference in section 2 of this act. This performance statement is only intended to be used for subsequent evaluation of the tax preference. It is not intended to create a private right of action by any party or to determine eligibility for preferential tax treatment.

(2) The legislature categorizes this tax preference as one intended to provide tax relief for certain individuals, as indicated in RCW 82.32.808(2)(e).

(3) It is the legislature's specific public policy objective to provide more extensive property tax relief to veterans with total disability ratings and their surviving spouses or domestic partners to properly recognize their sacrifice on behalf of the nation and to enable them to remain in their residences, thus reducing homelessness and demand for services in state veterans' homes.

(4) To measure the effectiveness of this act in achieving the objective in subsection (3) of this section, the joint legislative audit and review committee must provide a report to the legislature by December 1, 2020, assessing the impact of the tax preference in reducing homelessness and demand for services in state veterans' homes among veterans with total disability ratings and their surviving spouses or domestic partners.

Sec. 2. RCW 84.36.381 and 2015 3rd sp.s. c 30 s 2 are each amended to read as follows:

A person is exempt from any legal obligation to pay all or a portion of the amount of excess and regular real property taxes due and payable in the year following the year in which a claim is filed, and thereafter, in accordance with the following:

(1) The property taxes must have been imposed upon a residence which was occupied by the person claiming the exemption as a principal place of residence as of the time of filing. However, any person who sells, transfers, or is displaced from his or her residence may transfer his or her exemption status to a replacement residence, but no claimant may receive an exemption on more than one residence in any year. Moreover, confinement of the person to a hospital, nursing home, assisted living facility, or adult family home does not disqualify the claim of exemption if:

- (a) The residence is temporarily unoccupied;
- (b) The residence is occupied by a spouse or a domestic partner and/or a person financially dependent on the claimant for support; or
- (c) The residence is rented for the purpose of paying nursing home, hospital, assisted living facility, or adult family home costs;

(2) The person claiming the exemption must have owned, at the time of filing, in fee, as a life estate, or by contract purchase, the residence on which the property taxes have been imposed or if the person claiming the exemption lives in a cooperative housing association, corporation, or partnership, such person must own a share therein representing the unit or portion of the structure in which he or she resides. For purposes of this subsection, a residence owned by a marital community or state registered domestic partnership or owned by cotenants is deemed to be owned by each spouse or each domestic partner or each cotenant, and any lease for life is deemed a life estate;

(3) ~~((+))~~ The person claiming the exemption must be:

~~((+))~~ (a) Sixty-one years of age or older on December 31st of the year in which the exemption claim is filed, or must have been, at the time of filing, retired from regular gainful employment by reason of disability, or the surviving spouse or surviving domestic partner of a person who was receiving an exemption under this subsection at the time of the person's death if the surviving spouse or domestic partner is fifty-seven years of age or older and otherwise meets the requirements of this section;
or

~~((+))~~ (b) A veteran of the armed forces of the United States entitled to and receiving compensation from the United States department of veterans affairs at a total disability rating for a service-connected disability

~~(b) However, any surviving spouse or surviving domestic partner of a person who was receiving an exemption at the time of the person's death will qualify if the surviving spouse or surviving domestic partner is fifty-seven years of age or older and otherwise meets the requirements of this section), or the surviving spouse or surviving domestic partner of a person who was receiving an exemption under this subsection at the time of the person's death if the surviving spouse or domestic partner is fifty-seven years of age or older. Those who qualify under this subsection (3)(b) are exempt from all regular and excess property taxes on a residence that meets the requirements of subsections (1) and (2) of this section;~~

(4) The amount that ~~((the))~~ a person qualifying under subsection (3)(a) of this section is exempt from an obligation to pay is calculated on the basis of combined disposable income, as defined in RCW 84.36.383. If the person claiming the exemption was retired for two months or more of the assessment year, the combined disposable income of such person must be calculated by multiplying the average monthly combined disposable income of such person during the months such person was retired by twelve. If the income of the person claiming exemption is reduced for two or more months of the assessment year by reason of the death of the person's spouse or the person's domestic partner, or when other substantial changes occur in disposable income that are likely to continue for an indefinite period of time, the combined disposable income of such person must be calculated by multiplying the average monthly combined disposable income of such person after such occurrences by twelve. If it is necessary to estimate income to comply with this subsection, the assessor may require confirming documentation of such income prior to May 31 of the year following application;

(5)(a) A person under subsection (3)(a) of this section who otherwise qualifies under this section and has a combined disposable income of forty thousand dollars or less is exempt from all excess property taxes; and

(b)(i) A person under subsection (3)(a) of this section who otherwise qualifies under this section and has a combined disposable income of thirty-five thousand dollars or less but greater than thirty thousand dollars is exempt from all regular property taxes on the greater of fifty thousand dollars or thirty-five percent of the valuation of his or her residence, but not to exceed seventy thousand dollars of the valuation of his or her residence; or

(ii) A person under subsection (3)(a) of this section who otherwise qualifies under this section and has a combined disposable income of thirty thousand dollars or less is exempt from all regular property taxes on the greater of sixty thousand dollars or sixty percent of the valuation of his or her residence;

(6)(a) For a person under subsection (3)(a) of this section who otherwise qualifies under this section and has a combined disposable income of forty thousand dollars or less, the valuation of the residence is the assessed value of the residence on the later of January 1, 1995, or January 1st of the assessment year the person first qualifies under this section. If the person subsequently fails to qualify under this section only for one year because of high income, this same valuation must be used upon requalification. If the person fails to qualify for more than one year in succession because of high income or fails to qualify for any other reason, the valuation upon requalification is the assessed value on January 1st of the assessment year in which the person requalifies. If the person transfers the exemption under this section to a different residence, the valuation of the different residence is the assessed value of the different residence on January 1st of the assessment year in which the person transfers the exemption.

(b) In no event may the valuation under this subsection be greater than the true and fair value of the residence on January 1st of the assessment year.

(c) This subsection does not apply to subsequent improvements to the property in the year in which the improvements are made. Subsequent improvements to the property must be added to the value otherwise determined under this subsection at their true and fair value in the year in which they are made.

NEW SECTION. Sec. 3. This act is not subject to the expiration date requirements provided in RCW 82.32.805.

NEW SECTION. Sec. 4. This act applies to the taxes levied for collection in 2017 and thereafter."

On page 1, line 3 of the title, after "partners;" strike the remainder of the title and insert "amending RCW 84.36.381; and creating new sections."

Senator Angel spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment no. 584 by Senator Angel to Second Substitute Senate Bill No. 5127.

The motion by Senator Angel carried and the striking amendment was adopted by voice vote.

MOTION

On motion of Senator Angel, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.
Senator Takko spoke against passage of the bill.

POINT OF INQUIRY

Senator Takko: "Will Senator Angel yield to a question?"

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore, Senator Roach: : "She does."

Senator Takko: "Does this have any means testing?"

Senator Angel: "Senator Takko, that is the purpose of this bill is to get rid of the means testing for that veteran that is one hundred percent disabled through his or her service."

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5127.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5127 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 9; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Cleveland, Conway, Dammeier, Dansel, Ericksen, Fain, Fraser, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schoesler, Sheldon and Warnick

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

Voting nay: Senators Carlyle, Chase, Darneille, Frockt, Hasegawa, Keiser, Nelson, Pedersen and Takko

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the third order of business.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5127, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MESSAGE FROM THE SECRETARY OF STATE

March 15, 2016

To the Honorable Members of the Washington State Senate:

I respectfully transmit for your consideration the following measures which were vetoed by the Governor, along with his objection to the bills, as required by Article III, section 12, of the Washington State Constitution:

STATEMENT FOR THE JOURNAL

I voted no because, as the prime sponsor stated, the purpose of this bill is to eliminate the means test. I believe this is wrong policy. For example, the ex-spouse of a cumulative 100 percent disabled veteran who remarries a millionaire would still carry the tax exemption to the millionaire's property.

SENATOR HASEGAWA, 11th Legislative District

THIRD READING

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575, by Senate Committee on Ways & Means (originally sponsored by Senators Braun, Honeyford and Hatfield)

Providing sales and use tax exemptions to encourage coal-fired electric generation plants to convert to natural gas-fired plants. Revised for 1st Substitute: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants or biomass energy facilities to convert to natural gas-fired plants. (REVISED FOR ENGROSSED: Providing sales and use tax exemptions, in the form of a remittance of tax paid, to encourage coal-fired electric generation plants to convert to natural gas-fired plants or biomass energy facilities.)

The bill was read on Third Reading.

Senators Braun and Takko spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5575.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5575 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 4; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Chase, Frockt, Pedersen and Rolfes

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5575, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

- ESSB 5145 Relating to the health technology clinical committee membership and rotating experts.
- SB 5265 Relating to allowing a public depository to arrange for reciprocal deposits of public funds.
- SB 5458 Relating to health district banking.
- SB 5549 Relating to the registration and disciplining of pharmacy assistants.
- SSB 5767 Relating to revising local government treasury practices and procedures.
- SB 6148 Relating to the handling of certain personal property in a self-service storage facility.
- SB 6162 Relating to the expiration date of the invasive species council and account.
- SB 6170 Relating to providing for an exemption from disclosure of certain financial, commercial, and proprietary information held by a city retirement board on behalf of its employees' retirement system.
- SSB 6177 Relating to modifying marijuana research license provisions.
- SB 6196 Relating to modifying administrative processes for the utilities and transportation commission in managing deposits and cost reimbursements of the energy facility site evaluation council.
- ESSB 6206 Relating to authorizing the growing of industrial hemp.
- SB 6220 Relating to promoting economic development by maximizing the use of federal economic development funding opportunities.
- SSB 6281 Relating to enacting amendments to the uniform athlete agents act.
- SSB 6284 Relating to preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems.
- SSB 6290 Relating to the apple commission.
- SSB 6326 Relating to the retention and maintenance of auto dealer and repair facility records.
- SSB 6341 Relating to the provision of personal services and promotional items by cannabis producers and processors.
- SSB 6342 Relating to private activity bond allocation.
- SSB 6354 Relating to the development of higher education reverse transfer agreement plans.
- SB 6398 Relating to certain cultural foods.
- SB 6401 Relating to recordkeeping requirements of secondary commercial fish receivers.
- SSB 6466 Relating to the creation of a work group to develop a plan for removing obstacles for higher education students with disability.

- SB 6491 Relating to apostille or other signature or attestation services by the secretary of state.
- SSB 6498 Relating to testimonial privileges for alcohol and drug addiction recovery sponsors.
- SSB 6569 Relating to the creation of a task force on patient out-of-pocket costs.
- ESSB 6606 Relating to wholesale vehicle dealers.
- SB 6633 Relating to the marine resources advisory council.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 15th day of March, 2016.

KIM WYMAN, Secretary of State

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 6206 entitled: "AN ACT Relating to authorizing the growing of industrial hemp."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Engrossed Substitute Senate Bill No. 6206 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Engrossed Substitute Senate Bill No. 6206, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 6206, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 6206 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 6206, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 5265 entitled: "AN ACT Relating to allowing a public depository to arrange for reciprocal deposits of public funds."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 5265 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 5265, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 5265, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 5265 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 5265, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6290 entitled: "AN ACT Relating to the apple commission."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6290 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6290, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6290, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6290 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6290, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6326 entitled: "AN ACT Relating to the retention and maintenance of auto dealer and repair facility records."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6326 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6326, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6326, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6326 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6326, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6466 entitled: "AN ACT Relating to student services for students with disabilities."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6466 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6466, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6466, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6466 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 1; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Braun

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SUBSTITUTE SENATE BILL NO. 6466, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MOTION

On motion of Senator Rivers, and without objection, Senator Braun was excused.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6498 entitled: "AN ACT Relating to testimonial privileges for alcohol and drug addiction recovery sponsors."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6498 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6498, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6498, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6498 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SUBSTITUTE SENATE BILL NO. 6498, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 6606 entitled: "AN ACT Relating to wholesale vehicle dealers."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Engrossed Substitute Senate Bill No. 6606 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Engrossed Substitute Senate Bill No. 6606, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 6606, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 6606 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 2; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Benton and Padden

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 6606, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 5549 entitled: "AN ACT Relating to the registration and disciplining of pharmacy assistants."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 5549 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 5549, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 5549, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 5549 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 2; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators O'Ban and Padden

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 5549, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6633 entitled: "AN ACT Relating to marine resources advisory council."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6633 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6633, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6633, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6633 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 6633, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6342 entitled: "AN ACT Relating to private activity bond allocation."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6342 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6342, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6342, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6342 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6342, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6220 entitled: "AN ACT Relating to promoting economic development by maximizing the use of federal economic development funding opportunities."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6220 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6220, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6220, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6220 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 6220, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6196 entitled: "AN ACT Relating to administrative processes for the utilities and transportation commission in managing deposits

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

and costs reimbursements of the energy facility site evaluation council."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6196 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6196, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6196, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6196 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 6196, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6177 entitled: "AN ACT Relating to the marijuana research license."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6177 in its entirety.

Respectfully submitted,

Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6177, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6177, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6177 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6177, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6162 entitled: "AN ACT Relating to the expiration date of the invasive species council and account."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6162 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6162, the Governor's objection(s) notwithstanding.

ROLL CALL

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6162, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6162 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 6162, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MOTION

On motion of Senator Rivers, and without objection, Senator Benton was excused.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 5767 entitled: "AN ACT Relating to local government treasury practices and procedures."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 5767 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 5767, the Governor's objection(s) notwithstanding.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 5767, the Governor's objection(s) notwithstanding.

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 5767 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Billig, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 5767, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

Senator Fraser announced a meeting of the Democratic Caucus immediately upon going at ease.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 3:38 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 5:20 p.m. by the President Pro Tempore, Senator Roach presiding.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6170 entitled: "AN ACT Relating to an exemption from disclosure of certain financial, commercial, and proprietary information submitted to or obtained by a city retirement board on behalf of its employees' retirement system."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6170 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6170, the Governor's objection(s) notwithstanding.

MOTION

On motion of Senator Mullet, and without objection, Senator Carlyle was excused.

MOTION

On motion of Senator Fain, and without objection, Senators Bailey and Rivers were excused.

The President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6170, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6170 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 39; Nays, 0; Absent, 0; Excused, 10.

Voting yea: Senators Angel, Baumgartner, Becker, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Erickson, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Benton, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias, Ranker and Rivers

SENATE BILL NO. 6170, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

The Vice President Pro Tempore, Senator Brown assumed the chair.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6148 entitled: "AN ACT Relating to the handling of certain personal property in a self-service storage facility."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6148 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6148, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6148, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6148 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Erickson, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias, Ranker and Rivers

SENATE BILL NO. 6148, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 5767 entitled: "AN ACT Relating to local government treasury practices and procedures."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 5767 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 5767, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 5767, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 5767 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Billig, Habib, Hargrove, Jayapal, Liias and Ranker

SUBSTITUTE SENATE BILL NO. 5767, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 5145 entitled: "AN ACT Relating to the health technology clinical committee membership and rotating experts."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Engrossed Substitute Senate Bill No. 5145 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Engrossed Substitute Senate Bill No. 5145, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 5145, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Engrossed Substitute Senate Bill No. 5145 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias, Ranker and Rivers

ENGROSSED SUBSTITUTE SENATE BILL NO. 5145, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6281 entitled: "AN ACT Relating to athlete agents."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6281 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6281, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6281, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6281 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias, Ranker and Rivers

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

SUBSTITUTE SENATE BILL NO. 6281, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

On motion of Senator Mullet, and without objection, Senator Frockt was excused.

MESSAGE FROM THE GOVERNOR

MESSAGE FROM THE GOVERNOR

March 10, 2016

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6284 entitled: "AN ACT Relating to preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems."

I am returning herewith, without my approval, Substitute Senate Bill No. 6354 entitled: "AN ACT Relating to developing higher education reverse transfer agreement plans."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6284 in its entirety.

For these reasons I have vetoed Substitute Senate Bill No. 6354 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

Respectfully submitted,
Jay Inslee, Governor

MOTION

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6284, the Governor's objection(s) notwithstanding.

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6354, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6284, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6354, the Governor's objection(s) notwithstanding.

ROLL CALL

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6284 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6354 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 40; Nays, 0; Absent, 0; Excused, 9.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias, Ranker and Rivers

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias, Ranker and Rivers

SUBSTITUTE SENATE BILL NO. 6284, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

SUBSTITUTE SENATE BILL NO. 6354, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MOTION

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6401 entitled: "AN ACT Relating to record keeping requirements of secondary commercial fish receivers."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6401 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6401, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6401, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6401 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 6401, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6491 entitled: "AN ACT Relating to apostille or other signature or attestation services by the secretary of state."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6491 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6491, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6491, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6491 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Liias and Ranker

SENATE BILL NO. 6491, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6341 entitled: "AN ACT Relating to the provision of personal services and promotional items by cannabis producers and processors."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6341 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider

NINETEENTH DAY, MARCH 28, 2016

2016 1ST SPECIAL SESSION

Substitute Senate Bill No. 6341, the Governor's objection(s) notwithstanding.

MOTION

On motion of Senator Mullet, and without objection, Senator Frockt was excused.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6341, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6341 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 36; Nays, 4; Absent, 0; Excused, 9.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators O'Ban, Padden, Parlette and Pearson

Excused: Senators Bailey, Billig, Carlyle, Frockt, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6341, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 5458 entitled: "AN ACT Relating to health district banking."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 5458 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 5458, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 5458, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 5458 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 5458, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Substitute Senate Bill No. 6569 entitled: "AN ACT Relating to the creation of a task force on patient out-of-pocket costs."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Substitute Senate Bill No. 6569 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Substitute Senate Bill No. 6569, the Governor's objection(s) notwithstanding.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Substitute Senate Bill No. 6569, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Substitute Senate Bill No. 6569 the Governor's objection(s) notwithstanding and the bill passed the

Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias and Ranker

SUBSTITUTE SENATE BILL NO. 6569, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MESSAGE FROM THE GOVERNOR

March 10, 2016

To the Honorable President and Members, The Senate of the State of Washington:

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 6398 entitled: "AN ACT Relating to cultural foods."

This is a worthy bill, but it has preceded the passage of the 2016-2017 supplemental operating budget, which is a greater legislative priority. Until a budget agreement is reached, I cannot support this bill.

For these reasons I have vetoed Senate Bill No. 6398 in its entirety.

Respectfully submitted,
Jay Inslee, Governor

MOTION

Pursuant to Article 3, Section 12 of the State Constitution, on motion of Senator Fain, the Senate proceeded to reconsider Senate Bill No. 6398, the Governor's objection(s) notwithstanding.

Senator Baumgartner spoke in favor of the motion.

The Vice President Pro Tempore declared the question before the Senate to be the final passage, on reconsideration, of Senate Bill No. 6398, the Governor's objection(s) notwithstanding.

ROLL CALL

The Secretary called the roll on the final passage, on reconsideration, of Senate Bill No. 6398 the Governor's objection(s) notwithstanding and the bill passed the Senate by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Senators Angel, Baumgartner, Becker, Benton, Braun, Brown, Chase, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Bailey, Billig, Carlyle, Habib, Hargrove, Jayapal, Lias and Ranker

SENATE BILL NO. 6398, having received the required constitutional two-thirds majority, was declared passed on reconsideration, the Governor's objection(s) notwithstanding. The title of the bill was again ordered to stand as the title of the act.

MOTION

At 6:01 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m., Tuesday, March 29, 2016.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

TWENTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
 Tuesday, March 29, 2016

The Senate was called to order at 11:00 o'clock a.m. by the President Pro Tempore, Senator Roach presiding.

The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exceptions of Senators Chase, Hargrove, Jayapal and Ranker.

The Sergeant at Arms Color Guard consisting of Mr. Steve Jones and Mr. Brian Sims, presented the Colors.

The prayer was offered by Senator Angel.

MOTION

On motion of Senator Fain, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the eighth order of business.

MOTION

Senator Rivers moved adoption of the following resolution:

**SENATE RESOLUTION
 8740**

By Senators Rivers, Cleveland, Keiser, Fraser, Sheldon, and King

WHEREAS, John McKibbin was one of Clark County's most well-known and, more importantly, well-respected citizens, serving in many leadership positions for decades; and

WHEREAS, John was a Clark County resident since 1969 and taught at Vancouver's Columbia River High School before becoming a 49th District legislator in 1974, serving two terms in the House of Representatives, and then a Clark County Commissioner in 1978, winning with an impressive 71 percent of the vote; and

WHEREAS, Upon leaving elected office in 1990, John dedicated himself to serving Clark County through volunteer work that included serving as president and chief executive officer of the Greater Vancouver Chamber of Commerce; and

WHEREAS, John's latest effort to encourage greater public engagement in southwest Washington was his founding of Identity Clark County and Leadership Clark County; and

WHEREAS, John combined an enthusiasm for life with seemingly endless energy and that rare ability to reach across divides and disagreements to bring people together, particularly when the cause was the betterment of his community; and

WHEREAS, John was always the visionary and at the end of his life was organizing a diverse group of southwest Washington business and education leaders to implement "The Pearson Field Initiative," a STEM-based education opportunity centered on aerospace and aviation careers at Vancouver's Pearson Field; and

WHEREAS, John loved aviation and his early 1940s North American AT-6A, with its polished aluminum body and bright

red nose and tail, and was a passionate member of, and advocate for, the Pearson Field community; and

WHEREAS, John never did anything halfway, was never at a loss for words, and never met a challenge he could not overcome, and will be remembered by many in Clark County as an amazing strategic thinker who always had time for everyone; and

WHEREAS, John was a man of strong faith and a dedicated husband who lit up at the very mention of his beloved wife Nancy, to whom he was married for more than 40 years, as well as a proud father of Megan and Jennifer and a grandfather, to which family we extend our most heartfelt sympathies; and

WHEREAS, We also extend our deepest sympathies to the family of Irene Mustain, who was the passenger on John's plane and for whom he was performing his final selfless act of service to the widow of a United States Air Force veteran;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and remember the life and legacy of John McKibbin, dedicated public servant and leader, who will be missed by his family, friends, and those who had the good fortune of meeting him and working with him; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to John McKibbin's wife, Nancy McKibbin; and to his two daughters, Megan and Jennifer.

Senators Rivers, Cleveland and Fraser spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8740.

The motion by Senator Rivers carried and the resolution was adopted by voice vote.

MOTION

At 11:20 a.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of a meeting of the Committee on Rules.

AFTERNOON SESSION

The Senate was called to order at 3:36 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1465,

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2376.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

The House has passed:

- ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1713,
- ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1725.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

E3SHB 1713 by House Committee on Appropriations (originally sponsored by Representatives Cody, Harris, Jinkins, Moeller, Tharinger, Appleton, Ortiz-Self and Pollet)

AN ACT Relating to integrating the treatment systems for mental health and chemical dependency; amending RCW 70.96A.140, 70.96A.145, 71.05.010, 71.05.025, 71.05.026, 71.05.050, 71.05.120, 71.05.132, 71.05.150, 71.05.150, 71.05.153, 71.05.153, 71.05.154, 71.05.156, 71.05.157, 71.05.160, 71.05.170, 71.05.180, 71.05.190, 71.05.195, 71.05.201, 71.05.203, 71.05.210, 71.05.212, 71.05.214, 71.05.215, 71.05.220, 71.05.230, 71.05.235, 71.05.240, 71.05.240, 71.05.280, 71.05.290, 71.05.300, 71.05.320, 71.05.320, 71.05.325, 71.05.340, 71.05.585, 71.05.590, 71.05.590, 71.05.360, 71.05.380, 71.05.435, 71.05.530, 71.05.560, 71.05.620, 71.05.700, 71.05.705, 71.05.745, 71.05.750, 71.34.020, 71.34.305, 71.34.375, 71.34.385, 71.34.400, 71.34.410, 71.34.420, 71.34.500, 71.34.520, 71.34.600, 71.34.630, 71.34.650, 71.34.660, 71.34.700, 71.34.700, 71.34.710, 71.34.710, 71.34.720, 71.34.720, 71.34.740, 71.34.740, 71.34.750, 71.34.750, 71.34.760, 71.34.780, 71.34.780, 9.41.098, 4.24.558, 5.60.060, 9.41.280, 9.95.143, 10.77.010, 10.77.025, 10.77.027, 10.77.060, 10.77.065, 10.77.084, 10.77.088, 11.92.190, 43.185C.255, 18.83.110, 43.20A.025, 70.48.475, 70.97.010, 71.05.660, 71.24.045, 71.24.330, 71.32.080, 71.32.140, 71.32.150, 72.09.315, 72.09.370, 43.185C.305, 74.50.070, 71.24.025, 71.24.035, 70.96A.050, 71.24.037, 70.96A.090, 71.24.385, 70.96A.035, 70.96C.010, 70.96A.037, 70.96A.047, 70.96A.055, 70.96A.087, 70.96A.170, 70.96A.400, 70.96A.800, 70.96A.905, 71.24.300, 71.24.350, 9.94A.660, 10.05.020, 10.05.030, 10.05.150, 70.96C.020, 46.61.5055, 46.61.5056, and 82.04.4277; reenacting and amending RCW 70.96A.020, 71.05.020, 71.05.210, 71.34.730, 70.02.010, 70.02.230, 71.24.025, and 70.96A.350; adding new sections to chapter 71.05 RCW; adding new sections to chapter 71.24 RCW; adding a new section to chapter 72.09 RCW; creating new sections; recodifying RCW 70.96A.035, 70.96A.037, 70.96A.040, 70.96A.043, 70.96A.047, 70.96A.050, 70.96A.055, 70.96A.080, 70.96A.085, 70.96A.087, 70.96A.090, 70.96A.100, 70.96A.170, 70.96A.190, 70.96A.350, 70.96A.400, 70.96A.410, 70.96A.420, 70.96A.430,

70.96A.500, 70.96A.510, 70.96A.520, 70.96A.800, 70.96A.905, 70.96C.010, and 70.96C.020; decodifying RCW 43.135.03901; repealing RCW 70.96A.011, 70.96A.020, 70.96A.095, 70.96A.096, 70.96A.097, 70.96A.110, 70.96A.120, 70.96A.140, 70.96A.141, 70.96A.142, 70.96A.145, 70.96A.148, 70.96A.155, 70.96A.157, 70.96A.160, 70.96A.180, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.255, 70.96A.260, 70.96A.265, 70.96A.910, 70.96A.915, 70.96A.920, 70.96A.930, 70.96B.010, 70.96B.020, 70.96B.030, 70.96B.040, 70.96B.045, 70.96B.050, 70.96B.060, 70.96B.070, 70.96B.080, 70.96B.090, 70.96B.100, 70.96B.110, 70.96B.120, 70.96B.130, 70.96B.140, 70.96B.150, 70.96B.800, 71.05.032, 70.96A.010, 70.96A.030, 70.96A.045, 70.96A.060, 70.96A.150, 70.96A.300, 70.96A.310, 70.96A.320, and 70.96A.325; providing effective dates; providing expiration dates; and declaring an emergency. BOOST.

E2SHB 1725 by House Committee on Appropriations (originally sponsored by Representatives Cody and Tharinger)

AN ACT Relating to the consumer's right to assign hours to individual providers and the department of social and health services' authority to adopt rules related to payment of individual providers; amending RCW 74.39A.270; creating a new section; and declaring an emergency. BOOST.

2ESHB 2376 by House Committee on Appropriations (originally sponsored by Representatives Dunshee and Chandler)

AN ACT Relating to fiscal matters; amending RCW 19.02.210, 28B.122.050, 38.52.105, 41.80.010, 43.79.201, 43.79.460, 43.350.070, 43.372.070, 46.08.160, 46.08.170, 69.50.530, and 77.12.201; amending 2015 3rd sp.s. c 4 ss 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 601, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 701, 704, 705, 712, 725, 714, 722, 801, 802, 803, 805, and 938 (uncodified); adding a new section to chapter 43.79 RCW; adding new sections to 2015 3rd sp.s. c 4 (uncodified); creating a new section; repealing 2015 3rd sp.s. c 4 s 715 (uncodified); making appropriations; and declaring an emergency. BOOST.

MOTION

On motion of Senator Fain, and without objection, under suspension of the rules Engrossed Third Substitute House Bill No. 1713, Engrossed Second Substitute House Bill No. 1725 and Second Engrossed Substitute House Bill No. 2376 were placed on the second reading calendar.

MOTION

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

SENATE BILL NO. 5928, by Senator Dammeier

Relating to education. Revised for 1st Substitute: Authorizing Bellevue college to offer bachelor of science degrees in computer science.

On motion of Senator Bailey, Substitute Senate Bill No. 5928 was substituted for Senate Bill No. 5928 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rolfes moved that the following amendment no. 770 by Senator Rolfes be adopted:

On page 1, after line 14, insert the following:

"NEW SECTION. **Sec. 2.** (1) The student achievement council, in collaboration with the state board for community and technical colleges and the statewide faculty union organizations, shall study the benefit of allowing community and technical colleges to offer baccalaureate degrees. The study must analyze baccalaureate degree demand compared to the populations served by current baccalaureate degree programs. The study must also include a discussion of alternatives regarding the following:

(a) Pricing and cost models addressing different levels of tuition and state support and in relation to the goal of increasing the number of courses taught by full-time tenure track faculty;

(b) Providing adequate student advising and support services to ensure student success, including financial aid and other financial support services;

(c) Accreditation and academic quality, including acceptance of applied baccalaureate and baccalaureate degrees offered by community and technical colleges for purposes of postgraduate programs and employer demand;

(d) Regional demand for additional baccalaureate degrees, including areas underserved by the public and private nonprofit four-year institutions of higher education; and

(e) Any other factors that the student achievement council or the state board for community and technical colleges deems relevant.

(2) The student achievement council shall conduct the study using existing resources, but may contract with a third-party organization, or request assistance from faculty and graduate research students from the institutions of higher education, for research and analysis services.

(3) The student achievement council shall report the study to the appropriate policy and fiscal committees of the legislature by November 1, 2018, in accordance with the reporting requirements in RCW 43.01.036.

(4) This section expires August 1, 2019."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "28B.15.069;" strike "and" and on line 3 of the title, after "RCW" insert "creating a new section; and providing an expiration date"

Senator Rolfes spoke in favor of adoption of the amendment. Senator Bailey spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 770 by Senator Rolfes on page 1, after line 14 to Substitute Senate Bill No. 5928.

The motion by Senator Rolfes did not carry and amendment no. 770 was not adopted by voice vote.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 5928 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey, Mullet, Baumgartner, Habib, Becker and Frockt spoke in favor of passage of the bill.

Senators Darneille and Hasegawa spoke against the passage of the bill.

MOTION

On motion of Senator Habib, and without objection, Senators Chase, Hargrove, Jayapal and Ranker were excused.

MOTION

On motion of Senator Habib, and without objection, Senator Benton was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5928.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5928 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 3; Absent, 0; Excused, 4.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carlyle, Cleveland, Dammeier, Dassel, Erickson, Fain, Fraser, Frockt, Habib, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Conway, Darneille and Hasegawa
Excused: Senators Chase, Hargrove, Jayapal and Ranker

SUBSTITUTE SENATE BILL NO. 5928, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6657, by Senators Parlette, Hargrove and Hobbs

Relating to wildfire management. Revised for 1st Substitute: Concerning wildfire management.

MOTION

On motion of Senator Fain, Substitute Senate Bill No. 6657 was substituted for Senate Bill No. 6657 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Fain, further consideration of Substitute Senate Bill No. 6657 was deferred and the bill held its place on the second reading calendar.

MOTION

At 4:03 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 5:57 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2380 and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

The House has passed:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2778, ENGROSSED SUBSTITUTE HOUSE BILL NO. 2988. and the same are herewith transmitted.

BEERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2450 and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

SUPPLEMENTAL INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 2380 by House Committee on Capital Budget (originally sponsored by Representatives Tharinger and DeBolt)

AN ACT Relating to the capital budget; making appropriations and authorizing expenditures for capital improvements; amending RCW 39.80.040, 43.83B.430, 70.148.020, and 43.34.080; amending 2015 3rd sp.s. c 3 ss 1032, 1033, 1036, 1040, 1076, 1077, 1078, 1083, 1108, 1114, 2004, 2016, 2023, 2035, 3054, 3084, 3165, 3166, 3179, 3200, 3211, 3229, 3235, 4002, 5010, 5011, 5012, 5013, 5028, 5091, 7001, 7002, 7012, 7023, 7037, and 7038 (uncodified); adding new sections to 2015 3rd sp.s. c 3 (uncodified); creating a new section; repealing 2015 3rd sp.s. c 3 s 1072 (uncodified); making appropriations; and declaring an emergency. BOOST.

ESHB 2450 by House Committee on Health Care & Wellness (originally sponsored by Representatives Tharinger, Short, Cody, Schmick, Jinkins and Blake)

AN ACT Relating to allowing critical access hospitals participating in the Washington rural health access preservation pilot to resume critical access hospital payment and licensure; and amending RCW 74.09.5225, 70.41.090, and 70.38.111. BOOST.

2ESHB 2778 by House Committee on Transportation (originally sponsored by Representatives Fey, Orcutt, Clibborn, McBride, Moscoso, Hickel, Stambaugh, Bergquist, Tharinger and Tarleton)

AN ACT Relating to retail sales and use tax exemption criteria for certain clean alternative fuel vehicles; amending RCW 82.08.809 and 82.12.809; creating a new section; and providing an effective date. BOOST.

ESHB 2988 by House Committee on Appropriations (originally sponsored by Representative Dunshee)

AN ACT Relating to making expenditures from the budget stabilization account to make critical investments; adding a new section to chapter 43.79 RCW; making appropriations; and declaring an emergency. BOOST.

MOTION

On motion of Senator Fain, and without objection, under suspension of the rules Engrossed Substitute House Bill No. 2380, Engrossed Substitute House Bill No. 2450, Second Engrossed Substitute House Bill No. 2778, Engrossed Substitute House Bill No. 2988 were placed on the second reading calendar.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2376, by Representatives Dunshee and Chandler

Making 2016 supplemental operating appropriations.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Second Engrossed Substitute House Bill No. 2376 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Braun, Dammeier, Baumgartner, Warnick, Schoesler, Rivers and Darneille spoke in favor of passage of the bill.

Senators Mullet, Rolfes, Padden, Dansel and Conway spoke against passage of the bill.

MOTION

On motion of Senator Fain, and without objection, Senator Benton was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 2376.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute House Bill No. 2376 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 17; Absent, 0; Excused, 5.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Dammeier, Darneille, Ericksen, Fain, Hewitt, Hill, Hobbs, Honeyford, King, Litzow, Miloscia, Nelson, O'Ban, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Dansel, Fraser, Frockt, Habib, Hasegawa, Keiser, Lias, McAuliffe, McCoy, Mullet, Padden, Pedersen and Rolfes

Excused: Senators Benton, Chase, Hargrove, Jayapal and Ranker

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2376, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Rivers, and without objection, Senator O'Ban was excused.

SECOND READING

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1725, by Representatives Cody and Tharinger

Concerning a consumer's right to assign hours to individual providers and the department of social and health services' authority to establish criteria regarding the payment of individual providers. Revised for 2nd Substitute: Concerning the consumer's right to assign hours to individual providers and the department of social and health services' authority to adopt rules related to payment of individual providers.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Second Substitute House Bill No. 1725 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1725.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1725 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 1; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senator Dansel

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1725, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2450, by House Committee on Health Care & Wellness (originally sponsored by Representatives Tharinger, Short, Cody, Schmick, Jinkins and Blake)

Allowing critical access hospitals participating in the Washington rural health access preservation pilot to resume critical access hospital payment and licensure.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Engrossed Substitute House Bill No. 2450 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2450.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2450 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2450, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2778, by House Committee on Transportation (originally sponsored by Representatives Fey, Orcutt, Clibborn, McBride, Moscoso, Hickel, Stambaugh, Bergquist, Tharinger and Tarleton)

Modifying retail sales and use tax exemption criteria for certain clean alternative fuel vehicles.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Mullet, and without objection, the following amendment no. 773 by Senator Mullet to Second Engrossed Substitute House Bill No. 2778 was withdrawn:

On page 3, beginning on line 7, after "if" strike all material through "dollars" on line 10 and insert "the purchaser of the vehicle has a gross annual income as determined by the amount reported on the purchaser's most recently filed federal tax return as of the date of sale that exceeds one hundred fifty thousand dollars for single filers, two hundred thousand dollars for head-of-household filers, or two hundred fifty thousand dollars for joint filers"

On page 3, beginning on line 31, after "if" strike all material through "dollars" on line 35 and insert "the lessee of the vehicle has a gross annual income as determined by the amount reported on the lessee's most recently filed federal tax return as of the date the lease agreement is signed that exceeds one hundred fifty thousand dollars for single filers, two hundred thousand dollars for head-of-household filers, or two hundred fifty thousand dollars for joint filers"

On page 3, beginning on line 36, strike all of subsection (f)

On page 6, beginning on line 32, after "if" strike all material through "dollars" on line 37 and insert "the purchaser or the lessee of the vehicle has a gross annual income as determined by the amount reported on the purchaser's or lessee's most recently filed federal tax return as of the date of sale or the date the lease agreement is signed that exceeds one hundred fifty thousand dollars for single filers, two hundred thousand dollars for head-of-household filers, or two hundred fifty thousand dollars for joint filers"

MOTION

On motion of Senator King, the rules were suspended, Second Engrossed Substitute House Bill No. 2778 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Liias spoke in favor of passage of the bill.

Senators Dansel, Mullet, Angel and Ericksen spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Engrossed Substitute House Bill No. 2778.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute House Bill No. 2778 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 15; Absent, 0; Excused, 6.

Voting yea: Senators Bailey, Becker, Billig, Braun, Cleveland, Conway, Dammeier, Darneille, Fain, Fraser, Habib, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Nelson, Parlette, Pedersen, Rivers, Rolfes, Takko and Warnick

Voting nay: Senators Angel, Baumgartner, Brown, Carlyle, Dansel, Ericksen, Frockt, Hasegawa, Hewitt, Mullet, Padden, Pearson, Roach, Schoesler and Sheldon

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2778, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 6656, by Senators Hill, Hargrove, Ranker, Darneille, Parlette, Becker, Braun, Fain and Bailey

Concerning state hospital practices.

MOTION

On motion of Senator Hill, Substitute Senate Bill No. 6656 was substituted for Senate Bill No. 6656 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hill moved that the following striking amendment no. 771 by Senator Hill be adopted:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 71.24 RCW to read as follows:

The legislature finds that the growing demand for state hospital beds has strained the state's capacity to meet the demand while providing for a sufficient workforce to operate the state hospitals safely. It is the intent of the legislature that the executive and legislative branches work collaboratively to maximize access to, safety of, and the therapeutic role of the state hospitals to best serve patients while ensuring the safety of patients and employees.

NEW SECTION. Sec. 2. A new section is added to chapter 71.24 RCW to read as follows:

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION

(1) The legislature intends to explore the option of changing the current financing structure and financial incentives for state hospital civil bed utilization by providing behavioral health organizations and full integration entities under RCW 71.24.380 with the state funds necessary to purchase a number of days of care at a state hospital equivalent to the current allocation model, instead of providing state hospital bed allocations under RCW 71.24.310. Such funds would be available to purchase state hospital beds or for alternative uses such as to purchase beds in other locations, to invest in community services, and to invest in diversion from inpatient care. Behavioral health organizations and equivalent entities in full integration regions would be placed at risk for state hospital civil utilization for patients within their catchment areas, while receiving the means and opportunity to apply any savings resulting from reduced state hospital utilization directly to the service of clients in the community. This policy option is intended to incentivize behavioral health organizations and entities in full integration regions to increase their utilization management efforts, develop additional capacity for hospital diversion, and increase their capacity to safely serve complex clients in the community.

(2) To further these ends, the department must develop a detailed transition plan in collaboration with its actuarial consultant and the external consultant to examine the current configuration and financing of state hospitals under section 5 of this act and with the regular input of behavioral health organizations, full integration regions, and other stakeholders. The transition plan shall include but not be limited to consideration of the following:

(a) A methodology for division of the current state hospital beds between each of the behavioral health organizations and full integration regions. The methodology must consider two options: (i) A method which allocates the resources supporting state hospital bed utilization solely among behavioral health organizations and full integration regions; and (ii) a method which allocates a portion of the resources supporting state hospital bed utilization among behavioral health organizations and full integration regions, and the remainder to the state long-term care and developmental disabilities systems. The portion allocated to the state long-term care and developmental disability systems must correspond to state hospital bed utilization by patients whose primary community care needs after discharge will be funded by the state long-term care or developmental disability system, based on client history or a functional needs assessment, and include payment responsibility for the state hospital utilization by these patients;

(b) Development of payment rates for state hospital utilization that reflect financing, safety, and accreditation needs under the new system and ensure that necessary access to state hospital beds is maintained for behavioral health organizations and full integration regions;

(c) Maximizing federal participation for treatment and preserving access to funds through the disproportionate share hospital program under either methodology described under (a) of this subsection;

(d) Billing and reimbursement mechanisms;

(e) Discharge planning procedures that must be adapted to account for functional needs assessments upon admission;

(f) Identification of regional differences and challenges for implementation in different regional service areas;

(g) A means of tracking expenditures related to successful reductions of state hospital utilization by regional service areas and means to assure that the funds necessary to safely maintain gains in utilization reduction are protected;

(h) Recommendations for the timing of implementation including exploration of options for transition to full implementation through the use of smaller-scale pilots allowing for the creation of alternative placements outside the state hospitals such as step-down or transitional placements;

(i) The potential for adverse impacts on safety and a description of available methods to mitigate any risks for patients, behavioral health organizations, full integration regions, and the community; and

(j) An explanation of the benefits and disadvantages associated with the alternative methodologies described in (a) of this subsection.

(3) A preliminary draft of the transition plan must be submitted to the relevant committees of the legislature by November 15, 2016, for review by the select committee on quality improvement in state hospitals. The department shall consider the input of the committee and external stakeholders before submitting a final transition plan by December 30, 2016.

NEW SECTION. Sec. 3. (1) A select committee on quality improvement in state hospitals is established, composed of the following members:

(a) Four members of the senate, appointed by the president of the senate, consisting of the chairs and ranking members of the committee on health care and the committee on human services, mental health and housing, or their successor committees;

(b) Four members of the house of representatives, appointed by the speaker of the house of representatives, consisting of the chair and ranking members of the committee on health care and wellness and the committee on judiciary, or their successor committees;

(c) One member, appointed by the governor, representing the office of financial management; and

(d) Two nonvoting members, appointed by the governor, consisting of the secretary of the department of social and health services or a designee and the director of the department of labor and industries or a designee.

(2) The committee shall have two cochairs elected by the membership of the committee.

(3) The governor or a designee shall convene the initial meeting of the committee.

(4) Meetings of the committee shall be open to the public and shall provide an opportunity for public comment.

(5) Primary staff support for the committee must be provided by the office of financial management. Additional staff support may be provided by the office of program research and senate committee services.

(6) The committee shall meet, at a minimum, on a quarterly basis beginning April 2016, or as determined necessary by the committee cochairs.

(7) State agency representatives shall respond in a timely manner to data requests from the cochairs relating to the work of the committee.

(8) Legislative members of the committee must be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.

(9) The expenses of the committee must be paid jointly by the senate and the house of representatives. Committee expenditures are subject to approval by the senate facilities and operations committee and the house of representatives executive rules committee, or their successor committees.

NEW SECTION. Sec. 4. The committee shall receive updates, monitor, and make recommendations to the governor, the office of financial management, and the legislature in the following areas, with respect to the state hospitals:

(1) Planning related to the appropriate role of the state hospitals in the state's mental health system, as well as state hospital structure, financing, staff composition, and workforce development needs to improve the quality of care, patient outcomes, safety, and operations of the state hospitals;

(2) Recommendations for the use of funds from the governor's behavioral health innovation fund created in section 6 of this act, taking into consideration the information and recommendations provided by the consultants identified in section 5 of this act and the quarterly implementation progress reports provided in section 8 of this act;

(3) Monitoring of process and outcome measures regarding the implementation of policies and appropriations passed by the legislature; and

(4) Reviewing findings by the department of health regarding the results of its survey of the state hospitals and the department of labor and industries concerning the safety of the state hospitals and compliance with follow-up recommendations for corrective action. These agencies shall report to the committee quarterly or as requested by the committee.

NEW SECTION. Sec. 5. (1) Long-term planning for the state hospitals and recommendations for the use of funds from the governor's behavioral health innovation fund created in section 6 of this act must be informed by the use of consultants who shall make recommendations to the governor, the legislature, and the committee by October 1, 2016. The committee shall review the selection of consultants and provide input into the prioritization of tasks.

(2) The office of financial management must contract for the services of an external consultant who will examine the current configuration and financing of the state hospital system. This consultant shall:

(a) Work with the department of social and health services to produce the detailed transition plan described in section 2 of this act;

(b) Work with the state hospitals, local governments, community hospitals, mental health providers, substance use disorder treatment providers, other providers, and behavioral health organizations to identify options and make recommendations related to:

(i) Identification of which populations are appropriately served at the state hospitals;

(ii) Identification of barriers to timely admission to the state hospitals of individuals who have been court ordered to ninety or one hundred eighty days of treatment under RCW 71.05.320;

(iii) Utilization of interventions to prevent or reduce psychiatric hospitalization;

(iv) Benefits and costs of developing and implementing step-down and transitional placements for state hospital patients;

(v) Whether discharges of patients take into consideration whether it is appropriate for the patient to return to the patient's original community considering the location of family and other natural supports, the availability of appropriate services, and the desires of the patients. The consultant must report whether the lack of resources in a patient's home community is a significant factor that causes barriers to discharge or frequently results in relocation of patients outside their home communities for posthospital care;

(vi) Optimization of continuity of care with community providers, including but not limited to coordination with any community behavioral health provider or evaluation and treatment facility that has treated the patient immediately prior to

state hospital admission, and any provider that will serve the patient upon discharge from the state hospital;

(vii) Reduction of barriers to discharge, including options to:

(A) Ensure discharge planning begins at admission;

(B) Offer co-occurring substance use disorder treatment services at the state hospitals;

(C) Clarify and hold accountable state hospitals and behavioral health organizations for their respective roles in the discharge planning process, including development of community diversion and transition options;

(D) Include contract performance measures related to timely discharge planning in behavioral health organization contracts;

(E) Improve state monitoring and oversight of behavioral health organizations in their contracted responsibilities for developing an adequate network to meet the needs of their communities;

(F) Incentivize the use of community resources when clinically appropriate; and

(G) Expedite discharge for individuals who are the responsibility of the long-term care or developmental disability systems, or who are not covered by medicaid, and assure financial responsibility to appropriate systems, including the potential necessity of other state-run facilities;

(viii) Planning for the long-term integration of physical and behavioral health services, including strategies for assessing risk for the utilization of state hospital beds to health plans contracted to provide the full range of physical and behavioral health services; and

(ix) Identification of the potential costs, benefits, and impacts associated with dividing one or both of the state hospitals into discrete hospitals to serve civil and forensic patients in separate facilities.

(3) The department of social and health services shall contract for the services of an academic or independent state hospitals psychiatric clinical care model consultant to examine the clinical role of staffing at the state hospitals.

(a) The consultant's analysis must include an examination of:

(i) The clinical models of care;

(ii) Current staffing models and recommended updates to the staffing model created under section 9(1) of this act;

(iii) Barriers to recruitment and retention of staff;

(iv) Creating a sustainable culture of wellness and recovery;

(v) Increasing responsiveness to patient needs;

(vi) Reducing wards to an appropriate size;

(vii) The use of interdisciplinary health care teams;

(viii) The appropriate staffing model and staffing mix to achieve optimal treatment outcomes considering patient acuity; and

(ix) Recommended practices to increase safety for staff and patients.

(b) To the extent that funding is appropriated for this purpose and necessary modification to labor practices are completed, the consultant shall assist the department of social and health services with implementation of recommended changes.

(4) The consultant services in this section shall be acquired with funds appropriated for this purpose and the contracts are exempt from the competitive solicitation requirements in RCW 39.26.125.

NEW SECTION. Sec. 6. The governor's behavioral health innovation fund is hereby created in the state treasury. Moneys in the fund may be spent only after appropriation. Only the director of financial management or the director's designee may authorize expenditures from the fund. Moneys in the fund are provided solely to improve quality of care, patient outcomes, patient and staff safety, and the efficiency of operations at the state hospitals.

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION

NEW SECTION. Sec. 7. (1) The department of social and health services may apply to the office of financial management to receive funds from the governor's behavioral health innovation fund.

(2) The application must include proposals to increase the overall function of the state hospital system in one or more of the following categories:

(a) Instituting fund-shift pilot initiatives through contracts with behavioral health organizations or long-term care providers providing enhanced behavioral supports to move certain state hospital patients to alternative placements outside of the state hospital, contingent on federal funding. Proposals must include quality outcome measures and acuity-based staffing models of interdisciplinary teams designed for optimal treatment outcomes;

(b) Developing and utilizing step-down and transitional placements for state hospital patients;

(c) Improving staff retention and recruiting;

(d) Increasing capacity and instituting other measures to reduce backlogs and wait lists in both the civil and forensic systems;

(e) Increasing stability and predictability in the state hospitals' operating costs and budgets;

(f) Making necessary practice and staffing changes, subject to collective bargaining;

(g) Improving safety for patients and staff;

(h) Increasing staff training;

(i) Improving the therapeutic environment; and

(j) Improving the provision of forensic mental health services.

(3) Application proposals must be based on the use of evidence-based practices, promising practices, or approaches that otherwise demonstrate quantifiable, positive results.

(4) Moneys from the governor's behavioral health innovation fund may not be used for compensation increases within the state hospitals.

(5) The office of financial management must consider input from the committee when awarding funding.

NEW SECTION. Sec. 8. The department of social and health services must provide quarterly implementation progress reports to the committee and the office of financial management that include at a minimum:

(1) The status of completing key activities, critical milestones, and deliverables over the prior period;

(2) Identification of specific barriers to completion of key activities, critical milestones, and deliverables and strategies that will be used for addressing these challenges;

(3) The most recent quarterly data on all performance measures and outcomes for which data is currently being collected, as well as any additional data requested by the committee; and

(4) The status of the adoption and implementation of the policies identified in section 9 of this act.

NEW SECTION. Sec. 9. The department of social and health services must assure that the state hospitals adopt and implement the following policies, subject to the availability of appropriated funding, and shall include information regarding the status of the adoption and implementation of these policies in its quarterly reports required under section 8 of this act:

(1) A standardized acuity-based staffing model employed at both facilities that recognizes the staffing level required based upon the type of patients served, the differences and constraints of the physical plant across hospitals and wards, and the full scope of practice of all credentialed health care providers, and that identifies the incorporation of these health care providers practicing to the maximum extent of their credential in interdisciplinary teams. The model shall recognize a role for

advanced registered nurse practitioners and physician assistants to utilize the full scope of their practice as provided under section 12 of this act;

(2) A strategy with measurable, articulated steps for reducing the unnecessary utilization of state hospital beds and minimizing readmissions to evaluation and treatment facilities for state hospital patients;

(3) A program of appropriate safety training for state hospital staff;

(4) A plan to fully use appropriated funding for enhanced service facilities and other specialized community resources for placement of state hospital patients with conditions such as dementia, traumatic brain injury, or complex medical and physical needs requiring placement in a facility which offers significant assistance with activities of daily living; and

(5) A process for appeal to the secretary of the department of social and health services or the secretary's designee within fourteen days in cases where a behavioral health organization, other entities under RCW 71.24.380, or the state agency division responsible for the community care needs of the patient and the state hospital treatment team are unable to reach a mutually agreed upon discharge plan for patients who are considered by either party to be ready for discharge. This process shall ensure consideration of risk factors for readmission.

NEW SECTION. Sec. 10. For purposes of this chapter:

(1) "Behavioral health organization" has the same meaning as in RCW 71.24.025 and includes any managed care organization that has contracted with the state to provide fully integrated behavioral health and physical health services for medicaid clients.

(2) "Committee" means the select committee on quality improvement in state hospitals created in section 3 of this act.

(3) "State hospitals" include western state hospital and eastern state hospital as designated in RCW 72.23.020.

NEW SECTION. Sec. 11. (1) The legislature finds that there are currently patients with long-term care needs at western state hospital who are ready for discharge and could safely be served in community settings if alternative placements are made available.

(2) The department of social and health services must identify discharge and diversion opportunities for patients needing long-term care to reduce the demand for thirty beds currently being used for this population. A twenty bed reduction must be realized by July 1, 2016, with a utilization reduction of ten additional beds by January 1, 2017. The resources being used to serve these beds must be reinvested within the state hospital budget in order to achieve patient and staff safety improvement goals.

(3) The department of social and health services must provide a progress report to the governor and relevant committees of the legislature by December 1, 2016, and a final report by August 1, 2017, describing outcomes for these patients through June 30, 2017.

NEW SECTION. Sec. 12. (1) The legislature finds that the potential uses of psychiatric advanced registered nurse practitioners and physician assistants in institutional settings at the top of their scope of practice are currently being underutilized by the state hospitals.

(2) The office of financial management must create a job class series for psychiatric advanced registered nurse practitioners and a job class series for physician assistants that allows these professionals to practice at the top of their scope of practice at state hospitals. In conjunction and conformance with the staffing analysis described in section 9(1) of this act, the state hospitals shall increase the employment of professionals operating under these new classifications in a manner that allows the state

hospitals to reduce their reliance on psychiatrist positions, which the state hospitals are currently unable to fill. The state hospitals must consider the role of these professionals in supervising or directing the work of other treatment team members.

(3) Nothing in this section should be construed to require the state to violate any collective bargaining agreements in place prior to the effective date of this section. Agreements negotiated or renegotiated after the effective date of this section must be consistent with the expanded use of advanced registered nurse practitioners and physician assistants required by this section.

NEW SECTION. Sec. 13. To the extent that any of the timelines in this act are not achievable due to conflicts with other hospital improvement timelines set by federal or state regulatory bodies, the department of social and health services may seek a reasonable extension from the select committee.

NEW SECTION. Sec. 14. This chapter expires July 1, 2019.

Sec. 15. RCW 71.05.365 and 2014 c 225 s 85 are each amended to read as follows:

When a person has been involuntarily committed for treatment to a hospital for a period of ninety or one hundred eighty days, and the superintendent or professional person in charge of the hospital determines that the person no longer requires active psychiatric treatment at an inpatient level of care, the behavioral health organization, full integration entity under RCW 71.24.380, or agency providing oversight of long-term care or developmental disability services that is responsible for resource management services for the person must work with the hospital to develop an individualized discharge plan and arrange for a transition to the community in accordance with the person's individualized discharge plan within (~~twenty-one~~) fourteen days of the determination.

NEW SECTION. Sec. 16. Section 15 of this act takes effect July 1, 2018.

NEW SECTION. Sec. 17. Sections 3 through 14 of this act constitute a new chapter in Title 72 RCW.

NEW SECTION. Sec. 18. (1) Sections 3 through 8 and 10 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately.

(2) Section 9 of this act takes effect July 1, 2016."

On page 1, line 1 of the title, after "hospitals;" strike the remainder of the title and insert "amending RCW 71.05.365; adding new sections to chapter 71.24 RCW; adding a new chapter to Title 72 RCW; providing effective dates; providing an expiration date; and declaring an emergency."

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment no. 771 by Senator Hill to Substitute Senate Bill No. 6656.

The motion by Senator Hill carried and the striking amendment was adopted by voice vote.

On motion of Senator Hill, the rules were suspended, Engrossed Substitute Senate Bill No. 6656 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill, Darneille and Becker spoke in favor of passage of the bill.

Senator Conway spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6656.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6656 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 11; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Carlyle, Cleveland, Dammeier, Darneille, Ericksen, Fain, Frockt, Hewitt, Hill, Honeyford, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Billig, Conway, Dinsel, Fraser, Habib, Hasegawa, Hobbs, Keiser, Liias, Nelson and Rolfes

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

ENGROSSED SUBSTITUTE SENATE BILL NO. 6656, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2988, by House Committee on Appropriations (originally sponsored by Representative Dunshee)

Making expenditures from the budget stabilization account to make critical investments. Revised for 1st Substitute: Making expenditures from the budget stabilization account.

The measure was read the second time.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Substitute House Bill No. 2988 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Braun spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2988.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2988 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 4; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Carlyle, Dinsel, Liias and Nelson

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2988, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the seventh order of business.

THIRD READING
CONFIRMATION OF GUBERNATORIAL
APPOINTMENTS

MOTION

Senator Bailey moved that Lindsay Fiker, Gubernatorial Appointment No. 9258, be confirmed as a member of the Skagit Valley College Board of Trustees.

Senator Bailey spoke in favor of the motion.

APPOINTMENT OF LINDSAY FIKER

The President Pro Tempore declared the question before the Senate to be the confirmation of Lindsay Fiker, Gubernatorial Appointment No. 9258, as a member of the Skagit Valley College Board of Trustees.

The Secretary called the roll on the confirmation of Lindsay Fiker, Gubernatorial Appointment No. 9258, as a member of the Skagit Valley College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

Lindsay Fiker, Gubernatorial Appointment No. 9258, having received the constitutional majority was declared confirmed as a member of the Skagit Valley College Board of Trustees.

MOTION

Senator Keiser moved that Debrena F. Jackson Gandy, Gubernatorial Appointment No. 9240, be confirmed as a member of the Highline College Board of Trustees.

Senator Keiser spoke in favor of the motion.

APPOINTMENT OF DEBRENA F. JACKSON GANDY

The President Pro Tempore declared the question before the Senate to be the confirmation of Debrena F. Jackson Gandy, Gubernatorial Appointment No. 9240, as a member of the Highline College Board of Trustees.

The Secretary called the roll on the confirmation of Debrena F. Jackson Gandy, Gubernatorial Appointment No. 9240, as a member of the Highline College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden,

Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

Debrena F. Jackson Gandy, Gubernatorial Appointment No. 9240, having received the constitutional majority was declared confirmed as a member of the Highline College Board of Trustees.

MOTION

Senator Rivers moved that Jada R. Rupley, Gubernatorial Appointment No. 9295, be confirmed as a member of the Clark College Board of Trustees.

Senators Rivers and Cleveland spoke in favor of passage of the motion.

APPOINTMENT OF JADA R. RUPLEY

The President Pro Tempore declared the question before the Senate to be the confirmation of Jada R. Rupley, Gubernatorial Appointment No. 9295, as a member of the Clark College Board of Trustees.

The Secretary called the roll on the confirmation of Jada R. Rupley, Gubernatorial Appointment No. 9295, as a member of the Clark College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

Jada R. Rupley, Gubernatorial Appointment No. 9295, having received the constitutional majority was declared confirmed as a member of the Clark College Board of Trustees.

MOTION

Senator Padden moved that Jon Tunheim, Gubernatorial Appointment No. 9216, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Padden spoke in favor of the motion.

The Vice President Pro Tempore, Senator Brown, assumed the chair.

APPOINTMENT OF JON TUNHEIM

The Vice President Pro Tempore declared the question before the Senate to be the confirmation of Jon Tunheim, Gubernatorial Appointment No. 9216, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Jon Tunheim, Gubernatorial Appointment No. 9216, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 1; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Absent: Senator Parlette

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

Jon Tunheim, Gubernatorial Appointment No. 9216, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

MOTION

On motion of Senator Rivers, and without objection, Senator Parlette was excused.

MOTION

Senator Baumgartner moved that Bridget O. Piper, Gubernatorial Appointment No. 9290, be confirmed as a member of the Community Colleges of Spokane Board of Trustees.

Senator Baumgartner spoke in favor of the motion.

APPOINTMENT OF BRIDGET O. PIPER

The Vice President Pro Tempore declared the question before the Senate to be the confirmation of Bridget O. Piper, Gubernatorial Appointment No. 9290, as a member of the Community Colleges of Spokane Board of Trustees.

The Secretary called the roll on the confirmation of Bridget O. Piper, Gubernatorial Appointment No. 9290, as a member of the Community Colleges of Spokane Board of Trustees and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban, Parlette and Ranker

Bridget O. Piper, Gubernatorial Appointment No. 9290, having received the constitutional majority was declared confirmed as a member of the Community Colleges of Spokane Board of Trustees.

MOTION

Senator Baumgartner moved that Jansen M. VanderMeulen, Gubernatorial Appointment No. 9304, be confirmed as a member of the Board of Regents, Washington State University.

Senator Baumgartner spoke in favor of the motion.

APPOINTMENT OF JANSEN M. VANDERMEULEN

The Vice President Pro Tempore declared the question before the Senate to be the confirmation of Jansen M. VanderMeulen,

Gubernatorial Appointment No. 9304, as a member of the Board of Regents, Washington State University.

The Secretary called the roll on the confirmation of Jansen M. VanderMeulen, Gubernatorial Appointment No. 9304, as a member of the Board of Regents, Washington State University and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban, Parlette and Ranker

Jansen M. VanderMeulen, Gubernatorial Appointment No. 9304, having received the constitutional majority was declared confirmed as a member of the Board of Regents, Washington State University.

MOTION

Senator Ericksen moved that Lisa K. Woo, Gubernatorial Appointment No. 9307, be confirmed as a member of the Bellingham Technical College Board of Trustees.

Senator Ericksen spoke in favor of the motion.

APPOINTMENT OF LISA K. WOO

The Vice President Pro Tempore declared the question before the Senate to be the confirmation of Lisa K. Woo, Gubernatorial Appointment No. 9307, as a member of the Bellingham Technical College Board of Trustees.

The Secretary called the roll on the confirmation of Lisa K. Woo, Gubernatorial Appointment No. 9307, as a member of the Bellingham Technical College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban, Parlette and Ranker

Lisa K. Woo, Gubernatorial Appointment No. 9307, having received the constitutional majority was declared confirmed as a member of the Bellingham Technical College Board of Trustees.

PERSONAL PRIVILEGE

Senator Honeyford: "Thank you. Well as some of you know, Brian Sims is retiring at the end of this year and he's in the wings. This is an opportunity for all of us to tell him what we thought of him and so I thought we'd get right down to it. He came to us in the Senate after working for a varied career - the city of Seattle, OFM, DSHS, Sisters of Providence and he started here in 1998 and has served the longest as the capital budget staff person. Something he's kept hidden very well is that he attended

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION

WSU and apparently was a graduate there and I've seen no cougars in his office and I've been here in the Senate for eighteen years and didn't know this little factoid. I think the alumni association needs to work on him. The fact that he did work for WSU is important because apparently he called about being a TRS 1 member, or a PERS 1, and they told him that being that he worked at WSU at the time, he was a PERS 1. So he's got on the gravy train with all the others. Brian has done the capital budget for eleven years. He's worked with Brandland, Fraser, Honeyford, Keiser, Kilmer, Hewitt and Parlette and I believe he's served us all very, very well. The part I like best about Brian was that he could look and figure out a solution for any problem. That was something that I really appreciated because some things would just seem unsolvable and he would come up with a solution that would work on both sides of the rotunda. That I really do appreciate. You know, because of that ability, he had a very agile mind but something else I didn't know he was quite agile. He was on the gymnastics team at WSU. I'd like to see him do a back flip now! And also, he can explain to anybody how this place works and I think that's important. We had people come in and talk to him that wanted something, or they were floating something, and he could tell them how the place works and how things got done. Also, the budget writers have benefitted also from Brian and the biggest one was the state efficiency and restructuring account, which facilitated in the state taking savings from closed, obsolete institutions during the great recession. So that was a great help for our operating budget. Finally, Brian and Lisa have twelve acres out toward Boston Harbor where they are growing cider apples. And he came over to Sunnyside and we got him wire for his apples and he got questions answered. I even gave him a reel that he could roll off the wire very easily so he will be making and selling Gull Harbor cider. So I'm looking forward to having some of that in the near future. We're going to really miss Brian. He's been a tremendous friend and a hard worker and always got results. Thank you."

PERSONAL PRIVILEGE

Senator Frockt: "I also just want to say a word about Mr. Sims. I did not work with him as closely or directly as my colleagues on as many occasions, but I just want to say, I don't know if he remembers this, but to show how good of a staff member he was, when I first came to the Senate in 2012 and Derek Kilmer was the chair of the committee. I had no idea what I was doing but I had a twenty-five million dollar request from my school district to build some schools in Seattle. We went and met with Brian. I don't know if you remember this Brian, but you were extremely helpful in helping us find a way to solve the problem. And there are schools being built in Seattle because of your fine staff work and your creativity which is an important part of law making. It's creativity. We rely on our staff, and really excellent staff members, to help us with that. So I just want to say a quick word and say thank you for your service and all the good work and there are children in schools today because of the work that you did with us three years ago and I really appreciate it. Thank you."

PERSONAL PRIVILEGE

Senator Hewitt: "Thank you, Madame President. So Brian I want to say to you thank you for being a great friend. You know I met you some sixteen years ago and I'm actually happy we're retiring together. I think that's kind of cool. He really has become a good friend of mine and we've already spoke about him coming to Walla Walla. And we have something in

common. We actually have a couple of things in common. He likes red wine a lot and he especially likes it from Walla Walla, but he does admit that since the chair's from Columbia Valley...anyway. And the other thing that we share is that we both enjoy woodworking. My advice to you as we move forward is don't do them both at the same time. It's not very good for the trade. I do want to thank you. You've been so responsive over the last sixteen years, even during interim when we needed something answered. I'd call and you'd call me right back. That's really pleasing when somebody does that because when we're all looking for answers it's nice to have them. So I wish you and Lisa the best in the future and I know we're going to see you in Walla Walla and I'm certainly looking forward to it and we will not talk politics. Thank you, Madame President."

PERSONAL PRIVILEGE

Senator Keiser: "Thank you, Madame President. Well I too want to share in the accolades that we're putting forward for Brian Sims today. Brian is an incredible font of knowledge, an institutional memory that we're going to badly miss in the next few sessions. When any puzzle comes up, when any problem develops, he has a frame of reference, an example, an anecdote, a solution because he has the knowledge and depth of knowledge and institutional memory that gives you that kind of capability. And then you combine that with creative thinking, because he's a very agile thinker, as Senator Honeyford mentioned, and you really have a power house for a staff member who can help you get things done. And in the capital budget, that's what we like to do. We like to get things done. One of the biggest things for me was last week I got to go to a groundbreaking for the Puget Sound Skills Center for their new health professions building. This is the only new building for the oldest skills center in the state. And it's going to be terrific because in about nine months, Brian, I think you should come back to the Highline School District, your old school district, and you should come back and come through the doors of that new Health Professions Building and see all those students. Maybe there you can get your teeth cleaned, because all those students are on the waiting list for the dental professions and for the medical professions programs, will be in class, working in a good learning environment. Because you helped me figure out how after ten years of trying to get that building built, we finally did it. I appreciate your help. I appreciate your service. And best of luck to you on your retirement."

PERSONAL PRIVILEGE

Senator Fraser: "Thank you, Madame President. I would like also to add some accolades to the career of Brian Sims. I chaired the capital budget for six years. So I worked very closely with him and he is a wonderful example of so many staff here who the public never sees, or rarely sees, but who really contribute to the ability of elected officials to do their job. I just have to echo how exceptionally talented he is. The reference to agile mind, his creativity, it is all so true. The capital budget deals with almost every aspect of state government. From K-12, higher education, mental health, prisons, natural resources, recreation, environment, and it has many, many funding sources. So not only does it spend in a lot of places, but it has a wide variety of funding sources which a lot of people don't really realize. And they each have their own complexities. Plus there's all the state bonding so you really have to know a lot to be in the role of coordinating the capital budget. So I agree that he is one who whenever you have an impossible problem, you go see

Brian and he will come up with a solution or two for you to consider. He's a very hard worker and people may not realize that sometimes he goes without sleep when we get near our deadlines and somehow he keeps functioning well. So I think he deserves a great retirement and I hope to be seeing him too because he lives in my district and I'm looking forward to trying out the cider. I wish him well."

PERSONAL PRIVILEGE

Senator Dammeier: "Thank you, Madame President. All the things I could echo but I won't, all the things that have been said about Brian Sims on the floor, because they are all very true. But one of the things that hasn't been said is he really enjoys the political game of the negotiation with the House. And it was particularly good when he was matching wits across the table with Representative Dunshee. It's no surprise to me that he is retiring at the same time that Representative Dunshee left the capital budget. I can tell you as one of our negotiators, one of the best things that would happen is you'd have Mr. Sims at the table and it would be so distracting. He would drive Dunshee crazy and it would be distracting for him so we can work about getting the best solution for the Senate and for the citizens of the state of Washington. So we are going to miss it Brian. We're going to miss your distraction and your keen wit and mind in negotiations as well. Thank you for your service to the state."

PERSONAL PRIVILEGE

Senator Conway: "Thank you. I just needed to get out here and say goodbye to who I consider to be a great friend. Brian, I spent a lot of time in the House but you know when I got to the Senate, I finally got close to the capital budget. In the House, it was kind of like, if you're not on that capital budget, you're not even close to it. One thing I really noticed under Brian's leadership on Ways and Means was that whenever my constituents would come to me and ask me we got an idea about funding for a project, I knew immediately I needed to get Brian Sims in the room with them to help them figure out what pot of money, the capital budget's very complicated, and what pot of money and whether there was any chance to get funding. And that kind of a personal touch where you can actually bring Brian into a room with your constituents to talk about a capital budget, you know Brian was always available to that. You know I used to ask Brian, come to Tacoma and help me meet with my constituents and Brian came. Brian would come. He'd take the time to come down to Tacoma to meet. In fact, I can recall when we were talking about the LeMay Auto Museum. Brian was anxious to come in fact because he loved that auto museum and it's quite a museum. You know I lost track of Brian somewhere on that path through that museum. There are four or five levels to it. You know where I found him eventually? I found him at the very bottom. He was in what they call their machine shop where they actually bring the old cars in and work on them. And guess who was working on a car? Brian Sims. Brian was in there working on that car. In fact when I left, he was still there. That's the special kind of person you are Brian, and I really mean that. A person who is not just a staffer here but you're a person who wants to help our state and help our communities. Capital budget is how we build community. I see Brian going on, I actually had something else I was going to say here. I see Brian in kind of an old Anglo-American tradition as a gentleman farmer. As you all know, Brian is frankly looking forward to his retirement because he is building a great orchard out there. Right, Brian? An apple orchard. I can just see Brian in his apple orchard. He's told me his stories of riding around on his

tractors and I can see him, because he is a thoughtful, intellectual individual and I know he's going to sit back and analyze every bit of this apple business like he does these capital budgets. You know that's a great tradition, this Anglo-American tradition. Brian I personally am going to miss you an awful lot. I thank you for all your help and I know your staff is going to miss you as well. Thank you."

PERSONAL PRIVILEGE

Senator Parlette: "Thank you very much. I rise in support of honoring Mr. Sims also. I had the fun experience of being ranking on capital budget in the years 2011 and 2012. My big issue in wanting to have that job to sort of concentrate on reducing our debt issue. About a billion dollars a year goes to debt service in our operating budget and that's money that could be spent for education, mental health issues, and other things. Brian was so helpful in helping devise a constitutional amendment which eventually passed in the state of Washington. And also trying to have a smaller amount of bonding and spending issue was my goal in 2011 and dealing with the chair in the other chamber was difficult. But we stood our ground and we did pull an all-nighter and put that capital budget together in 2011 by staying up all night. That was fun and I'm glad he could live on less sleep because I'm not used to that. But really, we're going to miss you and we all have fond memories. Thank you, Madame President."

PERSONAL PRIVILEGE

Senator Mullet: "Thank you, Madame President. The reason I love working with Brian is he can do a thirty minute meeting in five minutes because he doesn't have to look anything up. To me, it's highly productive and he has the notes with him but he doesn't look at them. So that was a big, refreshing thing that I loved about him. Then I had a bill around a fishing line recycling program that I ran two years in a row and never made it to the finish line. Brian came up with this idea where he's like Puget Sound Corps, this is right up their alley. I literally had a meeting at Zeke's with them this last fall and they were ecstatic that this was finally happening. And it's kind of like we heard earlier, they were thanking me and I said I'm actually not the person that came up with the idea. It's a guy you wouldn't even know. He works in Olympia and he's really good at this stuff. I think it's kind of refreshing for the citizens of Washington to realize that the people who do work down here are incredibly smart and devoted and it's a really great example. I promise you if your cider ends up being really good, I will sell it at Zeke's. I will put it on tap so we can have Brian Sims cider in Issaquah. I look forward to it. Thank you very much."

REMARKS BY THE VICE PRESIDENT PRO TEMPORE

Senator Brown: "I know the entire chamber will join me in thanking Brian for his number of years of service to this esteemed body. Thank you very much."

The Senate recognized Mr. Brian Sims who was present in the wings.

MOTION

Senator Padden moved that Roger S. Rogoff, gubernatorial Appointment No. 9294, be confirmed as a member of the Sentencing Guidelines Commission.

Senator Padden spoke in favor of the motion.

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION
MOTION

APPOINTMENT OF ROGER S. ROGOFF

The Vice President Pro Tempore declared the question before the Senate to be the confirmation of Roger S. Rogoff, Gubernatorial Appointment No. 9294, as a member of the Sentencing Guidelines Commission.

The Secretary called the roll on the confirmation of Roger S. Rogoff, Gubernatorial Appointment No. 9294, as a member of the Sentencing Guidelines Commission and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

Roger S. Rogoff, Gubernatorial Appointment No. 9294, having received the constitutional majority was declared confirmed as a member of the Sentencing Guidelines Commission.

The President Pro Tempore, Senator Roach, assumed the chair.

MOTION

Senator Brown moved that David L. Mitchell, Gubernatorial Appointment No. 9282, be confirmed as a member of the Columbia Basin College Board of Trustees.

Senator Brown spoke in favor of the motion.

APPOINTMENT OF DAVID L. MITCHELL

The President Pro Tempore declared the question before the Senate to be the confirmation of David L. Mitchell, Gubernatorial Appointment No. 9282, as a member of the Columbia Basin College Board of Trustees.

The Secretary called the roll on the confirmation of David L. Mitchell, Gubernatorial Appointment No. 9282, as a member of the Columbia Basin College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Liias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Nelson, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

David L. Mitchell, Gubernatorial Appointment No. 9282, having received the constitutional majority was declared confirmed as a member of the Columbia Basin College Board of Trustees.

On motion of Senator Fain, and without objection, the Senate reverted to the third order of business.

MESSAGE FROM THE GOVERNOR

March 29, 2016

To the Honorable President and Members, The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 29, 2016, Governor Inslee approved the following Senate Bills entitled:

Senate Bill No. 5689,
Relating to containing the scope and costs of the diabetes epidemic in Washington;
Substitute Senate Bill No. 5728,
Relating to permitting opt-out screening for HIV infection;
Senate Bill No. 5879,
Relating to early intervention services for infants and toddlers with disabilities and their families;
Senate Bill No. 6171,
Relating to civil penalties for knowing attendance by a member of a governing body at a meeting held in violation of the open public meetings act;
Substitute Senate Bill No. 6273,
Relating to safe technology use and digital citizenship in public schools;
Substitute Senate Bill No. 6283,
Relating to clarifying, and making department of financial institutions technical regulatory changes to, the securities act of Washington;
Engrossed Substitute Senate Bill No. 6293,
Relating to student volunteers and unpaid students;
Substitute Senate Bill No. 6337,
Relating to disposing tax foreclosed property to cities for affordable housing purposes;
Senate Bill No. 6400,
Relating to the technical changes that clarify fish and wildlife enforcement laws;
Senate Bill No. 6405,
Relating to the civilian health and medical program for the veterans affairs administration;
Engrossed Senate Bill No. 6413,
Relating to tenant screening, evictions, and refunds under the residential landlord-tenant act;
Senate Bill No. 6475,
Relating to political subdivisions purchasing health coverage through the public employees' benefits board program;
Substitute Senate Bill No. 6519,
Relating to expanding patient access to health services through telemedicine and establishing a collaborative for the advancement of telemedicine;
Engrossed Second Substitute Senate Bill No. 6601,
Relating to creating the Washington college savings program.

Sincerely,
Miguel Perez-Gibson, Executive Director of Legislative Affairs

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL NO. 5928,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6328,
SUBSTITUTE SENATE BILL NO. 6531.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT PRO TEMPORE

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE SENATE BILL NO. 5928,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6328,
SUBSTITUTE SENATE BILL NO. 6531.

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

The House has passed:

SECOND ENGROSSED SUBSTITUTE HOUSE BILL
NO. 2340

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1713, by Representatives Cody, Harris, Jinkins, Moeller, Tharinger, Appleton, Ortiz-Self and Pollet

Integrating the treatment systems for mental health and chemical dependency.

The measure was read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, the following amendment no. 772 by Senator Padden to Engrossed Third Substitute House Bill No. 1713 was withdrawn:

Beginning on page 13, line 35, strike all of section 104 and insert the following:

"**Sec. 104.** RCW 70.96A.097 and 1998 c 296 s 28 are each amended to read as follows:

(1) The department shall ensure that, for any minor admitted to inpatient treatment under RCW 70.96A.245, a review is conducted by a physician or ((chemical dependency)) substance use disorder counselor, as defined in rule by the department, who is employed by the department or an agency under contract with the department and who neither has a financial interest in continued inpatient treatment of the minor nor is affiliated with the program providing the treatment. The physician or ((chemical dependency)) substance use disorder counselor shall conduct the review not less than seven nor more than fourteen days following the date the minor was brought to the facility under RCW 70.96A.245(1) to determine whether it is a medical necessity to continue the minor's treatment on an inpatient basis.

(2) In making a determination under subsection (1) of this section whether it is a medical necessity to release the minor from inpatient treatment, the department shall consider the opinion of the treatment provider, the safety of the minor, the likelihood the minor's ((chemical dependency)) substance use disorder recovery will deteriorate if released from inpatient treatment, and the wishes of the parent or guardian.

(3) If, after any review conducted by the department under this section, the department determines it is no longer a medical necessity for a minor to receive inpatient treatment, the department shall immediately notify the parents or guardian and the professional person in charge. The professional person in charge shall release the minor to the parents or guardian within twenty-four hours of receiving notice. If the professional person in charge and the parent or guardian believe that it is a medical necessity for the minor to remain in inpatient treatment, the minor shall be released to the parent or guardian on the second judicial day following the department's determination in order to allow the parent or guardian time to file an at-risk youth petition under chapter 13.32A RCW. If the department determines it is a medical necessity for the minor to receive outpatient treatment and the minor declines to obtain such treatment, such refusal shall be grounds for the parent or guardian to file an at-risk youth petition.

(4) The department may, subject to available funds, contract with other governmental agencies for the conduct of the reviews conducted under this section and may seek reimbursement from the parents, the guardian, their insurance, or medicaid for the expense of any review conducted by an agency under contract.

(5) In addition to the review required under this section, the department may periodically determine and redetermine the medical necessity of treatment for purposes of payment with public funds.

Sec. 105. RCW 70.96A.230 and 1998 c 296 s 24 are each amended to read as follows:

Any provider of outpatient treatment who provides outpatient treatment to a minor thirteen years of age or older shall provide notice of the minor's request for treatment to the minor's parents ((if: (1) The minor signs a written consent authorizing the disclosure; or (2) the treatment program director determines that the minor lacks capacity to make a rational choice regarding consenting to disclosure)) or guardian. The notice shall be made within seven days of the request for treatment, excluding Saturdays, Sundays, and holidays, and shall contain the name, location, and telephone number of the facility providing treatment, and the name of a professional person on the staff of the facility providing treatment who is designated to discuss the minor's need for treatment with the parent or guardian.

Sec. 106. RCW 70.96A.235 and 1998 c 296 s 25 are each amended to read as follows:

Parental or guardian consent is required for inpatient ((chemical dependency)) substance use disorder treatment of a minor, unless the child meets the definition of a child in need of services in RCW 13.32A.030(((4))) (5)(c) as determined by the

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION

department((: PROVIDED, That)). Parental or guardian consent is required for any treatment of a minor under the age of thirteen.

This section does not apply to petitions filed under this chapter.

Sec. 107. RCW 70.96A.240 and 1998 c 296 s 26 are each amended to read as follows:

(1) The parent or guardian of a minor is not liable for payment of inpatient or outpatient ((chemical dependency)) substance use disorder treatment unless the parent or guardian has joined in the consent to the treatment.

(2) The ability of a parent or guardian to apply to a certified treatment program for the admission of his or her minor child does not create a right to obtain or benefit from any funds or resources of the state. However, the state may provide services for indigent minors to the extent that funds are available ((therefor)).

Sec. 108. RCW 70.96A.245 and 1998 c 296 s 27 are each amended to read as follows:

(1) A parent or guardian may bring, or authorize the bringing of, his or her minor child to a certified treatment program and request that a ((chemical dependency)) substance use disorder assessment be conducted by a professional person to determine whether the minor ((is chemically dependent and)) has a substance use disorder and is in need of inpatient treatment.

(2) The consent of the minor is not required for admission, evaluation, and treatment if the parent or guardian brings the minor to the program.

(3) An appropriately trained professional person may evaluate whether the minor ((is chemically dependent)) has a substance use disorder. The evaluation shall be completed within twenty-four hours of the time the minor was brought to the program, unless the professional person determines that the condition of the minor necessitates additional time for evaluation. In no event shall a minor be held longer than seventy-two hours for evaluation. If, in the judgment of the professional person, it is determined it is a medical necessity for the minor to receive inpatient treatment, the minor may be held for treatment. The facility shall limit treatment to that which the professional person determines is medically necessary to stabilize the minor's condition until the evaluation has been completed. Within twenty-four hours of completion of the evaluation, the professional person shall notify the department if the child is held for treatment and of the date of admission.

(4) No provider is obligated to provide treatment to a minor under the provisions of this section. No provider may admit a minor to treatment under this section unless it is medically necessary.

(5) No minor receiving inpatient treatment under this section may be discharged from the program based solely on his or her request.

Sec. 109. RCW 70.96A.250 and 1998 c 296 s 29 are each amended to read as follows:

(1) A parent or guardian may bring, or authorize the bringing of, his or her minor child to a provider of outpatient ((chemical dependency)) substance use disorder treatment and request that an appropriately trained professional person examine the minor to determine whether the minor has a ((chemical dependency)) substance use disorder and is in need of outpatient treatment.

(2) The consent of the minor is not required for evaluation if the parent or guardian brings the minor to the provider.

(3) The professional person in charge of the program may evaluate whether the minor has a ((chemical dependency)) substance use disorder and is in need of outpatient treatment.

(4) Any minor admitted to inpatient treatment under RCW 70.96A.245 shall be discharged immediately from inpatient treatment upon written request of the parent or guardian.

Sec. 110. RCW 70.96A.255 and 1998 c 296 s 30 are each amended to read as follows:

Following the review conducted under RCW 70.96A.097, a minor child may petition the superior court for his or her release from the facility. The petition may be filed not sooner than fourteen days after the minor is admitted to the facility, or five days following the review, whichever is later. The court shall release the minor unless it finds, upon a preponderance of the evidence, that it is a medical necessity for the minor to remain at the facility."

On page 118, line 36, after "and" insert "2016 1st sp.s. c . . . s 104 (section 104 of this act),"

On page 119, beginning on line 33, after "c . . . s" strike "104 (section 104)" and insert "105 (section 105)"

On page 119, line 36, after "and" insert "2016 1st sp.s. c . . . s 106 (section 106 of this act) &"

On page 119, line 38, after "and" insert "2016 1st sp.s. c . . . s 107 (section 107 of this act) &"

On page 120, line 4, after "and" insert "2016 1st sp.s. c . . . s 108 (section 108 of this act) &"

On page 120, line 7, after "and" insert "2016 1st sp.s. c . . . s 109 (section 109 of this act) &"

On page 120, line 10, after "and" insert "2016 1st sp.s. c . . . s 110 (section 110 of this act) &"

On page 1, at the beginning of line 3 of the title, strike "70.96A.230," and insert "70.96A.097, 70.96A.230, 70.96A.235, 70.96A.240, 70.96A.245, 70.96A.250, 70.96A.255,"

MOTION

Senator Padden moved that the following amendment no. 778 by Senators Padden and Darneille be adopted:

On page 235, line 24, after "standards." insert "(4) The task force described in subsection (1) of this section must consider means to provide notice to parents when a minor requests chemical dependency treatment, which are consistent with federal privacy laws and consistent with the best interests of the minor and the minor's family. The department must provide a report to the relevant committees of the Legislature by December 1, 2016."

Senator Padden spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 778 by Senators Padden and Darneille to Engrossed Third Substitute House Bill No. 1713.

The motion by Senator Padden carried and the amendment was adopted by voice vote.

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Roach: "For the edification of the members, I'd like to take us back about twenty years, and each one of us in our floor desk would have a little tablet and you could write your own amendments. Absolutely write your own amendments. You would put the bill number, the line, you want to insert or delete and you'd sign your name on it and you'd walk it up here to the bar. And they would be photocopied and run out to the floor. And it gave each member an opportunity to actually do something on their own at their desks - meaning get involved. I don't know, maybe about ten years ago the big, bright idea was well if you're going to do an amendment you've got to go through

staff, you've got to have this all put in the computer. I don't think it's sped anything up particularly. Taken away some of the really nice parts of feeling a part of the floor action. And so here we are. I asked for a verbal amendment, I'd be happy to take one. I still have that pad of paper in my desk. I'd be happy to share it with someone. Senator Honeyford is waving one. He has one. Are we ready? If not I'll go into another story. You better hurry. Alright, here's another one. Senator Hasegawa, I think I used to...you better hurry. Senator Hasegawa, I used to sit in that chair for a number of years and it used to be that people who sat in those chairs back there particularly at the end of session, you'd pull your drawer out, turn the drawer I believe upside down and write your name on the bottom or sometimes on the inside of the drawer. And it was very cool because you could tell which Senators had been in that seat, giving you that sense of institution. I always thought it was kind of cool. People quit doing it. Just one of those little things. Now everyone's looking at their - do you see it? West was back there. No, my name isn't number forty three. Alright here goes another story, you want to hear another one?"

MOTION

At 8:47 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 8:49 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

Senator Fain moved that the following amendment no. 779 by Senators O'Ban and Fain be adopted:

On page 236, after line 33, insert the following:

"**NEW SECTION. Sec. 802.** This act does not create any new entitlement or cause of action related to civil commitment under this chapter, and cannot form the basis for a private right of action."

Renumber the remaining sections consecutively and correct any internal references accordingly.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment no. 779 by Senators O'Ban and Fain to Engrossed Third Substitute House Bill No. 1713.

The motion by Senator Fain carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Hill, the rules were suspended, Engrossed Third Substitute House Bill No. 1713, as amended by the Senate, was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hill and Darneille spoke in favor of passage of the bill.

MOTION

On motion of Senator Mullet, and without objection, Senator Nelson was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Third Substitute House Bill No. 1713, as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Third Substitute House Bill No. 1713, as amended by the Senate, and the bill passed the Senate by the following vote: Yeas, 40; Nays, 2; Absent, 0; Excused, 7.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frocht, Habib, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Lias, Litzow, McAuliffe, McCoy, Miloscia, Mullet, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

Voting nay: Senators Dandel and Hasegawa

Excused: Senators Benton, Chase, Hargrove, Jayapal, Nelson, O'Ban and Ranker

ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1713, as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Hasegawa: "Thank you, Madame President. At your suggestion, I removed the drawer out of my desk and out came my emergency stash of survival candy. I could not locate one of those forms though for writing my own amendments. I'm going to have to go to Senator Honeyford to get one of those. But I did find some interesting names written in my drawer. The first noticeable one is Pam Roach. That's interesting. There is a Leo Thorsness, from the Eleventh District and the last Republican to serve from the Eleventh District, immediately preceded Senator Prentice. Dino Rossi. His name is on the book here. Sharon Nelson. And there's others that are illegible to me. So I think the lesson learned here is you have to write it in indelible ink when you sign these things. I just wanted to bring that to your attention. Thank you."

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore, Senator Roach: "A Medal of Honor winner, very impressive and from the Eleventh District (a reference to Senator Leo Thorsness).

I enjoyed that very much. Thank you."

MOTION

At 8:58 p.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of caucuses.

The Senate was called to order at 10:08 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:
The House has passed:

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION

ENGROSSED SUBSTITUTE SENATE BILL NO. 6656
and the same is herewith transmitted.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2450,
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO.
2778,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2988.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

MOTION

March 29, 2016

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL
NO. 1725,
SECOND ENGROSSED SUBSTITUTE HOUSE BILL
NO. 2376,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2450,
SECOND ENGROSSED SUBSTITUTE HOUSE BILL
NO. 2778,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2988.
and the same are herewith transmitted.

On motion of Senator Fain, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

PERSONAL PRIVILEGE

Senator Nelson: "I have to say that we always make sure the Democrats are well fed and would have thought the Republican leadership would do the same for their members. I do apologize that didn't happen."

BERNARD DEAN, Chief Clerk

MOTION

MESSAGE FROM THE HOUSE

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

March 29, 2016

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE SENATE BILL NO. 5928,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6328,
SUBSTITUTE SENATE BILL NO. 6531.
and the same are herewith transmitted.

SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2380, by House Committee on Capital Budget (originally sponsored by Representatives Tharinger and DeBolt)

Concerning the supplemental capital budget.

BERNARD DEAN, Deputy Chief Clerk

The measure was read the second time.

MESSAGE FROM THE HOUSE

MOTION

March 29, 2016

MR. PRESIDENT:

The House concurred in the Senate amendment to ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1713 and passed the bill as amended by the Senate.
and the same is herewith transmitted.

On motion of Senator Honeyford, the rules were suspended, Engrossed Substitute House Bill No. 2380 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford, Keiser and Conway spoke in favor of passage of the bill.

BERNARD DEAN, Deputy Chief Clerk

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 2380.

SIGNED BY THE PRESIDENT PRO TEMPORE

ROLL CALL

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6656

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 2380 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 5; Absent, 0; Excused, 6.

SIGNED BY THE PRESIDENT PRO TEMPORE

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Carlyle, Cleveland, Conway, Dammeier, Darneille, Ericksen, Fain, Fraser, Frock, Habib, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Keiser, King, Litzow, McCoy, Miloscia, Mullet, Nelson, Padden, Parlette, Pearson, Rivers, Roach, Rolfes, Schoesler, Sheldon, Takko and Warnick

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1725,
SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2376,

Voting nay: Senators Billig, Dansel, Liias, McAuliffe and Pedersen

Excused: Senators Benton, Chase, Hargrove, Jayapal, O'Ban and Ranker

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2380, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:25 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:40 p.m. by the President Pro Tempore, Senator Roach presiding.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4418,

HOUSE CONCURRENT RESOLUTION NO. 4419.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:

Pursuant to Article III, section 12 of the State Constitution, the House passed the following measure(s) notwithstanding the Governor's veto(s):

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5145,
- SENATE BILL NO. 5265,
- SENATE BILL NO. 5458,
- SENATE BILL NO. 5549,
- SUBSTITUTE SENATE BILL NO. 5767,
- SENATE BILL NO. 6148,
- SENATE BILL NO. 6162,
- SENATE BILL NO. 6170,
- SUBSTITUTE SENATE BILL NO. 6177,
- SENATE BILL NO. 6196,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6206,
- SENATE BILL NO. 6220,
- SUBSTITUTE SENATE BILL NO. 6281,
- SUBSTITUTE SENATE BILL NO. 6284,
- SUBSTITUTE SENATE BILL NO. 6290,
- SUBSTITUTE SENATE BILL NO. 6326,
- SUBSTITUTE SENATE BILL NO. 6341,
- SUBSTITUTE SENATE BILL NO. 6342,
- SUBSTITUTE SENATE BILL NO. 6354,
- SENATE BILL NO. 6398,
- SENATE BILL NO. 6401,
- SUBSTITUTE SENATE BILL NO. 6466,
- SENATE BILL NO. 6491,
- SUBSTITUTE SENATE BILL NO. 6498,
- SUBSTITUTE SENATE BILL NO. 6569,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 6606,
- SENATE BILL NO. 6633.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING OF HOUSE BILLS SECOND SUPPLEMENTAL

HCR 4418 by Representatives Sullivan and Kretz Returning bills to their house of origin. BOOST.

HCR 4419 by Representatives Sullivan and Kretz Adjourning SINE DIE. BOOST.

MOTION

On motion of Senator Fain, and without objection, all measures listed on the Second Supplemental Introduction and First Reading report were placed on the second reading calendar.

MOTION

On motion of Senator Fain, and without objection, the Senate advanced to the sixth order of business.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4418, by Representatives Sullivan and Kretz

Returning bills to their house of origin.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Concurrent Resolution No. 4418 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

The President Pro Tempore declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4418.

HOUSE CONCURRENT RESOLUTION NO. 4418 having received a majority was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4419, by Representatives Sullivan and Kretz

Adjourning SINE DIE.

The measure was read the second time.

MOTION

TWENTIETH DAY, MARCH 29, 2016

2016 1ST SPECIAL SESSION

On motion of Senator Fain, the rules were suspended, House Concurrent Resolution No. 4419 was advanced to third reading, the second reading considered the third and the concurrent resolution was placed on final passage.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

March 29, 2016

The President Pro Tempore declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4419.

HOUSE CONCURRENT RESOLUTION NO. 4419 having received a majority was adopted by voice vote.

MOTION

On motion of Senator Fain, and without objection, the Senate reverted to the fourth order of business.

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:
The Speaker has signed:
ENGROSSED SUBSTITUTE SENATE BILL NO. 6656
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:
The Speaker has signed:
ENGROSSED THIRD SUBSTITUTE HOUSE BILL
NO. 1713
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT PRO TEMPORE

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED THIRD SUBSTITUTE HOUSE BILL
NO. 1713

MOTION

At 10:55 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:56 p.m. by the President Pro Tempore, Senator Roach presiding.

MESSAGE FROM THE HOUSE

March 29, 2016

MR. PRESIDENT:
The Speaker has signed:
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2380
and the same is herewith transmitted.

MR. PRESIDENT:
The Speaker has signed:
HOUSE CONCURRENT RESOLUTION NO. 4418,
HOUSE CONCURRENT RESOLUTION NO. 4419,
and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT PRO TEMPORE

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

HOUSE CONCURRENT RESOLUTION NO. 4418,
HOUSE CONCURRENT RESOLUTION NO. 4419.

SIGNED BY THE PRESIDENT PRO TEMPORE

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2380

MOTION

On motion of Senator Fain, and without objection, the measures on the second and third reading calendars were returned to the Committee on Rules.

MOTION

On motion of Senator Fain, the reading of the journal for the twentieth day of the 2016 Extraordinary Session of the 64th Legislature was dispensed with and it was approved.

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4418, the following House Bills were returned to the House of Representatives:

ENGROSSED HOUSE BILL NO. 1465,
SECOND ENGROSSED SUBSTITUTE HOUSE BILL
NO. 2340.

and the same are herewith transmitted.

March 29, 2016

MR. PRESIDENT:
Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4418, the following Senate bills are returned to the Senate:

ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 5105,
ENGROSSED SECOND SUBSTITUTE SENATE BILL
NO. 5127,
SECOND ENGROSSED SUBSTITUTE SENATE BILL
NO. 5575.

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

The President Pro Tempore invited senators, staff and any members of the public present onto the senate floor and line the aisle asking that they not sit at the senators' desks to witness the joint closing of session.

At 10:58 p.m., on motion of Senator Fain, the 2016 Extraordinary Session of the Sixty-Fourth Legislature adjourned SINE DIE.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

SENATE ROSTER

AND

COMMITTEE ASSIGNMENTS

Name of Member	District	Party	County	Mailing Address	Birth Year - Place	Occupation	Previous Years Served House	Senate
Angel, Jan	26	R	Kitsap (P), Pierce (P)	PO Box 40426 Olympia, WA 98504-0426		Legislator	2009-2013	Appt. 1/13/2014
Bailey, Barbara	10	R	Island, Skagit (P), Snohomish (P)	PO Box 40010 Olympia, WA 98504-0410	MO	Mgmt/Training Consultant	2003-2012	2013-
Baumgartner, Michael	6	R	Spokane (P)	PO Box 40406 Olympia, WA 98504-0406	1975 - WA	Consultant		2011-
Becker, Randi	2	R	Pierce (P), Thurston (P)	PO Box 40402 Olympia, WA 98504-0402	1948 - WA	Retired Medical Practice Admin		2009-
Benton, Don	17	R	Clark (P)	PO Box 40417 Olympia, WA 98504-0417	1957 - CA	CIO - National Advtsg Consultant	1995-1996	1997-
Billig, Andy	3	D	Spokane (P)	25 W. Main Ave Ste 237 Spokane, WA 99201	1968 - NY	Baseball Executive	2011/2012	2013-
Braun, John	20	R	Clark (P), Cowlitz (P), Lewis (P), Thurston (P)	PO Box 40420 Olympia, WA 98504-0420	1967 - OH	President of Braun Northwest		2013-
Brown, Sharon	8	R	Benton (P)	PO Box 40408 Olympia, WA 98504-0408	1962 - NY	Attorney		Appt. 2/4/2013
Carlyle, Reuven	36	D	King (P)	1818 Westlake Ave N Ste 317 Seattle, WA 98109	1965 -	Software Engineer	2009-2014	Appt. 1/7/2016
Chase, Maralyn	32	D	King (P), Snohomish (P)	18560 1 st Ave. NE Ste E-750 Shoreline, WA 98155	WA	Legislator	Appt. 1/7/2002, 2003-10	2011-
Cleveland, Annette	49	D	Clark (P)	PO Box 40449 Olympia, WA 98504-0449	1962 - WA	External Affairs, Legacy Health Systems		2013-
Conway, Steve	29	D	Pierce (P)	PO Box 40429 Olympia, WA 98504-0429	1944 - OR	Retired, Labor Relations Specialist	Appt. 1/25/1993, 1994-2010	2011-
Dammer, Bruce	25	R	Pierce (P)	101 S. Meridian Ste D Puyallup, WA 98371	1961 - WA	Small Business Owner, Print - NW	2009-2012	2013-
Dansel, Brian	7	R	Ferry, Lincoln, Okanogan(P), Pend Oreille, Spokane(P), Stevens	PO Box 40407 Olympia, WA 98504-0407	1983 - WA	Legislator		Appt. 1/13/2014
Darnelle, Jeannie	27	D	Pierce (P)	PO Box 40427 Olympia, WA 98504-0427	1949 - AK	Consultant, not-for- profit org	2001-2012	2013-
Ericksen, Doug	42	R	Whatcom (P)	PO Box 40442 Olympia, WA 98504-0442	1969 - WA	Legislator	1999-2010	2011-
Fain, Joe	47	R	King (P)	PO Box 40447 Olympia, WA 98504-0447	1980 - WA	Legislator		2011-
Fraser, Karen	22	D	Thurston (P)	PO Box 40422 Olympia, WA 90504-4022	1944 - WA	Senator	1989-1992	1993-

JOURNAL OF THE SENATE

Name of Member	District	Party	County	Mailing Address	Birth Year - Place	Occupation	Previous Years Served House	Senate
Frockt, David	46	D	King (P)	155 NE 100th St Ste 218 Seattle, WA 98125	1969 - OH	Attorney/Legislator	2011	Appt. 11/14/2011
Habib, Cyrus	48	D	King (P)	PO Box 40448 Olympia, WA 99504-0448	1981 - MD	Attorney	2013-2014	2015
Hargrove, James	24	D	Clallam, Grays Harbor (P), Jefferson	PO Box 40424 Olympia, WA 98504-0424	1953 - OR	Forester	1985-1992	1993-
Hasegawa, Bob	11	D	King (P)	PO Box 84331 Seattle, WA 98124	WA	Operating Engineer	2005-2012	2013-
Hewitt, Mike	16	R	Benton (P), Columbia, Franklin (P), Walla Walla	PO Box 40416 Olympia, WA 98504-0416	1946 - WA	Beer-Wine Wholesaler		2001-
Hill, Andy	45	R	King (P)	PO Box 40445 Olympia, WA 98504-0445	1962 - CO	Consultant		2011-
Hobbs, Steve	44	D	Snohomish (P)	PO Box 40444 Olympia, WA 98504-0444	1970 - WA	UW Facilities Manager		2007-
Honeyford, Jim	15	R	Yakima (P)	PO Box 40415 Olympia, WA 98504-0415	1939 - OR	Farmer/Retired Educator	1995-1998	1999-
Jayapal, Pramila	37	D	King (P)	PO Box 40437 Olympia, WA 98504-0437	1965 - Madras, India	Consultant		2015
Keiser, Karen	33	D	King (P)	PO Box 40433 Olympia, WA 98504-0433	1947 - IA	Ret. Communications Director	1996-2000	2001-
King, Curtis	14	R	Clark (P), Klickitat, Skamania, Yakima (P)	PO Box 40414 Olympia, WA 98504-0414	1946 - WA	Former Business Owner		2007-
Lias, Marko	21	D	Snohomish (P)	PO Box 40421 Olympia, WA 98504-0421	1981 - WA	Legislator	2008-2014	Appt. 1/22/2014
Litzow, Steve	41	R	King (P)	PO Box 40441 Olympia, WA 98504-0441	1961 - WI	Marketing Consultant		2010-
McAuliffe, Rosemary	1	D	King (P), Snohomish (P)	PO Box 40401 Olympia, WA 98504-0401	1940 - WA	Ownr/Mgr Hollywood Schoolhouse		1993-
McCoy, John	38	D	Snohomish (P)	PO Box 40438 Olympia, WA 98504-0438	1943 - WA	Legislator	2002-2013	Appt. 1/13/2014
Miloscia, Mark	30	R	King (P), Pierce (P)	30720 19th Ave S Federal Way, WA 98003	1958 - MS	Legislator	1999-2012	2015
Mullet, Mark	5	D	King (P)	PO Box 40405 Olympia, WA 98504-0405	1972	Owner of Zeek's Pizza		2012-
Nelson, Sharon	34	D	King (P)	PO Box 40434 Olympia, WA 98504-0434	1951 - MN	Legislator	Appt. 11/5/2007-10	2010-

Name of Member	District	Party	County	Mailing Address	Birth Year - Place	Occupation	Previous Years Served House	Senate
O'Ban, Steve	28	R	Pierce (P)	PO Box 40428 Olympia, WA 98504-0428	1961 - CA	Attorney	2013	Appt. 6/4/2013-
Padden, Mike	4	R	Spokane (P)	PO Box 40404 Olympia, WA 98504-0404	1946 - OR	Judge (retired)	1981-1995	Appt. 11/29/2011-
Parlette, Linda Evans	12	R	Chelan, Douglas, Grant (P), Okanogan (P)	PO Box 40412 Olympia, WA 98504-0412	1945 - WA	Pharmacist & Orchardist	1997-2000	2001 -
Pearson, Kirk	39	R	King (P), Skagit (P), Snohomish (P)	PO Box 40439 Olympia, WA 98504-0439	1958 - WA	Former Congressional Aide	2001-2012	2013-
Pedersen, Jamie	43	D	King (P)	PO Box 40443 Olympia, WA 98504-0443	1968-WA	Lawyer	2007-2013	Appt. 12/16/2013
Ranker, Kevin	40	D	San Juan, Skagit (P), Whatcom (P)	PO Box 40440 Olympia, WA 98504-0440	1970 - England	Coastal/Ocean Policy Consultant		2009-
Rivers, Ann	18	R	Clark (P)	PO Box 40418 Olympia, WA 98504-0418		Public Affairs Consultant	2011-2012	Appt. 6/25/2012
Roach, Pam	31	R	King (P), Pierce (P)	PO Box 40431 Olympia, WA 98504-0431	1948 - CA			1991 -
Rolfes, Christine	23	D	Kitsap (P)	P. O. Box 40423 Olympia, WA 98505-0423	1967 - NY	Legislator	2007-2010	Appt. 7/26/2011
Schoessler, Mark	9	R	Adams, Asotin, Franklin (P), Garfield, Spokane (P), Whitman	1588 East Rosenoff Road Ritzville, WA 99169	1957 - WA	Self-Employed Farmer	1993-2004	2005 -
Sheldon, Tim	35	D	Kitsap (P), Mason, Thurston (P)	PO Box 40435 Olympia, WA 98504-0435	1947 - WA	Tree Farmer	1991-1997	Elected 11/4/1997-
Takko, Dean	19	D	Cowlitz (P), Grays Harbor (P), Lewis (P), Pacific, Wahkiakum	PO Box 40419 Olympia, WA 98504-0419	1950 - WA	Legislator	Appt. 12/21/2004, 2005-2014	Appt. 10/22/2015
Warnick, Judy	13	R	Grant (P), Kittitas, Lincoln, Yakima (P)	326 S Cedar Street, Suite A Moses Lake, WA 98837	1950 - WA	Small Business Owner	2007-2014	2015
Goodman, Hunter G.				PO Box 40482 Olympia, WA 98504-0482	1969 -	Secretary of the Senate		2013-
Campos, Pablo G. (Paul)				PO Box 40482 Olympia, WA 98504-0482	1964 - WA	Deputy Secretary of the Senate		2003-2004; 2015-

Membership of
Senate Standing Committees by Committee

2016

Accountability & Reform (5) — **Miloscia, Chair; Padden, Vice Chair;** *Fraser; Dandel; McAuliffe

Agriculture, Water & Rural Economic Development (5) — **Warnick, Chair; Dandel, Vice Chair;** *Takko; Hobbs; Honeyford

Commerce and Labor (7) — **Baumgartner, Chair; Braun, Vice Chair;** *Hasegawa; Conway; Keiser; King; Warnick

Early Learning & K-12 Education (9) — **Litzow, Chair; Dammeier, Vice Chair;** *McAuliffe; Billig; Fain; Hill; Mullet; Rivers; Rolfes

Energy, Environment & Telecommunications (9) — **Ericksen, Chair; Sheldon, Vice Chair;** *McCoy; Braun; Brown; Cleveland; Habib; Honeyford; Ranker

Financial Institutions & Insurance (9) — **Benton, Chair; Angel, Vice Chair;** *Mullet; Fain; Hobbs; Litzow; Nelson; Pedersen; Roach

Government Operations and Security (7) — **Roach, Chair; Benton, Vice Chair; Pearson, Vice Chair;** Dandel; Habib; McCoy; Takko

Health Care (13) — **Becker, Chair; Dammeier, Vice Chair;** *Cleveland; Angel; Bailey; Baumgartner; Brown; Conway; Frockt; Jayapal; Keiser; Parlette; Rivers

Higher Education (7) — **Bailey, Chair; Baumgartner, Vice Chair;** *Frockt; Becker; Carlyle; Lias; Miloscia

Human Services, Mental Health & Housing (5) — **O'Ban, Chair; Miloscia, Vice Chair;** *Darneille; Hargrove; Padden

Law and Justice (7) — **Padden, Chair; O'Ban, Vice Chair;** *Pedersen; Darneille; Frockt; Pearson; Roach

Natural Resources & Parks (7) — **Pearson, Chair; Dandel, Vice Chair;** *Jayapal; Chase; Fraser; Hewitt; Warnick

Rules (20) — **Roach, Vice Chair;** Bailey; Benton; Billig; Chase; Dammeier; Ericksen; Fain; Fraser; Hasegawa; Honeyford; King; Mullet; Nelson; Parlette; Pearson; Rivers; Rolfes; Schoesler; Sheldon

Trade & Economic Development (7) — **Brown, Chair; Braun, Vice Chair;** *Chase; Angel; Carlyle; Ericksen; McCoy

Transportation (15) — **King, Chair; Benton, Vice Chair; Fain, Vice Chair, Budget;** *Hobbs; **Lias; Baumgartner; Carlyle; Cleveland; Ericksen; Jayapal; Litzow; Miloscia; Rivers; Sheldon; Takko

Ways & Means (23) — **Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair;** *Hargrove; *****Keiser; *****Ranker; Bailey; Becker; Billig; Brown; Conway; Darneille; Hasegawa; Hewitt; Nelson; O'Ban; Padden; Parlette; Pedersen; Rolfes; Schoesler; Warnick

* Minority Ranking Member

** Minority Asst. Ranking Member

*** Vice Chair, Education Finance

**** Minority Asst. Ranking Member, Operating

***** Minority Asst. Ranking Member, Capital Budget

The Lt. Governor is a voting member of the Rules Committee

Membership Assignments to
Senate Standing Committees by Member

2016

Angel, Jan	Financial Institutions & Insurance, Vice Chair; Health Care; Trade & Economic Development
Bailey, Barbara	Higher Education, Chair; Health Care; Rules; Ways & Means
Baumgartner, Michael	Commerce and Labor, Chair; Higher Education, Vice Chair; Health Care; Transportation
Becker, Randi	Health Care, Chair; Higher Education; Ways & Means
Benton, Don	Financial Institutions & Insurance, Chair; Government Operations and Security, Vice Chair; Transportation, Vice Chair; Rules
Billig, Andy	Early Learning & K-12 Education; Rules; Ways & Means
Braun, John	Commerce and Labor, Vice Chair; Trade & Economic Development, Vice Chair; Ways & Means, Vice Chair; Energy, Environment & Telecommunications
Brown, Sharon	Trade & Economic Development, Chair; Energy, Environment & Telecommunications; Health Care; Ways & Means
Carlyle, Reuven	Higher Education; Trade & Economic Development; Transportation
Chase, Maralyn	*Trade & Economic Development; Natural Resources & Parks; Rules
Cleveland, Annette	*Health Care; Energy, Environment & Telecommunications; Transportation
Conway, Steve	Commerce and Labor; Health Care; Ways & Means
Dammeier, Bruce	Early Learning & K-12 Education, Vice Chair; Health Care, Vice Chair; Ways & Means, Vice Chair; Rules
Dansel, Brian	Agriculture, Water & Rural Economic Development, Vice Chair; Natural Resources & Parks, Vice Chair; Accountability & Reform; Government Operations and Security
Darneille, Jeannie	*Human Services, Mental Health & Housing; Law and Justice; Ways & Means
Ericksen, Doug	Energy, Environment & Telecommunications, Chair; Rules; Trade & Economic Development; Transportation
Fain, Joe	Transportation, Vice Chair, Budget; Early Learning & K-12 Education; Financial Institutions & Insurance; Rules
Fraser, Karen	*Accountability & Reform; Natural Resources & Parks; Rules
Frockt, David	*Higher Education; Health Care; Law and Justice
Habib, Cyrus	Energy, Environment & Telecommunications; Government Operations and Security
Hargrove, James	*Ways & Means; Human Services, Mental Health & Housing
Hasegawa, Bob	*Commerce and Labor; Rules; Ways & Means

Hewitt, Mike	Natural Resources & Parks; Ways & Means
Hill, Andy	Ways & Means, Chair; Early Learning & K-12 Education
Hobbs, Steve	*Transportation; Agriculture, Water & Rural Economic Development; Financial Institutions & Insurance
Honeyford, Jim	Ways & Means, Vice Chair, Capital Budget Chair; Agriculture, Water & Rural Economic Development; Energy, Environment & Telecommunications; Rules
Jayapal, Pramila	*Natural Resources & Parks; Health Care; Transportation
Keiser, Karen	*****Ways & Means; Commerce and Labor; Health Care
King, Curtis	Transportation, Chair; Commerce and Labor; Rules
Liias, Marko	**Transportation; Higher Education
Litzow, Steve	Early Learning & K-12 Education, Chair; Financial Institutions & Insurance; Transportation
McAuliffe, Rosemary	*Early Learning & K-12 Education; Accountability & Reform
McCoy, John	*Energy, Environment & Telecommunications; Government Operations and Security ; Trade & Economic Development
Miloscia, Mark	Accountability & Reform, Chair; Human Services, Mental Health & Housing, Vice Chair; Higher Education; Transportation
Mullet, Mark	*Financial Institutions & Insurance; Early Learning & K-12 Education; Rules
Nelson, Sharon	Financial Institutions & Insurance; Rules; Ways & Means
O'Ban, Steve	Human Services, Mental Health & Housing, Chair; Law and Justice, Vice Chair; Ways & Means
Padden, Mike	Law and Justice, Chair; Accountability & Reform, Vice Chair; Human Services, Mental Health & Housing; Ways & Means
Parlette, Linda Evans	Health Care; Rules; Ways & Means
Pearson, Kirk	Natural Resources & Parks, Chair; Government Operations and Security , Vice Chair; Law and Justice; Rules
Pedersen, Jamie	*Law and Justice; Financial Institutions & Insurance; Ways & Means
Ranker, Kevin	****Ways & Means; Energy, Environment & Telecommunications
Rivers, Ann	Early Learning & K-12 Education; Health Care; Rules; Transportation
Roach, Pam	Government Operations and Security, Chair; Rules, Vice Chair; Financial Institutions & Insurance; Law and Justice
Rolfes, Christine	Early Learning & K-12 Education; Rules; Ways & Means
Schoesler, Mark	Rules; Ways & Means
Sheldon, Tim	Energy, Environment & Telecommunications, Vice Chair; Rules; Transportation

Takko, Dean *Agriculture, Water & Rural Economic Development; Government Operations & Security; Transportation

Warnick, Judy Agriculture, Water & Rural Economic Development, Chair; Commerce and Labor; Natural Resources & Parks; Ways & Means

* Minority Ranking Member

** Minority Asst. Ranking Member

*** Vice Chair, Education Finance

**** Minority Asst. Ranking Member, Operating

***** Minority Asst. Ranking Member, Capital Budget

The Lt. Governor is a voting member of the Rules Committee.

2016

SENATE ADMINISTRATION

Goodman, Hunter G.	Secretary of the Senate
Campos, Paul	Deputy Secretary of the Senate
Gorrell, Jeannie	Sr. Senate Counsel
Buchholz, Keith	Sr. Senate Counsel
Bannister, Sarah	Sr. Executive Assistant
Gay, Diane	Payroll Analyst 2
Hamlin, Marnie	Staff Coordinator
Holt, Gary	Sr. Workroom Clerk
Hood, Kelsey	Legislative Assistant
Jansson, Linda	Sr. Status Clerk
McCartan, Emily	Civic Ed/Intern Coordinator
Wulff, Derrick	Human Res Consultant II

SENATORS PERSONAL STAFF

Angelini, Vicki	Sr. Legislative Assistant	Senator Bailey
Asare-Konadu, Akua	Session Aide	Senator Jayapal
Ashlie, Erik	Sr. Legislative Assistant	Senator Hobbs
Austin, Debbie	Sr. Legislative Assistant	Senator Angel
Badger, Hailey	Session Aide	Senator Frockt
Bailey, Cameron	Sr. Legislative Assistant	Senator Pearson
Bannister, Brandon	Session Aide	Senator McAuliffe
Beckenhauer, Sadie	Session Aide	Senator Angel
Bell, Laura	Executive Assistant	Senator King
Bodine, Tina	Sr. Legislative Assistant	Senator Rivers
Bohler, Alexander	Legislative Assistant	Senator Benton
Brandt, Bethlyn	Session Aide	Senator Pearson
Brown, Dylan	Assoc. Legislative Assistant	Senator Miloscia
Brown, Kristina	Session Aide	Senator Habib
Burke, Kate	Assoc. Legislative Assistant	Senator Billig
Burkheimer, Michelle	Legislative Assistant	Senator Fraser
Burnley, Beverly	Session Aide	Senator Sheldon
Bustamante, Jerry	Session Aide	Senator Dansel
Castro, Hannah	Session Aide	Senator Warnick
Christopher, Yasmin	Legislative Assistant	Senator Jayapal
Comyns, Eleanor	Legislative Assistant	Senator Pedersen
Condon, Daniel	Assoc. Legislative Assistant	Senator Parlette
Cooley, Christopher	Session Aide	Senator Dammeier
Cooper, Jerry	Session Aide	Senator Hewitt

SENATORS PERSONAL STAFF

Cooper, Suzette	Sr. Legislative Assistant	Senator Sheldon
Day, Adam	Sr. Legislative Assistant	Senator Mullet
Edwards, Grace	Executive Assistant	Senator Parlette
Fagan, Briana	Assoc. Legislative Assistant	Senator Dammeier
Fenton, Kevin	Legislative Assistant	Senator Litzow
Fisch, Lisa	Sr. Legislative Assistant	Senator Darneille
Fitzsimmons, Brenda	Sr. Executive Assistant	Senator Fraser
Gross, Katelyn	Session Aide	Senator Hargrove
Gundersen, Isaac	Assoc. Legislative Assistant	Senator Hill
Heinecke, Tara Jo	Legislative Assistant	Senator Keiser
Hitchens, Ashana	Session Aide	Senator O'Ban
Hoffer, Kaleb	Assoc. Legislative Assistant	Senator Baumgartner
Hoffman, Kate	Legislative Assistant	Senator Carlyle
Hollingshead, Libby	Legislative Assistant	Senator Habib
Jackson, Misha	Session Aide	Senator Hobbs
Jackson, Omar	Session Aide	Senator Keiser
Kirk, Melodie	Session Aide	Senator Ericksen
Kohlwes, Curt	Legislative Assistant	Senator Liias
Krantz, Russell	Session Aide	Senator Bailey
Lelli, Kimberlie	Sr. Legislative Assistant	Senator Conway
Lewis, Michelle	Sr. Legislative Assistant	Senator O'Ban
Lindner, Tamara	Session Aide	Senator Braun
Lynch, Kyle	Sr. Legislative Assistant	Senator Warnick
Johnny-Rodriguez, Abriel	Session Aide	Senator McCoy
Magee, Erin	Session Aide	Senator Billig
Marshall, Cheryl	Sr. Legislative Assistant	Senator Roach
May, Jeri	Sr. Legislative Assistant	Senator Hewitt
Mayson, Jake	Session Aide	Senator Brown
McCliment, Michael	Sr. Legislative Assistant	Senator Padden
McWain, Penelope	Sr. Legislative Assistant	Senator Honeyford
Mohn, Jeremy	Executive Assistant	Senator Nelson
Munson, Ava Marie	Legislative Assistant	Senator Chase
Nelson, Michael	Executive Assistant	Senator Hill
Northrop, Alec	Session Aide	Senator Honeyford
Olney, Jody	Legislative Assistant	Senator McCoy
O'Neill, Shawn	Sr. Legislative Assistant	Senator Hargrove
Owens, Linda	Executive Assistant	Senator Rolfes
Peterson, Ruth	Sr. Legislative Assistant	Senator Braun
Posielski, Aleksander	Session Aide	Senator Miloscia
Quinonez, Paul	Session Aide	Senator Chase

SENATORS PERSONAL STAFF

Ramos, Judith	Session Aide	Senator Baumgartner
Ramstad, Andrew	Session Aide	Senator Mullet
Reh, Benjamin	Session Aide	Senator Pedersen
Rickard, Tyrus	Legislative Assistant	Senator Dansel
Ripplinger, Esther	Session Aide	Senator Padden
Rolph, James	Session Aide	Senator Carlyle
Rosario, Salvador	Session Aide	Senator Darneille
Rudicil, Jon	Sr. Legislative Assistant	Senator Frockt
Ruff, Sandy	Sr. Legislative Assistant	Senator Ericksen
Saeteurn, Chio	Legislative Assistant	Senator Hasegawa
Sanné, Tiffani	Legislative Assistant	Senator Becker
Schaefer, Carolyn	Sr. Legislative Assistant	Senator McAuliffe
Sen Hoss, Rhona	Session Aide	Senator Cleveland
Sharp, Bradley	Session Aide	Senator Litzow
Short, Kenny	Legislative Assistant	Senator Brown
Simons, Lucas	Session Aide	Senator Liias
Spatola-Knoll, Clare	Session Aide	Senator Rolfes
Steelquist, Peter	Legislative Assistant	Senator Nelson
Taylor, Andrew	Legislative Assistant	Senator Ranker
Taylor, Jesse	Legislative Assistant	Senator Schoesler
Veatch, Lauren	Session Aide	Senator Rivers
Whitney, Robyn	Session Aide	Senator Benton
Wickstrom, Karen	Executive Assistant	Senator Fain
Wiles, Sylvia	Session Aide	Senator Becker
Williams, Ella	Legislative Assistant	Senator King
Willman, Frazier	Assoc. Legislative Assistant	Senator Fain
Winters, Krista	Sr. Executive Assistant	Senator Schoesler
Winters, Vickie	Sr. Legislative Assistant	Senator Cleveland
Yoo, Matthew	Session Aide	Senator Hasegawa
Yuse, Maggie	Session Aide	Senator Ranker

SENATE COMMITTEE SERVICES

	Howson, Susan	Sr. Staff Director	
	Gavigan, Curt	Deputy Director	
Adams, Jasmin	Committee Assistant	Klein, Evan	Assoc. Staff Counsel
Alishahi, Michele	Fiscal Analyst II	Kleis, Angela	Committee Assistant
Barrett, Karen	Staff Coordinator	Larsen, Ian	Committee Clerk
Bauer, Shani	Staff Coordinator/Counsel	McCarthy, Clinton	Staff Coordinator
Bezanson, Michael	Fiscal Coordinator	McNamara, Sherry	Sr. Staff Coordinator/Analyst
Black, Kevin	Sr. Staff Counsel	Melchiori, Aldo	Sr. Staff Counsel
Brown, Samuel	Staff Counsel I	Mendiola, Alison	Staff Coordinator/Counsel
Buchli, Kathleen	Staff Coordinator	Mielke, Susan	Sr. Staff Coordinator/Counsel
Burke-Cain, Melissa	Sr. Staff Counsel	Moore, Bryon	Sr. Staff Coordinator
Carlson, Dean	Fiscal Coordinator	Murray, Julie	Sr. Fiscal Counsel
Cheezem, Tiffany	Bill Report Coordinator	Naylor, Alayna	Bill Report Assistant
Connell, Brian	Fiscal Analyst I	Needham, Michl	Sr. Research Analyst
Cushing, Kimberly	Sr. Staff Counsel	Nicholson, Mac	Sr. Staff Coord/Cnsl
Eliason, Mark	Sr. Fiscal Analyst	Noahr, Lorrell	Sr. Fiscal Analyst
Epps, Karen	Staff Coordinator	Odano, Jan	Staff Coordinator/Analyst
Erickson, Lindsay	Assoc. Staff Counsel	Olsen, Jeff	Staff Coordinator/Analyst
Ford, Timothy	Staff Coordinator/Counsel	Ramsey, Richard	Fiscal Coordinator
Gamble, Hayley	Sr. Fiscal Analyst	Riffer, Alison	Assoc. Committee Assistant
Gordon, Laurel	Committee Assistant	Rodger, Richard	Sr. Staff Counsel
House, Conner	Committee Clerk	Roe, Juliana	Fiscal Counsel II
Jaime, Sandy	Assoc. Committee Assistant	Sacks, Jarrett	Assoc. Staff Counsel
Johnson, Kimberly	Sr. Staff Counsel	Simpson, Kelly	Sr. Staff Coordinator
Jones, Steve	Sr. Fiscal Counsel	Sims, Brian	Fiscal Coordinator
Jones, Susan	Staff Coordinator/Counsel	Smith, Diane	Staff Coordinator
Kato, Ailey	Assoc. Staff Counsel	Smith, Jennifer	Committee Clerk
Kearns, Alexandra	Assoc. Staff Counsel	Stith, Sandy	Sr. Fiscal Analyst
Keegan, Kellee	Fiscal Analyst I	Sugarman, Travis	Sr. Fiscal Analyst
Kennedy, Alia	Assoc. Staff Counsel	Ward, David	Fiscal Coordinator
Kennedy, Ariel	Exec. Assistant	Wibbels, Sandra	Committee Assistant
Kim, Bonnie	Staff Counsel I	Yunker, Brittany	Sr. Committee Assistant

MAJORITY COALITION CAUCUS STAFF

Troyer, James Sr. Staff Director
 Rogers-LaVigne, Judy Sr. Executive Assistant
 Garland, Shannon Legislative Assistant

POLICY

Lawrence, Kathleen Staff Coordinator/Analyst
 Martin, James Legislative Assistant
 Crandall, James Staff Counsel I
 Dolan, Peter Staff Counsel I
 Herrmann, Alicia Staff Counsel II
 Himebaugh, Daniel Staff Counsel II
 Maynard, Jackson Staff Counsel II
 Moore, Ryan Sr. Staff Counsel
 Shakotko, Veronica Staff Counsel II

COMMUNICATIONS

Wirtz, Kimberly Communications Director
 Stallworth, Booker Deputy Communications Director
 Adamack, Joe Sr. Information Officer
 Boze, David Information Officer
 Campbell, Eric Sr. Information Officer
 Coleman, Liz Information Officer
 Espinoza, Laudan Sr. Information Officer
 Honcoop, Jess Information Officer
 Smith, Erik Sr. Information Officer

DEMOCRATIC CAUCUS STAFF

Hesselholt, Claire Sr. Staff Director
 Lewis-Lechner, Heather Sr. Leadership Counsel
 Bumann, Barb Legislative Assistant Liaison
 Dodds, Peter Sr. Executive Assistant
 Sherman, Mary Casework Coordinator

POLICY

Forrester, Sydney Staff Coordinator/Counsel
 Bowman, Nicholas Research Analyst II
 Bridges, Matt Sr. Fiscal Analyst
 Cantore, Victoria Staff Counsel I
 Hall, Adam Staff Counsel I
 Swanson, Sharon Staff Counsel II
 Wilburn, Gary Sr. Staff Coordinator
 Wilkins, Shelly Research Analyst I

COMMUNICATIONS

Wasser, Aaron Communications Director
 DeLong, Clare Information Officer
 Fowler, Jon Information Officer
 Manugian, Richard Sr. Information Officer
 Petersen, Josie Information Officer
 Sherman, Aaron Information Officer
 Vukonich, Nicole Information Officer
 West, Chris Information Officer

OFFICE OF SENATE SECURITY

Staubitz, Andy	Security Director
Burt, Michael	Deputy Security Director
Boad, Kenneth	Asst. Sergeant at Arms
Brickey, Christina	Assoc. Legislative Asst.

SECURITY STAFF

Anderson, Chris	Asst. Sergeant at Arms	Humbock, Gary	Security Staff
Hamre, Juanita	Asst. Sergeant at Arms	Janda, Peter	Security Staff
Humbock, Gary	Asst. Sergeant at Arms	Jorgensen, Gerald	Security Staff
Martin, William	Asst. Sergeant at Arms	Kampling, Terrence	Security Staff
McGrady, Larry	Asst. Sergeant at Arms	Kurth, Marc	Security Staff
Nelson, Rick	Asst. Sergeant at Arms	Lizee, Kathleen	Security Staff
Bryant, El Wanda	Page Supervisor	Maguire, William	Security Staff
Villarreal, Margot	Asst. Page Supervisor	McClure, Charles	Security Staff
Lacey, Elizabeth	Page Dispatcher	Nicklaus, Jack	Security Staff
Bierer, William	Security Staff	Patten, Gerard	Security Staff
Boede, Christina	Security Staff	Peterson, Gregg	Security Staff
Bradford, Delano	Security Staff	Rivas, Juan	Security Staff
Day, Gary	Security Staff	Rogers, Ryan	Security Staff
Denny, James	Security Staff	Sammons, James	Security Staff
Dunn, Roy	Security Staff	Selleg, Bruce	Security Staff
Follett, Doug	Security Staff	Southwick, David	Security Staff
Hallom, Norris	Security Staff	Sterba, Jeffery	Security Staff
Hamill, James	Security Staff	Trent, Alex	Security Staff
Hartsock, Sean	Security Staff	Welter, Michael	Security Staff

LEGISLATIVE AGENCIES

OFFICE OF THE STATE ACTUARY (OSA)
 JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE (JLARC)
 OFFICE OF THE CODE REVISER/STATUTE LAW COMMITTEE (SLC)
 LEGISLATIVE ETHICS BOARD (LEB)
 LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE (LEAP)
 WASHINGTON STATE INSTITUTE FOR PUBLIC POLICY (WSIPP)
 LEGISLATIVE SUPPORT SERVICES (LSS)
 JOINT LEGISLATIVE SYSTEMS COMMITTEE (JLSC)
 JOINT TRANSPORTATION COMMITTEE (JTC)

The Washington State Legislative Intern Program is an academic internship for college students from around Washington State. Interns are assigned to Senate offices and are mentored by members and staff as they conduct research, track legislation, and work with constituents. In addition to building professional experience through their office work, interns earn academic credit and take part in seminars and workshops with state policymakers to gain a first-hand understanding of the legislative process.

The 48 Senate interns in 2016 represented 16 college campuses, a wide range of majors, and communities all over Washington.

Emily McCartan, Intern Coordinator
Christopher Martinez, Assistant Coordinator

2016 Washington State Senate Interns

<i>Name</i>	<i>Senator / Office</i>	<i>University</i>
Bolster, Chase	Senator Hewitt	Eastern Washington University
Boone, John	Senator Hargrove	Western Washington University
Brown, Thomas	Senator Honeyford	Central Washington University
Bryan, Beau	Senator Bailey	University of Washington –Seattle
Brzozowski, Katrina	Senator McAuliffe	Western Washington University
Bushnell, Joey	Senator Sheldon	The Evergreen State College
Butler, Satori	Senators Hobbs & Takko	Eastern Washington University
Carter, Lisa	Senator Darneille	The Evergreen State College - Tacoma
Chen, Jennifer	Senator Fain	University of Washington - Seattle
Cherniske, Mikhail	Senator Rolfes	University of Washington - Tacoma
Clarke, Bronwyn	Senator Padden	University of Washington – Tacoma
Cocci, Holly	Senator Angel	Washington State University - Pullman
Corbett, Dustin	Senator Dansel	Whitworth University
Culevski, Penka Jane	Senator Chase	The Evergreen State College
Dean, Kathran	Senator Mullet	Washington State University - Pullman
Develle, Sara	Senator Liias	Washington State University - Vancouver
Driscoll, Hannah	Senator Litzow	University of Washington - Seattle
Engelbeck, Ian	Senator Nelson	University of Washington - Seattle
Grady, Hannah	Senator Braun	Eastern Washington University
Grossan, Madison	Senator Rivers	University of Puget Sound
Hall, Bobby	Senator Ranker	Western Washington University
Harman, Michael	Senator Pedersen	The Evergreen State College
Johnson, Eli	Democratic Caucus	University of Washington - Seattle
Kang, Sara	Senators Cleveland & Carlyle	Seattle Pacific University
Kester, Renee	Senator Pearson	Western Washington University

<i>Name</i>	<i>Senator / Office</i>	<i>University</i>
Kien, Thai	Senator Hasegawa	University of Washington - Tacoma
Kincaid, Katie	Senator Schoesler	Washington State University - Pullman
Lawrence, Justin	Democratic Caucus	University of Washington - Tacoma
Madison, Dahlton	Senators Conway & Jayapal	Heritage University
Martin, Emily	Senator McCoy	The Evergreen State College
Martorano, Jesse	Senator Ericksen	Washington State University - Pullman
Masten, Kacie	Senator Habib	Pacific Lutheran University
Minerath, David	Senator O'Ban	University of Puget Sound
Pedro Trujillo, Dalia	Senator Fraser	Saint Martin's University
Rolfson, Clairra	Senator Keiser	University of Washington - Bothell
Salgado-Miranda, Sarai	Senator Warnick	Washington State University - Pullman
Sanabria, Tristan	Senator Roach	University of Washington - Tacoma
Scott, Jillian	Senator Frockt	Washington State University - Pullman
Silvernail, Colin	Senator Benton	Saint Martin's University
Simock, Reed	Senator Billig	Washington State University - Pullman
Stevenson, Capriel	Senator Parlette	University of Washington - Seattle
Sulya, Nathan	Senator Brown	Eastern Washington University
Tawachi, Niya	Senator Hill	Saint Martin's University
Tran, Andy	Senator King	University of Washington - Bothell
Turner, Savannah	Lt. Governor Owen	Pacific Lutheran University
Webster, Lauren	Majority Coalition Caucus	Central Washington University
Zepernick, Haley	Senator Dammeier	Pacific Lutheran University

2016 Senate Pages

The Senate Page Program allows young students throughout Washington State the opportunity each year to take part in the legislative process and observe the Legislature and other branches of state government during the legislative session. The students also participate in the Page School learning about the legislative process, listening to guest speakers and developing their own legislation. The Program had 191 participants during the 2016 Regular Session.

Elwanda Bryant, Page Supervisor
Margot Villarreal, Asst. Page Supervisor
Elizabeth Lacy, Page Dispatcher

Leo O'Leary, Page School Teacher
Amy Rehwaldt, Assistant Page School Teacher

Page	Senate Sponsor	Week of	Page	Senate Sponsor	Week of
Adamson, Hailey	Sen. Schoesler	February 8	Cox-Terry, Ashley	Democratic Caucus	February 8
Alburez, Pilar	Sen. Hargrove	February 29	Crosby, Benjamin	Sen. Bailey	February 8
Alexander, Jay	Sen. Cleveland	March 7	Cueva, Tatiana	Sen. Jayapal	February 29
Amin, Sajid	Sen. McAuliffe	March 7	DeRuyter, Brendon	Sen. Honeyford	February 29
Anderson, Shaye	Secretary Goodman	April 3	DeRuyter, Jaymin	Sen. Honeyford	February 29
Anderson, William	Sen. Fain	January 11	Deutschman, Zachary	Sen. Billig	February 15
Angulo-Ramos, Trisol	Sen. Pearson	March 7	Dickinson, Blake	Sen. Padden	February 8
Aragon, Delaney	Sen. Pearson	February 29	D'Onofrio, Sabrina	Sen. McCoy	February 8
Austin, Ainsley	Sen. Fraser	January 18	Ericksen, Adele	Sen. Ericksen	February 1
Barton, Tess	Sen. Litzow	February 15	Erickson, Isabelle	Sen. Schoesler	February 22
Bell, Catherine	Sen. Nelson	March 7	Faker, Vanessa	Sen. Fraser	January 11
Belvin, Theresa	Sen. Miloscia	March 7	Farr, Kathleen	Sen. Bailey	February 15
Berg, Margaret	Sen. Sheldon	March 7	Finley, Jackson	Sen. King	February 15
Bley, Elsa	Sen. Dammeier	February 8	Fleckenstein, Samuel	Sen. Conway	March 7
Blue, Ryan	Sen. Fraser	January 25	Fletcher, Khloe	Sen. Braun	January 18
Blue, Wes	Sen. Hargrove	February 29	Flores, Shauna	Sen. Ranker	March 7
Boieriu, Gloria	Sen. Rivers	January 18	Freeman, Charles	Sen. Fain	January 18
Bolden, Symone	Sen. Miloscia	March 7	Gahm, Ethan	Sen. McAuliffe	March 7
Boudreau, Spencer	Sen. Takko	February 8	Ganz, Keenan	Sen. Hill	February 8
Boyd, Ellary	Sen. Ericksen	February 1	Garcia, Malene	Sen. Hewitt	February 1
Braun, Olivia	Sen. Braun	February 29	Garcia, Sonora	Sen. Hewitt	February 22
Briggs, Nathan	Sen. Braun	February 15	Genson, Emily	Sen. Braun	January 11
Brockes, John	Sen. Fain	January 25	Genson, Sarah	Sen. Braun	February 15
Brunner, Emma	Sen. Parlette	January 25	Gerry, Kayla	Sen. Baumgartner	March 7
Busching, Brady	Sen. Parlette	January 11	Gilchrist, Erin	Sen. Padden	January 25
Carlson, Elise	Sen. Angel	February 1	Goebel, Ashley	Sen. Schoesler	February 22
Charlton, Tyler	Sen. Parlette	February 22	Gonczi, Stephen	Sen. Sheldon	February 1
Chase, Mary	MCC	February 29	Gordon, Kristin	Sen. Dammeier	March 7
Cherniske, Ivan	Sen. Rolfes	February 29	Gorrell, Sarah	Secretary Goodman	April 3
Chew, Kobey	Sen. Hill	February 1	Granum, Dylan	Sen. O'Ban	March 7
Christensen, Tucker	Sen. Padden	February 22	Green-Arnold, Theron	Sen. McCoy	January 25
Cline, Kinsey	Sen. Angel	January 11	Gries-Hoffman, Oliver	Sen. Conway	February 22
Cooley, Gwendolyn	Sen. Hargrove	February 29	Harley, Ashley	Sen. Padden	February 29
Cosacchi, Peter	Sen. Fain	February 22	Harrington, Grace	Sen. Carlyle	February 15

Page	Senate Sponsor	Week of	Page	Senate Sponsor	Week of
Hillger, Michael	Sen. Takko	January 11	Martin, Stella	Democratic Caucus	January 25
Howard, Benjamin	Sen. Rivers	February 29	Mason, Blake	Sen. Angel	February 1
Hug, Abigail	Sen. O'Ban	February 29	Mathews, Madeline	Secretary Goodman	February 22
Jacks, Emily	Sen. Becker	January 25	McSheffrey, Megan	Sen. McAuliffe	February 22
Jackson, Megan	Sen. Fraser	January 18	Meier, Ava	Sen. Becker	March 7
Jasa, Julia	Sen. Braun	January 18	Meier, Madison	Sen. Becker	March 7
Jenkins, Wulf	Sen. Darneille	February 29	Miller Wallace, Grace	Sen. Pedersen	February 29
Johnson, Lauryn	Sen. Braun	January 11	Mills, Ashley	Sen. Becker	February 15
Joosten, Joelle	Sen. Miloscia	January 11	Mills, Clarissa	Sen. Becker	February 15
Joosten, Sophia	Sen. Miloscia	January 11	Mohn, Erik	Sen. Nelson	January 25
Junt, Hailey	Sen. Angel	February 1	Mohn, Olivia	Sen. Liias	February 8
Kaaihue, Amanda	Sen. Cleveland	March 7	Monteleone, Anthony	Sen. Hobbs	January 18
Kalich, Myra	Sen. Takko	March 7	Moore, Luke	Sen. Padden	February 22
Keesee, Nolan	Sen. Billig	February 29	Moore, Zion	Sen. Cleveland	February 22
Kesting, Logan	Sen. Benton	January 25	Morales, Gabriel	Sen. Schoesler	February 1
Ketcham, Kaden	Sen. Angel	February 15	Morgan, Madison	Sen. Hewitt	February 29
Kim, Helen	Sen. Angel	February 15	Morris, Jessica	Secretary Goodman	February 29
Kim, Moojoong	Sen. Sheldon	January 25	Mouss, Walid	Sen. Litzow	February 15
King, Rebekah	Sen. O'Ban	February 29	Muhammad, Shaheed	Sen. Cleveland	February 8
Kleven, Laila	Sen. Carlyle	March 7	Mullukatte, Rakshith	Sen. Hargrove	February 15
Knaack, Isaac	Sen. Roach	February 1	Myers, Carl	Sen. Sheldon	February 15
Knoll, Maggie	Sen. Padden	March 7	Natha, Zachary	Lt. Gov. Owen	February 15
Kongmanivong, Alexis	Sen. Keiser	February 1	Nelson, Gunnar	Sen. Sheldon	February 15
Krejcha, Justin	Sen. Rivers	February 22	Nichols, Lucas	Sen. Dansel	January 25
Kuang, Johnson	Sen. Hill	March 7	Nielsen, Josie	Sen. Dansel	January 25
Kvinsland, Trevor	Sen. Angel	February 22	Page, Sydney	Sen. Nelson	February 1
Lai, Isaac	Sen. Litzow	February 1	Pai, Naima	Sen. Jayapal	March 7
Lambert, David	Sen. King	February 22	Palacios-Fox, Bianca	Sen. Braun	February 1
Lang, Claire	Sen. Fraser	January 25	Pan, Yujing	Lt. Gov. Owen	February 1
Larsen, Allison	Sen. Roach	February 22	Pannell, Nakiah	Sen. Jayapal	February 22
Larsen, Michelle	Sen. Mullet	February 22	Pearson, Macey	Sen. Rivers	February 29
Leche, Isaac	Sen. Rolfes	February 1	Peecher, Douglas	Sen. Hargrove	January 25
Lee, David	Sen. Rolfes	February 1	Perdue, Cadin	Sen. Takko	February 22
Lewis, Kaden	Sen. O'Ban	March 7	Pitts, Kristian	Sen. Baumgartner	March 7
Lovell, Marcus	Sen. Dammeier	January 25	Prescott, Madelyn	Sen. Hobbs	January 25
Lucy, Larkin	Sen. Parlette	February 22	Probart, Paloma	Sen. King	February 29
Lustig, Brandon	Sen. Schoesler	February 29	Puntillo, Nick	Sen. Sheldon	February 22
Lysiak, Kylie	Sen. Sheldon	February 1	Radnich, Jordan	Sen. Frockt	February 29
Malmberg, Spencer	Sen. King	February 22	Rainer-Neth, Benedikt	Sen. Fraser	February 22
Manning, Marissa	Sen. Nelson	March 7	Rawlins, Samuel	Sen. Jayapal	January 18

Page	Senate Sponsor	Week of	Page	Senate Sponsor	Week of
Roach, Ethan	Sen. Roach	February 8	Wu, Jason	Sen. Hill	January 25
Robischon, Dylan	Sen. Fraser	January 11	Yook, Yeonsoo	Sen. O'Ban	March 7
Rossi, Jillian	Sen. Hill	February 15	Zarlingo, Lauren	Sen. Liias	February 1
Ryan, Jaena	Democratic Caucus	February 1			
Saelee, Erikson	Sen. Keiser	February 29			
Sandhop, Kendall	Sen. Warnick	February 8			
Sanne, Ashtyn	Sen. Becker	February 8			
Sellars, Timothy	Sen. Conway	March 7			
Senn, Jewel	Secretary Goodman	January 25			
Sheldrake, Meghan	Sen. Carlyle	February 29			
Shirey, Clayton	Sen. Schoesler	March 7			
Shivakumar Megana	Sen. Mullet	March 7			
Smith, Ethan	Sen. Takko	February 29			
Smith, Trent	Sen. Schoesler	February 8			
Snyder, Jackson	Sen. Billig	February 15			
Spurrier, Georgia	Sen. Habib	February 15			
Stewart, Parker	Sen. Hobbs	February 1			
Stratman, Mia	Sen. Parlette	February 22			
Stuhlmiller, Josiah	Sen. Sheldon	January 18			
Swanson, Andrew	Sen. Hobbs	February 22			
Swanson, Thomas	Sen. Keiser	January 11			
Taylor, Dorian	Sen. Becker	January 18			
Tefft, Sophia	Sen. Braun	February 22			
Thomasson, Amya	Sen. Braun	January 25			
Temple, Laci	Sen. Becker	January 25			
Tibbs, Mackenzie	Sen. Warnick	February 29			
Trigg, Caden	Sen. Braun	January 25			
Turner, Chad	Sen. Sheldon	February 8			
Ursino, John	Sen. Nelson	January 11			
VanderMaas, Cornelius	Sen. Rivers	February 22			
Vosahlo, Angelina	Sen. Dansel	March 7			
Wade, Jene'e	Sen. Billig	March 7			
Wang, Benjamin	Sen. Litzow	February 15			
Waters, Kateri	Sen. McCoy	February 8			
Wells, Maili	Sen. King	February 29			
White, Roberto	Sen. Litzow	February 15			
Wilton, Katherine	Sen. O'Ban	February 29			
Winn, Monica	Sen. Hewitt	January 11			
Wolffington, Kaylee	Sen. Hobbs	February 15			
Wright, Davina	Sen. Frockt	February 29			

MESSAGE FROM THE GOVERNOR

March 31, 2016

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 31, 2016, Governor Inslee approved the following Senate Bills entitled:

Second Engrossed Senate Bill No. 5251

Relating to transferring public water system financial assistance activities from the public works board and the department of commerce to the department of health.

Engrossed Substitute Senate Bill No. 5435

Relating to expanding participation in the Washington state deferred compensation program.

Senate Bill No. 5605

Relating to arrest of sixteen and seventeen year olds for domestic violence assault.

Engrossed Senate Bill No. 5873

Relating to permitting persons retired from the law enforcement officers' and firefighters' retirement system plan 1 to select a survivor benefit option.

Substitute Senate Bill No. 6120

Relating to providing a registration exemption for certain vessels.

Senate Bill No. 6263

Relating to benefits for certain retirement system members who die or become disabled in the course of providing emergency management services.

Substitute Senate Bill No. 6449

Relating to enhanced raffles.

Engrossed Substitute Senate Bill No. 6513

Relating to reservations of water in water resource inventory area 45.

Substitute Senate Bill No. 6558

Relating to allowing a hospital pharmacy license to include individual practitioner offices and multipractioner clinics owned and operated by a hospital and ensuring such offices and clinics are inspected according to the level of service provided.

Engrossed Substitute Senate Bill No. 6605

Relating to ensuring that solid waste management requirements prevent the spread of disease, plant pathogens, and pests.

Sincerely,
Miguel Perez-Gibson,
Executive Director of Legislative Affairs

MESSAGE FROM THE GOVERNOR

March 31, 2016

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on March 31, 2016, Governor Inslee approved the following Senate Bill entitled:

Engrossed Substitute Senate Bill No. 5029

Relating to the revised uniform fiduciary access to digital assets act.

Senate Bill No. 5143

Relating to providing information regarding childhood immunizations to expecting parents.

Senate Bill No. 5180

Relating to modernizing life insurance reserve requirements.

Senate Bill No. 5581

Relating to the benefits of group life and disability insurance policies.

Substitute Senate Bill No. 5597

Relating to real estate appraisers.

Substitute Senate Bill No. 5670

Relating to clarifying expenditures under the state universal communications services program.

Substitute Senate Bill No. 5778

Relating to ambulatory surgical facilities.

Senate Bill No. 6156

Relating to the medicaid fraud false claims act.

Engrossed Substitute Senate Bill No. 6203

Relating to updating statutes relating to the practice of pharmacy including the practice of pharmacy in long-term care settings.

Substitute Senate Bill No. 6227

Relating to implementing the recommendations of the 2015 review of the Washington wildlife and recreation program.

Substitute Senate Bill No. 6238

Relating to the prescribing of schedule II controlled substances.

Senate Bill No. 6296

Relating to extending the expiration date of the habitat and recreation lands coordinating group.

Engrossed Senate Bill No. 6349

Relating to public funds and deposits.

Engrossed Substitute Senate Bill No. 6356

Relating to disclosure of financial, commercial, and proprietary criminal background check information of employees of private cloud service providers.

Substitute Senate Bill No. 6430

Relating to providing continuity of care for recipients of medical assistance during periods of incarceration.

Substitute Senate Bill No. 6445

Relating to clarifying the role of physician assistants in the delivery of mental health services.

Substitute Senate Bill No. 6536

Relating to the filing and rating of group health benefit plans other than small group plans, all stand-alone dental plans, and stand-alone vision plans by disability insurers, health care service contractors, and health maintenance organizations.

Sincerely,
Miguel Perez-Gibson,
Executive Director of Legislative Affairs

MESSAGE FROM THE GOVERNOR

April 1, 2016

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on April 1, 2016, Governor Inslee approved the following Senate Bills entitled:

Senate Bill No. 5046

Relating to correcting a codification error concerning the governor's designee to the traffic safety commission.

Engrossed Second Substitute Senate Bill No. 5109

Relating to infrastructure financing for local governments.

Senate Bill No. 5270

Relating to sunseting a nonoperating advisory board reporting to the state patrol.

Engrossed Substitute Senate Bill No. 5635

Relating to the uniform power of attorney act.

Fifth Engrossed Substitute Senate Bill No. 5857

Relating to registration and regulation of pharmacy benefit managers.

Engrossed Senate Bill No. 6091

Relating to the definition of slayer.

Engrossed Senate Bill No. 6100

Relating to establishing an economic gardening pilot program.

Substitute Senate Bill No. 6160

Relating to the manufacture, sale, distribution, and installation of motor vehicle air bags.

Substitute Senate Bill No. 6165

Relating to short-barreled rifles.

Substitute Senate Bill No. 6179

Relating to water banking.

Senate Bill No. 6205

Relating to clarifying when a person is an acquiring person of a target corporation with more than one class of voting stock.

Substitute Senate Bill No. 6211

Relating to the exemption of property taxes for nonprofit homeownership development.

Engrossed Second Substitute Senate Bill No. 6242

Relating to the indeterminate sentence review board.

Senate Bill No. 6245

Relating to visual screening in schools.

Engrossed Substitute Senate Bill No. 6248

Relating to risk mitigation plans to promote the transition of eligible coal units.

Substitute Senate Bill No. 6261

Relating to human remains.

Substitute Senate Bill No. 6264

Relating to allowing certain Washington state patrol retirement system and law enforcement officers' and firefighters' members to purchase annuities.

Senate Bill No. 6274

Relating to the Columbia river recreational salmon and steelhead endorsement program.

Engrossed Substitute Senate Bill No. 6309

Relating to registered service contract and protection product guarantee providers.

Senate Bill No. 6325

Relating to aligning the alcohol content definition of cider with the federal definition.

Substitute Senate Bill No. 6327

Relating to hospital discharge planning with lay caregivers.

Substitute Senate Bill No. 6338

Relating to the rights of dissenting members of cooperative associations in certain mergers.

Senate Bill No. 6345

Relating to merging the state department of agriculture's fruit and vegetable inspection districts and accounts.

Substitute Senate Bill No. 6360

Relating to the consolidation of traffic-based financial obligations through a unified payment plan system.

Senate Bill No. 6371

Relating to the definition of agency for purposes of early learning programs.

Engrossed Substitute Senate Bill No. 6427

Relating to specifying the documentation that must be provided to determine when sales tax applies to the sale of a motor vehicle to a tribal member.

Engrossed Second Substitute Senate Bill No. 6455

Relating to expanding the professional educator workforce by increasing career opportunities in education, creating a more robust enrollment forecasting, and enhancing recruitment efforts.

Senate Bill No. 6459

Relating to peace officers.

Engrossed Substitute Senate Bill No. 6470

Relating to provisions concerning wineries in respect to the licensing of private collections of wine, allowing wineries to make sales for off-premises consumption at special occasion licensed events, modifying special occasion licenses, and making certain related technical corrections.

Substitute Senate Bill No. 6523

Relating to service credit for pension purposes for certain emergency medical services employees.

Engrossed Substitute Senate Bill No. 6528

Relating to promoting economic development through protection of information technology resources.

Engrossed Second Substitute Senate Bill No. 6534

Relating to establishing a maternal mortality review panel.

Engrossed Second Substitute Senate Bill No. 6564

Relating to persons with developmental disabilities.

Engrossed Senate Bill No. 6589

Relating to a feasibility study to examine whether water storage would provide noninterruptible water resources to users of permit exempt wells.

Senate Bill No. 6607

Relating to state route number 276.

Engrossed Senate Bill No. 6620

Relating to a statewide plan for funding cost-effective methods for school safety.

Sincerely,
Miguel Perez-Gibson,
Executive Director of Legislative Affairs

MESSAGE FROM THE GOVERNOR

April 18, 2016

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on April 18, 2016, Governor Inslee approved the following Senate Bill entitled:

Substitute Senate Bill No. 5928

Relating to education.

Sincerely,
Miguel Perez-Gibson,
Executive Director of Legislative Affairs

MESSAGE FROM THE GOVERNOR

April 20, 2016

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on April 19, 2016, Governor Inslee approved the following Senate Bill entitled:

Engrossed Substitute Senate Bill No. 6328

Relating to vapor products in respect to youth substance use prevention associated with vapor products, amending and renaming the youth tobacco prevention account, provisions concerning certain child-resistant packaging, definitions related to "vapor product," signage requirements prohibiting vapor product sales to minors, prohibition of the sale of cannabinoids by vapor product retailers, prohibition of the purchase and possession of vapor products by minors, the liquor and cannabis board.

Sincerely,
Miguel Perez-Gibson,
Executive Director of Legislative Affairs

HISTORY OF GUBERNATORIAL APPOINTMENTS

Appointee	Introduction	Committee Report	Confirmation Vote	Appointment Number
Ken Bounds			215	SGA 9016
Patrick Escamilla			377	SGA 9044
Kimberly Gordon			378	SGA 9059
Roy Jennings			197	SGA 9074
Maryann Moreno			378	SGA 9117
Russell E. Olsen		398		SGA 9131
Douglas D. Peters			288	SGA 9136
Lynn Peterson			146	SGA 9137
Roger E. Schmitt			214	SGA 9157
Lucinda S. Whaley			246	SGA 9189
Jon Tunheim			963	SGA 9216
Ted Baseler		127	165	SGA 9217
Gary D. Chandler		350		SGA 9221
Charles S. McFadden		127	503	SGA 9236
Debrena F. Jackson Gandy		127	963	SGA 9240
Omar Abdulla	46			SGA 9243
Cheryl C. Adams	46			SGA 9244
Mona H. Bailey	46	108	143	SGA 9245
Teresita Batayola	46	127		SGA 9246
Elizabeth L. Baum	46			SGA 9247
Tia H. Benson Tolle	46	398		SGA 9248
Nancy Biery	46			SGA 9249
Brian Blake	46			SGA 9250
Seth W. Brickey-Smith	47			SGA 9251
Harriette Bryant	47	336	409	SGA 9252
Louise Chernin	47			SGA 9253
James H. Curtis	47	398		SGA 9254
June A. Darling	47	162	462	SGA 9255
Elizabeth B. Dunbar	47	127	502	SGA 9256
Anne Fennessy	47	128	503	SGA 9257
Lindsay Fiker	47	128	963	SGA 9258
Michael O. Finley	47	128	558	SGA 9259
Nancy K. Fitta	47	108	790	SGA 9260
Aurora Flores	48	108		SGA 9261
Martha V. Flores	48			SGA 9262
Anna C. Franz	48	128	503	SGA 9263
Richard G. Fukutaki	48	399		SGA 9264
Robert J. Gregory	48	336		SGA 9265
Bill Grinstein	48			SGA 9266
James Groves	48	128	558	SGA 9267
Stuart A. Halsan	48	128	235	SGA 9268
Clarence M. Henderson	48			SGA 9269
Russell Hepfer	48			SGA 9270
Nancee R. Hofmeister	49	128		SGA 9271
Ross Hunter	49	108	164	SGA 9272
Vanessa E. Kritzer	49	399		SGA 9273
Kathleen M. Kyle	49			SGA 9274
Ken A. Larsen	49			SGA 9275
Wendy L. Lawrence	49			SGA 9276

Appointee	Introduction	Committee Report	Confirmation Vote	Appointment Number
Lorraine Lee	49	336		SGA 9277
Robert J. Lopez	49			SGA 9278
Wayne J. Martin	49	128		SGA 9279
John M. Meyer	49			SGA 9280
Toraya Miller	50			SGA 9281
David L. Mitchell	50	128	967	SGA 9282
Steven M. Moss	50			SGA 9283
Dan Pacholke	50			SGA 9284
Allyson M. Page		351		SGA 9285
Allyson M. Page (f/k/a Dahlhau)	50			SGA 9285
Jim Page		128	368	SGA 9286
Jim Page	50			SGA 9286
Jeff A. Patnode	50			SGA 9287
Eric Pattison	50			SGA 9288
Cathy R. Pearsall-Stipek	50	336		SGA 9289
Bridget O. Piper	50	129	964	SGA 9290
Denise J. Portmann	51	129	463	SGA 9291
Susana Reyes	51	129		SGA 9292
Robert A. Roegner	51	129	197	SGA 9293
Roger S. Rogoff	51	336	966	SGA 9294
Jada R. Rupley	51	129	963	SGA 9295
Arundhati Sambataro	51			SGA 9296
Catherine Shaffer	51			SGA 9297
Nancy J. Sinkovitz	51	108		SGA 9298
Vikki F. Smith	51	129	144	SGA 9299
Harriet A. Spanel	51			SGA 9300
Chris Stearns	52			SGA 9301
Frieda K. Takamura	52	351		SGA 9302
Luke E. Thomas	52	108		SGA 9303
Jansen M. VanderMeulen	52	336	964	SGA 9304
Stephen W. Vincent	52	129		SGA 9305
Michael D. Wilson	52	129	367	SGA 9306
Lisa K. Woo	52	129	964	SGA 9307
Evelyn P. Yenson	52			SGA 9308
Rina S. York	52	108		SGA 9309
Berl L. Colley	109	364	790	SGA 9310
Ronald P. Erickson	109			SGA 9311
Ross Hunter	109			SGA 9312
Thomas M. Karier	109			SGA 9313
David K. Kook	109			SGA 9314
John W. Pedlow	109			SGA 9315
Hester Serebrin	109			SGA 9316
Lenore Three Stars	110			SGA 9317
Deborah C. Young	110			SGA 9318
Cheryl C. Adams	326			SGA 9319
Shiv Batra	326			SGA 9320
Mark E. Brennan	326			SGA 9321
Connie L. Fletcher	326	364	789	SGA 9322
Judy Guenther	326			SGA 9323
John Matthews	326			SGA 9324
Julie McCulloch	326			SGA 9325
Quentin Powers	326			SGA 9326
Phil Rockefeller	327			SGA 9327

Appointee	Introduction	Committee Report	Confirmation Vote	Appointment Number
Terri J. Stewart	327			SGA 9328
Jerrie L. Allard	357			SGA 9329
Teresa Berntsen	357			SGA 9330
Don Bonker	357			SGA 9331
Teri L. Ferreira	357			SGA 9332
Joanne R. Harrell	357			SGA 9333
Kenneth W. Kenyon Jr.	357			SGA 9334
Eleanor K. Kirtley	357			SGA 9335
Skylee Robinson	357			SGA 9336
Tim G. Wettack	358			SGA 9337
Larry Brown	619			SGA 9338
Emily K. Dunn-Wilder	619			SGA 9339
Allie M. Joiner	619			SGA 9340
Sepi Soleimanpour	619			SGA 9341
Phillip L. Barrett	925			SGA 9342
Joel Benoliel	925			SGA 9343
Layne Bladow	925			SGA 9344
Debra J. Entenman	925			SGA 9345
Claudia Kauffman	925			SGA 9346
Darrell S. Mitsunaga	925			SGA 9347
Angela G. Roarty	925			SGA 9348
Jane E. Rushford	926			SGA 9349
Elizabeth J. Thew	926			SGA 9350
Harold W. Withrow	926			SGA 9351
Sharonne A. Navas	928			SGA 9352

SENATE BILLS PASSED REGULAR/SPECIAL SESSIONS BY BOTH SENATE AND HOUSE

Chapter #	Bill	Title	Governor Signed	Veto	Effective Date
140	ESSB 5029	Digital assets, access to	3/31/2016		6/9/2016
206	SB 5046	Traffic safety commission	4/1/2016		6/9/2016
207	E2SSB 5109	Infrastructure/local govt	4/1/2016		6/9/2016
141	SB 5143	Childhood immunizations	3/31/2016		6/9/2016
1 E1	ESSB 5145	Health tech clinical comm.	3/29/2016	V	6/28/2016*
142	SB 5180	Life insurance reserve req's	3/31/2016		1/1/2017
111	2ESB 5251	Public water syst assistance	3/31/2016		6/9/2016
2 E1	SB 5265	Public funds/recip. deposits	3/29/2016	V	6/28/2016*
208	SB 5270	Missing children/advisry brd	4/1/2016		6/9/2016
4	SB 5342	Human trafficking	3/10/2016		6/9/2016
112	ESSB 5435	Optional salary deferral	3/31/2016		6/9/2016
3 E1	SB 5458	Health district banking	3/29/2016	V	6/28/2016*
4 E1	SB 5549	Pharmacy assistants	3/29/2016	V	6/28/2016*
143	SB 5581	Group life & disability ins.	3/31/2016		6/9/2016
144	SSB 5597	Real estate appraisers	3/31/2016		6/9/2016
113	SB 5605	Domestic violence assault	3/31/2016		6/9/2016
209	ESSB 5635	Power of attorney	4/1/2016		1/1/2017
145	SSB 5670	Universal comm services prog	3/31/2016		6/9/2016
56	SB 5689	Diabetes epidemic	3/29/2016		6/9/2016
60	SSB 5728	Screening for HIV infection	3/29/2016		6/9/2016
5 E1	SSB 5767	Local govt treasuries	3/29/2016	V	6/28/2016*
146	SSB 5778	Ambulatory surgical facility	3/31/2016	PV	6/9/2016
210	5ESSB 5857	Pharmacy benefit managers	4/1/2016		6/9/2016
5	SSB 5864	Annexed areas/sales & use tx	3/10/2016		6/9/2016
120	ESB 5873	LEOFF plan 1 retirees	3/31/2016		6/9/2016
57	SB 5879	Infants, toddlers/disability	3/29/2016		6/9/2016
33 E1	SSB 5928	Bellevue College BSc degrees	4/18/2016		6/28/2016
211	ESB 6091	Slayer, definition of	4/1/2016		6/9/2016
212	ESB 6100	Economic gardening pilot pr.	4/1/2016		6/9/2016
	SSB 6117	Notice against trespass	4/1/2016	V	
114	SSB 6120	Vessel registration exemp	3/31/2016		6/9/2016
6 E1	SB 6148	Storage/personal property	3/29/2016	V	6/28/2016*
147	SB 6156	Medicaid false claims act	3/31/2016		6/9/2016
213	SSB 6160	Motor vehicle air bags	4/1/2016		6/9/2016
7 E1	SB 6162	Invasive species council	3/29/2016	V	6/28/2016*
214	SSB 6165	Short-barreled rifles	4/1/2016		6/9/2016
	ESB 6166	Incremental electricity	4/1/2016	V	
8 E1	SB 6170	Retirement info. disclosure	3/29/2016	V	6/28/2016*
58	SB 6171	OPMA civil penalties	3/29/2016		6/9/2016
9 E1	SSB 6177	Marijuana research licenses	3/29/2016	V	6/28/2016*
215	SSB 6179	Water banking	4/1/2016		6/9/2016
241	E2SSB 6194	Public non-common schools	4/1/2016		4/3/2016
3	E2SSB 6195	Basic education obligations	2/29/2016		2/29/2016
10 E1	SB 6196	Energy site eval. council	3/29/2016	V	6/28/2016*
30	SB 6200	WA fish license plates	3/25/2016		1/1/2017
12	SB 6202	National guard empl. rights	3/10/2016		6/9/2016
148	ESSB 6203	Practice of pharmacy	3/31/2016		6/9/2016
216	SB 6205	Corporation/acquiring person	4/1/2016		6/9/2016
11 E1	ESSB 6206	Industrial hemp growing	3/29/2016	V	6/28/2016*
217	SSB 6211	Nonprofit homeownership dev.	4/1/2016		6/9/2016
6	SSB 6219	Vehicular homicide sentences	3/10/2016		6/9/2016

Chapter #	Bill	Title	Governor Signed	Veto	Effective Date
12 E1	SB 6220	Federal economic dev. funds	3/29/2016	V	6/28/2016*
149	SSB 6227	Wildlife and recreation prg.	3/31/2016		3/31/2016
150	SSB 6238	Schedule II prescriptions	3/31/2016		6/9/2016
218	E2SSB 6242	ISRB/notice of petitions	4/1/2016	PV	6/9/2016
219	SB 6245	Visual screening in schools	4/1/2016		6/9/2016
220	ESSB 6248	Transition of coal units	4/1/2016	PV	6/9/2016
31	SSB 6254	Purple Heart license plates	3/25/2016		7/1/2017
221	SSB 6261	Human remains	4/1/2016		6/9/2016
115	SB 6263	Emergency mgmt. benefits	3/31/2016		6/9/2016
222	SSB 6264	WSPRS/LEOFF annuities	4/1/2016		6/9/2016
59	SSB 6273	Schools/safe technology use	3/29/2016		6/9/2016
223	SB 6274	Columbia river endorsement	4/1/2016		6/9/2016
13 E1	SSB 6281	Uniform athlete agents act	3/29/2016	V	6/28/2016*
7	SB 6282	Mortgage lending fraud/acct.	3/10/2016		6/9/2016
61	SSB 6283	Securities act of WA	3/29/2016		6/9/2016
14 E1	SSB 6284	Fire sprinkler systems	3/29/2016	V	6/28/2016*
8	SSB 6286	Offender assault victims	3/10/2016		6/9/2016
15 E1	SSB 6290	Apple commission	3/29/2016	V	6/28/2016*
62	ESSB 6293	Student volunteers	3/29/2016		6/9/2016
13	SSB 6295	Coroner's inquests/venue	3/10/2016		6/9/2016
151	SB 6296	Habitat & rec. lands group	3/31/2016		6/9/2016
32	SB 6299	Transport. drafting error	3/25/2016		3/25/2016
224	ESSB 6309	Service contract providers	4/1/2016		6/9/2016
19	SSB 6314	County road admin. & maint.	3/25/2016		6/9/2016
225	SB 6325	Cider alcohol content	4/1/2016		6/9/2016
16 E1	SSB 6326	Automobile facility records	3/29/2016	V	6/28/2016*
226	SSB 6327	Hospital discharge planning	4/1/2016		6/9/2016
38 E1	ESSB 6328	Vapor products	4/19/2016		6/28/2016
	SSB 6329	Parent to parent program	4/1/2016	V	
63	SSB 6337	Tax foreclosed prop./housing	3/29/2016		6/9/2016
228	SSB 6338	Cooperative assoc. mergers	4/1/2016		6/9/2016
17 E1	SSB 6341	Cannabis producer services	3/29/2016	V	6/28/2016*
18 E1	SSB 6342	Private activity bond alloc.	3/29/2016	V	6/28/2016*
229	SB 6345	Fruit & vegetable inspection	4/1/2016		6/9/2016
152	ESB 6349	Public funds and deposits	3/31/2016		6/9/2016
19 E1	SSB 6354	Reverse transfer agreements	3/29/2016	V	6/28/2016*
153	ESSB 6356	Cloud service employee info.	3/31/2016		6/9/2016
33	SSB 6358	Rail fixed guideway system	3/25/2016		3/25/2016
230	SSB 6360	Traffic fines consolidation	4/1/2016		6/9/2016
34	SSB 6363	Transportation/waterways	3/25/2016		6/9/2016
231	SB 6371	Early learning agency def.	4/1/2016		6/9/2016
9	SB 6376	Human trafficking awareness	3/10/2016		6/9/2016
20 E1	SB 6398	Cultural foods	3/29/2016	V	6/28/2016*
64	SB 6400	Technical changes/wildlife	3/29/2016		6/9/2016
21 E1	SB 6401	Secondary fish receivers	3/29/2016	V	6/28/2016*
65	SB 6405	Civilian health program	3/29/2016		6/9/2016
66	ESB 6413	Landlord-tenant provisions	3/29/2016		6/9/2016
10	SSB 6421	Epinephrine autoinjectors	3/10/2016		6/9/2016
232	ESSB 6427	Tribal member/vehicle sale	4/1/2016		6/9/2016
154	SSB 6430	Incarceration/cont. of care	3/31/2016		6/9/2016
155	SSB 6445	Mental health/phys. assists.	3/31/2016		6/9/2016
116	SSB 6449	Enhanced raffles	3/31/2016		6/9/2016
233	E2SSB 6455	Prof. educator workforce	4/1/2016		6/9/2016

Chapter #	Bill	Title	Governor Signed	Veto	Effective Date
234	SB 6459	Peace officers/assisting DOC	4/1/2016		6/9/2016
11	SSB 6463	Crime of luring	3/10/2016		6/9/2016
22 E1	SSB 6466	Higher ed. disabled students	3/29/2016	V	6/28/2016*
235	ESSB 6470	Wineries	4/1/2016		6/9/2016
67	SB 6475	Health coverage through PEBB	3/29/2016		6/9/2016
23 E1	SB 6491	Apostille services	3/30/2016	V	6/28/2016*
24 E1	SSB 6498	Recovery sponsor privilege	3/29/2016	V	6/28/2016*
117	ESSB 6513	Reservs of water/areas 18&45	3/31/2016		3/31/2016
68	SSB 6519	Telemedicine	3/29/2016		6/9/2016
236	SSB 6523	Emergency employees/pension	4/1/2016	PV	6/9/2016
237	ESSB 6528	Cybersecurity jobs act	4/1/2016	PV	6/9/2016
28 E1	SSB 6531	DOC supervision requirements	4/14/2016		6/28/2016
238	E2SSB 6534	Maternal mortality review	4/1/2016		6/9/2016
156	SSB 6536	Group health plan benefits	3/31/2016		3/31/2016
118	SSB 6558	Hospital pharmacy licenses	3/31/2016		6/9/2016
172	E2SSB 6564	Dev. disability protections	4/1/2016		6/9/2016
25 v	SSB 6569	Patient out-of-pocket costs	3/29/2016	V	6/28/2016*
227	ESB 6589	Water storage/exempt wells	4/1/2016		6/9/2016
69	E2SSB 6601	WA college savings program	3/29/2016		6/9/2016
119	ESSB 6605	Solid waste/disease & pests	3/31/2016		6/9/2016
26 E1	ESSB 6606	Wholesale vehicle dealers	3/29/2016	V	3/29/2016*
239	SB 6607	State route 276 removal	4/1/2016		6/9/2016
35	SB 6614	Transportation performance	3/25/2016		6/9/2016
240	ESB 6620	School safety	4/1/2016		6/9/2016
27 E1	SB 6633	Marine resources adv council	3/29/2016	V	6/28/2016*
37 E1	ESSB 6656	State hospital practices	4/19/2016	PV	6/28/2016

*Veto overridden

HOUSE BILLS PASSED REGULAR/SPECIAL SESSIONS BY BOTH SENATE AND HOUSE

Chapter #	Bill	Title	Governor Signed	Veto	Effective Date
37	EHB 1003	Schools, disaster recovery	3/29/2016		6/9/2016
73	HB 1022	Bail bond agreements	3/31/2016		6/9/2016
74	SHB 1111	Court transcripts	3/31/2016		6/9/2016
75	SHB 1130	Water power license fees	3/31/2016		6/9/2016
76	ESHB 1213	County veterans assist. fund	3/31/2016		6/9/2016
77	HB 1345	Professional learning	3/31/2016		6/9/2016
78	ESHB 1351	Nat. guard/hunting license	3/31/2016		6/9/2016
79	2SHB 1408	Family engagemnt coordinator	3/31/2016		6/9/2016
80	EHB 1409	Vessel owner info disclosure	3/31/2016		6/9/2016
158	2SHB 1448	Suicide threats, response to	4/1/2016		6/9/2016
72	4SHB 1541	Educational opportunity gap	3/30/2016		6/9/2016
81	2ESHB 1553	Opportunity restoration	3/31/2016		6/9/2016
121	EHB 1578	Customer satisfaction bnfits	3/31/2016		6/9/2016
157	3SHB 1682	Homeless students	4/1/2016		6/9/2016
29 E1	E3SHB 1713	Mental hlth, chem dependency	4/18/2016		6/28/2016
30 E1	E2SHB 1725	DSHS provider payment/hrs/wk	4/18/2016		4/18/2016
82	EHB 1752	Chief examiners	3/31/2016		6/9/2016
38	E2SHB 1763	Music licensing agencies	3/29/2016		1/1/2017
15	SHB 1830	Wrestling special lic plates	3/25/2016		1/1/2017
83	HB 1858	Cty auditors & sec of state	3/31/2016		6/9/2016
84	EHB 1918	ORV's, etc., & their drivers	3/31/2016		6/9/2016
71	4SHB 1999	Foster youth edu outcomes	3/30/2016		6/9/2016
36	SHB 2017	Farmer & rancher lic plates	3/25/2016		1/1/2017
85	HB 2023	School employee contracts	3/31/2016		3/31/2016
	E2SHB 2061	Group B water systems	4/1/2016	V	
16	HB 2262	Tennis special license plates	3/25/2016		1/1/2017
86	ESHB 2274	Vehicle reports of sale	3/31/2016		6/9/2016
87	HB 2280	Felony DUI as class B felony	3/31/2016		6/9/2016
88	HB 2309	Water pollution loans/term	3/31/2016		6/9/2016
17	HB 2317	Electric vehicles/NEVs	3/25/2016		4/1/2016
160	HB 2320	Horse racing comm'n account	4/1/2016		6/9/2016
18	HB 2322	Rental car cost recovery fee	3/25/2016		6/9/2016
39	ESHB 2323	Better life experience prog.	3/29/2016		6/9/2016
139	HB 2326	Independent review orgs.	3/31/2016		6/9/2016
122	HB 2332	Health care provider comp.	3/31/2016		6/9/2016
123	2SHB 2335	Health provider credentials	3/31/2016		6/1/2018
124	HB 2350	Medical assistants/Rx admin.	3/31/2016		6/9/2016
125	HB 2356	Employee personal vehicles	3/31/2016		6/9/2016
161	SHB 2357	Pollution insurance agency	4/1/2016		6/9/2016
202	SHB 2359	Obsolete provisions	4/1/2016	PV	6/9/2016
162	HB 2360	Quality education council	4/1/2016		6/9/2016
163	EHB 2362	Recordings/law enf., etc.	4/1/2016		6/9/2016
89	HB 2371	Court use of JIS system	3/31/2016		6/9/2016
164	E2SHB 2375	Cybercrime	4/1/2016		6/9/2016
36 E1	2ESHB 2376	Operating sup budget 2016	4/18/2016	PV	4/18/2016
35 E1	ESHB 2380	Supplemental capital budget	4/18/2016	PV	4/18/2016
91	HB 2384	Mobile telecom. providers	3/31/2016		6/9/2016
126	HB 2391	County payroll draw days	3/31/2016		6/9/2016
92	HB 2394	Parent to parent program	3/31/2016		6/9/2016
40	HB 2398	Purchases/agencies for blind	3/29/2016		6/9/2016
165	EHB 2400	Steel slag from electric arc	4/1/2016		6/9/2016

Chapter #	Bill	Title	Governor Signed	Veto	Effective Date
70	HB 2403	Down syndrome resources	3/29/2016		6/9/2016
93	SHB 2405	Notices, records, & parties	3/31/2016		6/9/2016
94	SHB 2410	Firearm conviction database	3/31/2016		6/9/2016
20	SHB 2413	Aircraft registration	3/25/2016		6/9/2016
41	SHB 2425	Massage therapists	3/29/2016		7/1/2017
95	SHB 2427	Local gov. modernization	3/31/2016		6/9/2016
42	HB 2432	Substance abuse monitoring	3/29/2016		6/9/2016
127	ESHB 2433	CPA firm mobility	3/31/2016		6/9/2016
96	E2SHB 2439	Youth mental health services	3/31/2016		6/9/2016
166	SHB 2440	Youth host home programs	4/1/2016		6/9/2016
167	SHB 2443	Conversion vending&med units	4/1/2016		6/9/2016
168	HB 2444	Industrial classif. system	4/1/2016		6/9/2016
97	SHB 2448	East Asian med. therapies	3/31/2016		6/9/2016
205	2SHB 2449	Truancy reduction	4/1/2016	PV	6/9/2016
31 E1	ESHB 2450	Critical access hospitals	4/18/2016		6/28/2016
98	HB 2457	Electric utility easements	3/31/2016		6/9/2016
43	ESHB 2458	Rx donation program	3/29/2016		1/1/2017
99	HB 2476	180-day school year waivers	3/31/2016		6/9/2016
44	EHB 2478	Pollinator forage preserv.	3/29/2016		6/9/2016
128	SHB 2498	Dental prior authorization	3/31/2016		6/9/2016
169	ESHB 2511	Child care center licensing	4/1/2016		6/9/2016
21	HB 2516	Commuter ride-sharing/CTSPs	3/25/2016		6/9/2016
100	SHB 2519	Nuisance abatement costs	3/31/2016		6/9/2016
170	HB 2520	Marijuana sales/cooperatives	4/1/2016		7/1/2016
171	HB 2521	Marijuana disposal	4/1/2016		7/1/2016
14	ESHB 2524	Trans sup budget 2015-2017	3/25/2016	PV	3/25/2016
173	2SHB 2530	Victims of sex crimes	4/1/2016		6/9/2016
174	SHB 2539	Real estate tax/inheritance	4/1/2016		6/9/2016
175	ESHB 2540	Annual tax surveys & reports	4/1/2016		7/1/2016
45	SHB 2541	Involuntary treatment orders	3/29/2016		6/9/2016
176	ESHB 2545	Flame retardant chemicals	4/1/2016		6/9/2016
177	HB 2557	Unused shared leave return	4/1/2016		6/9/2016
46	HB 2565	Local sales & use tx changes	3/29/2016		6/9/2016
47	SHB 2580	Blood establishments	3/29/2016		6/9/2016
178	SHB 2584	Marijuana info. disclosure	4/1/2016		6/9/2016
179	HB 2587	Superior court judges' assoc	4/1/2016		6/9/2016
180	ESHB 2591	Dependency hearing notices	4/1/2016		6/9/2016
48	HB 2597	School sexual abuse plans	3/29/2016		6/9/2016
22	SHB 2598	Vehicle cargo extensions	3/25/2016		7/1/2016
23	HB 2599	Freight mobility bd. funding	3/25/2016		6/9/2016
129	HB 2605	Beer tasting event permit	3/31/2016		6/9/2016
204	HB 2623	Advisory measure recounts	4/1/2016		6/9/2016
130	HB 2624	Election errors	3/31/2016		6/9/2016
101	HB 2634	Dairy farm nutrient uses	3/31/2016		6/9/2016
102	HB 2637	Historic cemetery preserv.	3/31/2016		6/9/2016
181	SHB 2644	Animal forfeiture	4/1/2016		6/9/2016
24	HB 2651	Vehicle maximum gross weight	3/25/2016		6/9/2016
182	HB 2663	Sunshine committee recs.	4/1/2016		6/9/2016
103	E2SHB 2667	Parks & rec. commission	3/31/2016		6/9/2016
131	SHB 2678	Nursing home facilities	3/31/2016		6/9/2016
132	2SHB 2681	Pharmacies/contraceptives	3/31/2016		6/9/2016
49	HB 2694	Tribe emergency placements	3/29/2016		6/9/2016
203	ESHB 2700	Impaired driving	4/1/2016		6/9/2016

Chapter #	Bill	Title	Governor Signed	Veto	Effective Date
50	SHB 2711	Sexual assault nurses	3/29/2016		6/9/2016
183	2SHB 2726	Retirement communities	4/1/2016		7/1/2017
104	SHB 2730	Prescription monitoring prg.	3/31/2016		6/9/2016
105	HB 2741	State & local fiscal agents	3/31/2016		6/9/2016
25	EHB 2745	Ferry committee appointments	3/25/2016		6/9/2016
106	ESHB 2746	Juvenile offender treatment	3/31/2016		6/9/2016
184	EHB 2749	Child welfare system perf.	4/1/2016		6/9/2016
185	SHB 2765	Park ranger authority	4/1/2016		6/9/2016
133	HB 2768	Dental plan taxes & charges	3/31/2016		6/9/2016
51	HB 2771	Hospital district contracts	3/29/2016		6/9/2016
52	HB 2772	Hospital district job orders	3/29/2016		6/9/2016
186	HB 2773	Coroners/warrant authority	4/1/2016		6/9/2016
32 E1	2ESHB 2778	Clean alt. fuel vehicles	4/18/2016		7/1/2016
53	HB 2781	Massage transfer programs	3/29/2016		6/9/2016
187	ESHB 2785	Solid fuel burning devices	4/1/2016		6/9/2016
188	2SHB 2791	WA statewide reentry council	4/1/2016		6/9/2016
90	E2SHB 2793	Suicide education	3/31/2016	PV	6/9/2016
189	HB 2800	Double amendment correction	4/1/2016		6/9/2016
26	HB 2807	Heavy haul industr corridors	3/25/2016		1/1/2017
107	HB 2808	Invol. treat. petitions	3/31/2016		6/9/2016
27	HB 2815	Regional transp. plan. orgs.	3/25/2016		7/1/2016
190	SHB 2831	Small business liquor sales	4/1/2016		6/9/2016
108	HB 2838	DOC limits on contact	3/31/2016		6/9/2016
191	2SHB 2839	Airplane repair taxes	4/1/2016		7/1/2016
192	HB 2842	State-owned land/private dev	4/1/2016		6/9/2016
193	ESHB 2847	Disability retrofitting	4/1/2016		6/9/2016
134	ESHB 2852	Election data and reporting	3/31/2016		6/9/2016
194	HB 2856	Office of Chehalis basin	4/1/2016		6/9/2016
135	SHB 2859	Credit report freezes	3/31/2016		1/1/2017
28	E2SHB 2872	WSP recruitment & retention	3/25/2016		6/9/2016
195	SHB 2875	Office of data privacy, etc.	4/1/2016		6/9/2016
196	SHB 2876	Deed of trust foreclosure	4/1/2016		7/1/2016
54	2SHB 2877	SNAP benefit dist. dates	3/29/2016		6/9/2016
197	EHB 2883	State agency reports	4/1/2016		6/9/2016
29	SHB 2884	Alt. fuel comm. vehicles	3/25/2016		6/9/2016
198	HB 2886	Electrical scope of practice	4/1/2016		6/9/2016
199	SHB 2900	Corr. inst. prohibited items	4/1/2016	PV	6/9/2016
136	ESHB 2906	Juvenile offenders reintegr.	3/31/2016		6/9/2016
200	ESHB 2908	Police/deadly force	4/1/2016		6/9/2016
201	HB 2918	City traffic schools	4/1/2016		6/9/2016
109	ESHB 2925	Wildland fires/livestock	3/31/2016		6/9/2016
110	ESHB 2928	Outdoor burning/forest fires	3/31/2016		3/31/2016
137	SHB 2938	WA trade conventions/taxes	3/31/2016		7/1/2016
55	EHB 2959	Business tax & licenses	3/29/2016		6/9/2016
138	EHB 2971	Real estate/local government	3/31/2016		6/9/2016
159	SHB 2985	Educational space inventory	4/1/2016		6/9/2016
34 E1	ESHB 2988	Budget stabilization approps	4/18/2016		4/18/2016

**SENATE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH SENATE AND HOUSE**

Sixty-Fourth Legislature
2016 Regular Session and Special Session

SENATE JOINT MEMORIALS

Senate Bill No.	Status Title
SJM 8019	SR 509 highway renaming

SENATE CONCURRENT RESOLUTIONS

Senate Bill No.	Status Title
SCR 8406	Cutoff dates for legislature
SCR 8407	Special session bill status

SENATE JOINT RESOLUTIONS

Senate Bill No.	Status Title
SJR 8210	Advance redistricting plan

**HOUSE MEMORIALS AND RESOLUTIONS PASSED
BY BOTH SENATE AND HOUSE**

Sixty-Fourth Legislature
2016 Regular Session and Special Session

HOUSE JOINT MEMORIALS

House Bill No.	Status Title
HJM 4010	WP Stewart mem highway/SR-99

HOUSE CONCURRENT RESOLUTIONS

House Bill No.	Status Title
HCR 4413	Bill status for 2016 session
HCR 4414	State of state/joint session
HCR 4416	Bills/to house of origin
HCR 4417	Adjourning SINE DIE
HCR 4418	Bills/to house of origin
HCR 4419	Adjourning SINE DIE

HISTORY OF SENATE BILLS

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
5001					358	
5002					61	
5007					61, 358	
5012-S					358	
5014.E					358	
5017					358	
5018-S					358	
5020					358	
5025-S					358	
5028-S					358	
5029		75				C140
5029-S.E				171	633, 786(P), 824	C140
5029-S			167			C140
5036					61, 358	
5037-S					358	
5042					358	
5044					61, 358	
5045					61, 358	
5046				137	137, 556, 558(P), 629	C206
5056					61, 358	
5057-S2.E					358	
5063					61, 358	
5064					358	
5066-S					358	
5067					61, 358	
5069					61, 358	
5072-S					358	
5073-S					358	
5074					358	
5077-S.E					358	
5081-S					358	
5089					61, 358	
5090					61, 358	
5091.E					358	
5092					61, 358	
5093-S2					358	
5094				266	266, 916	
5105			368			
5105-S2					368	
5105-S2.E				377, 929	916, 929, 973	
5106					358	
5109		173	290			C207
5109-S2.E				290	717, 825(P), 871(S)	C207
5111.E					358	
5112-S					358	
5113-S.E					358	
5127-S2			937		358, 937, 937, 938	
5127-S2.E				938, 939	973	
5129					61, 358	
5133-S.E					358	
5136					61, 358	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
5137					358	
5138					358	
5141					61, 358	
5142-S2					358	
5143				192	191, 619, 674(P), 824	C141
5145			96			Vetoed
5145-S.E				96	461, 501(P), 939, 948, 972	Vetoed
5145-S					96, 557	Vetoed
5146					358	
5149					61, 358	
5152-S2.E					358	
5153.E					312, 358	
5155					358	
5167-S					358	
5171					358	
5172					358	
5174					358	
5180				66	66, 798, 799, 849(P), 871(S)	C142
5182					358	
5185					61, 358	
5187					61, 358	
5188					61, 358	
5189					61, 358	
5197					61, 358	
5199					61, 358	
5204					358	
5205				289, 290	289, 916	
5206-S				216	216	
5209			67		358	
5212					61, 358	
5213					61, 358	
5218					61, 358	
5220					61, 358	
5221-S				184, 185	184, 916	
5222					61, 358	
5226.E					358	
5233					358	
5234-S					358	
5240					61, 358	
5243-S2.E				272	272, 916	
5247					358	
5251			205	205		C111
5251-2E				206	556, 558(P), 629	C111
5251.E					205	C111
5252-S2					358	
5255					61, 358	
5256					61, 358	
5257					358	
5258					61, 358	
5264-S					358	
5265			259	259	61, 501, 509(P), 557, 939, 940, 972	Vetoed
5267-S.E					358	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
5270				202	202, 619, 674(P), 824	C208
5271				265	265, 916	
5272					358	
5274					61, 359	
5277		146	224	224	916	
5278		99			359	
5281					61, 359	
5282-S.E					359	
5289					61, 358	
5290					359	
5291					61, 359	
5295					359	
5298-S					359	
5301					359	
5303					61, 359	
5309					61, 359	
5312					359	
5316-S.E					359	
5318					359	
5320					359	
5321-S.E					359	
5323					359	
5324-S					359	
5329					61, 359	
5330					358	
5331					61, 359	
5332					61, 359	
5342			134	134	61, 501, 509(P), 557, 921	C4
5343-S.E				172	916	
5343-S				172	172	
5347-S.E					359	
5350-S					359	
5363				268	268, 916	
5364					61, 359	
5368					61, 359	
5369					61, 359	
5371					61, 359	
5373					61, 359	
5376					61, 358	
5380-S					359	
5382					359	
5392					61, 359	
5394					359	
5395					359	
5396					359	
5397-S					359	
5398-S					359	
5407-S.E					359	
5409					61, 359	
5410					61, 359	
5411-S					359	
5412					61, 358	
5416.E					359	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
5418-S					359	
5420					61, 359	
5421					61, 359	
5422					61, 359	
5430					61, 359	
5435			139		61	C112
5435-S.E					746, 825(P), 871(S)	C112
5435-S			139	143		C112
5436-S					359	
5437					61, 359	
5439		122			359	
5442					359	
5446					61, 359	
5449-S2					358	
5451-S					359	
5455-S					359	
5457					359	
5458				96	95, 501, 509(P), 557, 939, 951, 972	Vetoed
5463-S					359	
5470-S.E					359	
5477-S.E					359	
5483					61, 359	
5487-S					359	
5491					359	
5496					359	
5497					61	
5499					359	
5500					61, 359	
5507					61, 359	
5508					61, 359	
5509		99			358	
5511					359	
5513.E					358	
5514					61, 359	
5517					61, 359	
5523.E					359	
5524.E					359	
5527					61, 358	
5529-S					359	
5536					61, 359	
5537					61, 359	
5539					61, 359	
5540					61, 359	
5541					359	
5543					359	
5547					61, 359	
5549			250	250	61, 501, 509(P), 557, 939, 943, 972	Vetoed
5552					61, 359	
5555					359	
5559					61, 358	
5561			200	201	61, 201	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
5561-S			199			
5563-S					359	
5565					61, 358	
5575-S.E2				223, 939	916, 939, 973	
5575-S.E			221		221, 223	
5576					61, 359	
5579					61, 359	
5581				137	137, 556, 558(P), 629	C143
5583-S				226	226, 916	
5585					61, 359	
5586		122			358	
5587					358	
5588					61, 359	
5589		146			359	
5594					61, 358	
5597		122				C144
5597-S			236	236	619, 674(P), 824	C144
5601-S					359	
5605			209	209	61, 635, 635, 786(P), 824	C113
5613					61, 359	
5614					61, 359	
5615					61, 359	
5620					359	
5622-S					358	
5623-S.E2			139	139	916	
5623-S.E					138	
5624			185	190	185, 190	
5624-2E				190	916	
5624.E					185	
5634					359	
5635		146	223			C209
5635-S.E				224	654, 786(P), 824,	C209
5635-S			223			C209
5640-S				249	249, 916	
5645-S					359	
5653					61, 358	
5654					359	
5656-S.E					359	
5658					359	
5661					61, 359	
5665					359	
5668					61, 358	
5670-S				298	298, 619, 674(P), 824	C145
5671					61, 359	
5673.E					358	
5675		106				
5678					61, 359	
5688-S2.E					359	
5689				195	195, 749, 750, 825(P), 871(S), 967	C56
5694-S.E				209	209, 916	
5694-S			208		208, 209	
5698					359	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
5705-S					359	
5708					359	
5712					359	
5715-S					359	
5723					359	
5725					359	
5728			322		61	C60
5728-S			322	323	655, 786(P), 824	C60
5729-S					967	
5730-S					359	
5735-S.E					358	
5737-S2.E					358	
5744					61, 359	
5748-S.E					359	
5751					61, 358	
5752					61, 359	
5753					61, 358	
5755-S2					359	
5758					359	
5759					61, 359	
5763-S					359	
5766					61	
5767					61	Vetoed
5767-S			198	199	501, 509(P), 557, 939, 946, 947, 972	Vetoed
5774					61, 359	
5775					61, 359	
5777					358	
5778		146	297			C146PV
5778-S			297	298	751, 752, 825(P), 871(S)	C146PV
5779				97	97, 916	
5783					359	
5799-S					359	
5800		99			358	
5804-S.E					359	
5819					359	
5823					61, 359	
5827					359	
5829					61, 359	
5840					359	
5841					359	
5842					61, 359	
5854.E					359	
5857			290			C210
5857-S.E4					290, 290, 292	C210
5857-S.E5				293	749, 825(P), 871(S)	C210
5860					61, 359	
5864					61	C5
5864-S			97	97	461, 501(P), 557, 921	C5
5868					61, 359	
5869					61, 359	
5870-S					359	
5873.E				137, 138	137, 556, 558(P), 629	C120

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
5874.E					359	
5878					359	
5879			66	66	61, 677, 677, 786(P), 824, 967	C57
5880		146			359	
5883					61	
5894			270	270	61, 916	
5898					61, 359	
5899-S.E					359	
5900					61, 359	
5903					359	
5914					359	
5915-S.E2				324	916	
5915-S.E			323, 324		323, 324	
5916					359	
5917					359	
5919					359	
5920					61, 358	
5921.E					359	
5928		554	955			C 33 L 16 E1
5928-S			955	955	968, 971	C 33 L 16 E1
5931					61, 359	
5934					61, 359	
5937		70	248	249	916	
5940					61, 359	
5941					359	
5944.E					359	
5950					61, 359	
5951					61, 359	
5951-S.E					359	
5952					61, 359	
5953					61, 359	
5960-S					358	
5965-S					359	
5969					61, 359	
5972-S					359	
5976					359	
5977					359	
5978					359	
5979					61, 359	
5981					359	
5983		99			358	
5985					61, 359	
5990-S.E					359	
6000					61, 359	
6004					61, 359	
6007		59				
6007-S			171	171	916	
6015					61, 359	
6016					359	
6019-S				97	97, 916	
6021		146			358	
6026		147			162	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6033		70			358	
6036		147			359	
6044.E					359	
6045-S					359	
6050					359	
6051					359	
6055		554				
6059					359	
6062-S.E					359	
6078		70				
6081		99, 147			359	
6084-S					359	
6085		99			359	
6088-S					359	
6091		45	134, 135			C211
6091.E				135	695, 825(P), 871(S)	C211
6097		173			358	
6098					359	
6099-S					359	
6100		99, 255	295, 296		297	C212
6100.E				297	746, 825(P), 871(S)	C212
6105		100			359	
6116		122			359	
6117		84	267			Vetoed
6117-S			267	267	619, 674(P), 824	Vetoed
6120		100	295			C114
6120-S			295	295	655, 786(P), 824	C114
6125-S.E					359	
6126					359	
6129		147			358	
6131					359	
6141					359	
6146	4					
6147	5	75	316	317		
6148	5	100	226	226	461, 501(P), 557, 939, 947, 972	Vetoed
6149	5	122	258			
6149-S.E				259		
6149-S			258			
6150	5	45	193	193	916	
6151	5	88	120	120		
6152	5	122			358	
6153	5					
6154	5	147, 173			359	
6155	5	75	258	258	916	
6156	5	100, 123	224	224	9, 619, 674(P), 824	C147
6157	5					
6158	5	115			359	
6159	5					
6160	5	88			9	C213
6160-S			135	135	744, 825(P), 871(S)	C213
6161	5	100				
6162	6	100, 123		202	202, 461, 501(P), 557, 939,	Vetoed

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
					945, 946, 972	
6163	6					
6164	6					
6165	6	147	298			C214
6165-S			298	298	675, 786(P), 824	C214
6166	6	45	172			Vetoed
6166.E				173	619, 674(P), 824	Vetoed
6167	6					
6168	6					
6169	6	75	270	270	270, 916	
6170	6	75	293	294	461, 501(P), 557, 939, 946, 947, 972	Vetoed
6171	6	106	251	251	619, 674(P), 824, 967	C58
6172	6					
6173	6	70			359	
6174	6	106			359	
6175	6					
6176	7					
6177	7	70	135			Vetoed
6177-S			136	136	461, 501(P), 557, 939, 945, 972	Vetoed
6178	7	62	143	143	916	
6179	7	62	172			C215
6179-S			172	172	656, 786(P), 824	C215
6180	7	100	165	165	629	
6181	7	84			359	
6182	7					
6183	7					
6184	7					
6185	7					
6186	7					
6187	7	62, 123				
6187-S2			193		916	
6187-S2			193	193		
6188	8					
6189	8	147				
6190	8					
6191	8					
6192	8					
6193	8	123			358	
6194	8	45, 62	66, 68			C241
6194-S2			66, 68			C241
6194-S2.E				69	861, 896(P), 913	C241
6195	8	106, 174	256			C3
6195-S2			256			C3
6195-S2.E				258	343, 347(P), 358(S), 472	C3
6196	27	123	267	268	461, 501(P), 557, 939, 944, 945, 972	Vetoed
6197	27	84			359	
6198	27					
6199	27	100	136	136	916	
6200	27	174	241	241	556, 558(P), 629, 928	C30
6201	28	361	366, 367			

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6201-S.E				367		
6201-S			367			
6202	28	106	199	199	461, 501(P), 557, 921	C12
6203	28	147	207			C148
6203-S.E				208	683, 786(P), 824	C148
6203-S			207			C148
6204	28	147			359	
6205	28	115	238	238	556, 558(P), 629	C216
6206	28	148	201, 202, 207			Vetoed
6206-S.E				207	461, 501(P), 939, 940, 972,	Vetoed
6206-S			201, 207		557	Vetoed
6207	28	70	239			
6207.E				240	916	
6208	28					
6209	34					
6210	34	84, 123	225			
6210-S			225	225	916	
6211	34	80, 123	194			C217
6211-S			194	194	698, 825(P), 871(S)	C217
6212	34					
6213	34	75			358	
6214	34	75			358	
6215	34	106	315			
6215-S.E				315	916	
6215-S			315			
6216	34					
6217	34	70			358	
6218	34	117, 174			359	
6219	34	45, 148				C6
6219-S			184	184	501, 509(P), 557, 921	C6
6220	34	100	203	203	103, 501, 509(P), 557, 939, 944, 972	Vetoed
6221	35	101				
6222	35	71			359	
6223	35	101				
6224	35	123			359	
6225	35					
6226	35					
6227	35	101	119			C149
6227-S			119	120	723, 825(P), 871(S)	C149
6228	35					
6229	35	88, 148			88, 358	
6230	35	45			359	
6231	35	101			358	
6232	35					
6233	35	117			359	
6234	35					
6235	36					
6236	36	148, 174			162	
6237	36					
6238	36	84	254			C150
6238-S			254	254	706, 825(P), 871(S)	C150
6239	36	115, 174	252			

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6239-S2			252	252	916	
6240	36	148				
6241	36					
6242	36	148, 174	250			C218PV
6242-S2			250			C218PV
6242-S2.E				250	619, 694(P), 824	C218PV
6243	36	148, 174	300			
6243-S2			300	301	916	
6244	36	148, 175			359	
6245	36	117	192	192	619, 674(P), 824	C219
6246	36	361	378			
6246-S.E				387	916	
6246-S			378, 379, 380, 381, 382, 383, 384, 385, 386			
6247	36	554				
6248	37	148	298		162	C220PV
6248-S.E				299	620, 674(P), 824	C220PV
6248-S			298		299	C220PV
6249	37	115			359	
6250	37	101			359	
6251	37					
6252	37					
6253	37					
6254	37	101				C31
6254-S			215	215	556, 558(P), 629, 928	C31
6255	37	149			359	
6256	37	106			359	
6257	37					
6258	37					
6259	37	149			358	
6260	38	117	220		358	
6261	38	149				C221
6261-S			227	227	723, 724, 825(P), 871(S)	C221
6262	38	115	227	227	916	
6263	38	175	315	315	556, 558(P), 629	C115
6264	38	175	295			C222
6264-S			295	295	738, 825(P), 871(S)	C222
6265	38	175	271			
6265-S			271	272	916	
6266	38					
6267	38	115				
6267-S			227	228		
6268	38	149	294			
6268-S			294	294	916	
6269	38					
6270	38	149, 175			359	
6271	39					
6272	39	149				
6273	39	107				C59
6273-S			166	166	707, 825(P), 871(S), 967	C59
6274	39	101	166	166	910, 912(P), 912	C223
6275	39					

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6276	39					
6277	39	107			359	
6278	39					
6279	41					
6280	41					
6281	41	101				Vetoed
6281-S			165	166	461, 501(P), 557, 939, 948, 972	Vetoed
6282	41	71	199	199	461, 501(P), 557, 921	C7
6283	41	71	237			C61
6283-S			237	237	620, 674(P), 824, 967	C61
6284	41	107				Vetoed
6284-S			167	167	461, 501(P), 557, 939, 949, 972	Vetoed
6285	41	71, 124				
6285-S			202	203		
6286	41	149, 175	253			C8
6286-S			253	254	501, 509(P), 557, 921	C8
6287	41	149, 175			358	
6288	41					
6289	41	101	273			
6289-S			273	274	916	
6290	42	117				Vetoed
6290-S			192	192	461, 501(P), 557, 939, 941, 972	Vetoed
6291	42	107	198	198	916	
6292	42	150, 176	253	253	916	
6293	42	71	264			C62
6293-S.E				264	737, 825(P), 871(S), 967	C62
6293-S			264			C62
6294	42					
6295	42	150				C13
6295-S			228	228	461, 501(P), 557, 921	C13
6296	42	102	136	136	556, 558(P), 629	C151
6297	42	124, 176	317			
6297-S2			317	318	916	
6298	42	107				
6299	42	102	166	166	556, 558(P), 629, 928	C32
6300	42	150				
6301	42	102				
6301-S			235	236	916	
6302	42	150			359	
6303	42	102			359	
6304	42	124			359	
6305	42					
6306	43					
6307	43	353				
6308	43	124			358	
6309	43	102	318			C224
6309-S.E				321	556, 558(P), 629	C224
6309-S			318		321	C224
6310	43					
6311	43	150				

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6312	43	150			359	
6313	43					
6314	43	176	294			C19
6314-S			294	295	674, 786(P), 824, 928	C19
6315	43	150			358	
6316	43	150, 554			162	
6317	43	45, 176	323			
6317-S.E				324	916	
6317-S			323			
6318	43					
6319	43	102			358	
6320	44					
6321	52	102	272			
6321.E				273	916	
6322	53	150, 176			358	
6323	53					
6324	53					
6325	53	113	235	235	620, 674(P), 824	C225
6326	53	124	252			Vetoed
6326-S			252	252	461, 501(P), 557, 939, 941, 972	Vetoed
6327	53	151				C226
6327-S			247	247	801, 883, 909, 910, 912(P), 912	C226
6328	53	151, 848				C 38 L 16 E1
6328-S.E				936	968, 971	C 38 L 16 E1
6328-S			929		936	C 38 L 16 E1
6329	53	75, 151				Vetoed
6329-S			241	241	736, 825(P), 871(S)	Vetoed
6330	53	75				
6331	53					
6332	53					
6333	53					
6334	53	151	317		317	
6334-S.E				317	916	
6334-S			317			
6335	53	151				
6336	54					
6337	54	151	264			C63
6337-S			264	264	735, 736, 825(P), 871(S), 967	C63
6338	54	76				C228
6338-S			238	238	673, 674, 786(P), 824	C228
6339	54					
6340	54					
6341	54	124				Vetoed
6341-S			209, 210	210	501, 509(P), 557, 939, 950, 951, 972	Vetoed
6342	54	124				Vetoed
6342-S			198	198	461, 501(P), 557, 939, 944, 972	Vetoed
6343	54	107	220	220		
6344	54					

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6345	54	107	193	194	557, 558(P), 629	C229
6346	55	124			359	
6347	55	151				
6348	55					
6349	55	71	268			C152
6349.E				268	794, 849(P), 871(S)	C152
6350	55	151	241	241	916	
6351	55					
6352	55					
6353	55				866	
6354	55	152	269		162	Vetoed
6354-S			269	270	501, 509(P), 557, 939, 949, 972	Vetoed
6355	55	124				
6356	55	107	281			C153
6356-S.E				282	557, 558(P), 629	C153
6356-S			281			C153
6357	55					
6358	55	125				C33
6358-S			242	242	620, 674(P), 824, 928	C33
6359	55	125			358	
6360	56	152	323			C230
6360-S			323	323	866(P), 871(S)	C230
6361	56	88			358	
6362	56					
6363	56	177	315			C34
6363-S			316	316	557, 558(P), 629, 928	C34
6364	56					
6365	56					
6366	56	115				
6367	56					
6368	56					
6369	56					
6370	56	152			359	
6371	56	117	195	195	557, 558(P), 629	C231
6372	56					
6373	56	177			358	
6374	56					
6375	57					
6376	57	80, 152	248	248	461, 501(P), 557, 921	C9
6377	57	125			359	
6378	57					
6379	57					
6380	57	152			359	
6381	57					
6382	59	152			359	
6383	59	152			359	
6384	59					
6385	59					
6386	59	102			359	
6387	59	152			358	
6388	59	125				
6389	59	152			358	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6390	59	113			359	
6391	59	153, 177			358	
6392	60					
6393	60	125			359	
6394	60					
6395	60					
6396	60	153, 177	312	312	162, 916	
6397	60	125			358	
6398	60	113	194	195	461, 501(P), 557, 939, 952, 972, 61	Vetoed
6399	60					
6400	60	153	209	209	620, 674(P), 824, 967	C64
6401	60	153	220	221	501, 509(P), 557, 939, 950, 972	Vetoed
6402	60					
6403	60					
6404	60					
6405	60	71	136	137	620, 674(P), 824, 967	C65
6406	60	125	316			
6406-S.E				316	916	
6406-S			316			
6407	60					
6408	62	117, 177	241			
6408-S2			242	242	916	
6409	62	153, 177	265			
6409-S			265	265	916	
6410	62	125, 177			359	
6411	63	153				
6411-S			237	238	916	
6412	63					
6413	63	125	238, 239			C66
6413.E				239	797, 849(P), 871(S), 967	C66
6414	63	153	293	293	916	
6415	63					
6416	63					
6417	63					
6418	63					
6419	63					
6420	63	153			359	
6421	63	153				C10
6421-S			236	236	501, 509(P), 557, 921	C10
6422	63					
6423	63	153				
6424	63	154				
6425	64					
6426	64	154	282			
6426-S.E				283	916	
6426-S			282			
6427	64	178	269			C232
6427-S.E				269	673, 786(P), 824	C232
6427-S			269			C232
6428	64					
6429	64	154			358	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6430	64	154, 178	300		65	C154
6430-S			300	300	685, 786(P), 824	C154
6431	64					
6432	64					
6433	64					
6434	64					
6435	64					
6436	64					
6437	64	154			358	
6438	64	154				
6439	65	178	318			
6439-S			318	318	916	
6440	65	154			358	
6441	65					
6442	65					
6443	65	102	183		184	
6444	65					
6445	65	154	251			C155
6445-S			251	251	251, 672, 673, 786(P), 824	C155
6446	65					
6447	65					
6448	65					
6449	71	126	192			C116
6449-S			193	193	620, 674(P), 824	C116
6450	71					
6451	71					
6452	71					
6453	72					
6454	72	126				
6455	72	154, 178	301, 302, 303, 304			C233
6455-S2			301, 311		302	C233
6455-S2.E				312	866, 901, 901, 912(P), 912	C233
6456	72	116			116	
6457	72	117			359	
6458	72					
6459	72	116	270	271	689, 786(P), 824	C234
6460	72					
6461	72					
6462	72					
6463	72	116				C11
6463-S			225	226	501, 509(P), 557, 921	C11
6464	72	155	194		162	
6464-S			194	194	916	
6465	72					
6466	72	155			162	Vetoed
6466-S			266	266	501, 509(P), 557, 939, 941, 942, 972	Vetoed
6467	73	155				
6468	73					
6469	73					
6470	73	126	225			C235
6470-S.E				225	735, 825(P)	C235

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6470-S			224, 225		871(S)	C235
6471	73					
6472	73					
6473	73					
6474	73					
6475	73	126	265	266	620, 674(P), 824, 967	C67
6476	73					
6477	73	155, 554				
6478	73					
6479	73					
6480	74	155				
6481	74					
6482	74	126			358	
6483	74	155				
6483-S			220	220	916	
6484	74					
6485	74	155				
6486	76					
6487	77					
6488	77	155, 178	254	254	916	
6489	77	156				
6490	77	156				
6491	77	156	300	300	501, 509(P), 557, 940, 950, 972	Vetoed
6492	77, 81	156			79, 83, 358	
6493	77					
6494	77	156, 178			162, 358	
6495	77	156			359	
6496	77	126			359	
6497	77	156, 178	252			
6497-S2			252	252	916	
6498	77	156	247			Vetoed
6498-S.E					942	Vetoed
6498-S			247	248	501, 509(P), 557, 940, 942, 972	Vetoed
6499	77					
6500	77					
6501	78					
6502	78	156				
6503	78	157				
6504	78					
6505	78					
6506	78					
6507	78					
6508	78	157			162	
6509	78					
6510	78	157				
6511	78	157				
6512	78	157			359	
6513	78	118	259, 260			C117
6513-S.E				260	620, 674(P), 824	C117
6513-S			259			C117
6514	78					

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6515	78					
6516	78					
6517	79					
6518	79	157				
6519	79	157, 179				C68
6519-S			247	247	557, 558(P), 629, 967	C68
6520	81					
6521	81					
6522	81					
6523	81	179	289			C236PV
6523-S			289	289	911, 912(P), 912	C236PV
6524	81	157			358	
6525	81	157	267			
6525-S.E				267		
6525-S			267			
6526	81					
6527	81	126			359	
6528	81	103	203		205	C237PV
6528-S.E					709, 825(P), 871(S)	C237PV
6528-S			203	205		C237PV
6529	81	158	263			
6529-S			263	263		
6530	81	118			358	
6531	82	928	936			C 28 L 16 E1
6531-S			936	937	968, 971	C 28 L 16 E1
6532	82					
6533	82	158			358	
6534	82	107, 158, 179	274			C238
6534-S2			274			C238
6534-S2.E				275	725, 825(P), 871(S)	C238
6535	82	158				
6536	82	158	301			C156
6536-S			301	301	691, 787(P), 824	C156
6537	82	158			359	
6538	82	158	237	237	916	
6539	82					
6540	82					
6541	82	158, 179			358	
6542	82					
6543	82					
6544	82	158, 179			358	
6545	82	159	264	265	916	
6546	83					
6547	83	353				
6548	84	159			359	
6549	85					
6550	85	159			162, 358	
6551	85	159			359	
6552	85					
6553	85	118			358	
6554	85	116			227, 358	
6555	85	159, 179			162, 358	
6556	85	159			359	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6557	85					
6558	85	159				C118
6558-S			215	216	688, 787(P), 824	C118
6559	85					
6560	85					
6561	85					
6562	85					
6563	86					
6564	86	159, 179	260		87, 134	C172
6564-S2			260			C172
6564-S2.E				263	728, 825(P), 871(S)	C172
6565	86	107				
6566	86					
6567	86					
6568	86	159, 180			358	
6569	86	160	314			Vetoed
6569-S			314	314	501, 509(P), 557, 940, 951, 972	Vetoed
6570	86	160				
6571	89					
6572	89					
6573	89					
6574	89					
6575	89					
6576	89	160			359	
6577	89					
6578	89	126			358	
6579	89	103			359	
6580	89	126, 180			358	
6581	89					
6582	90					
6583	90	160, 180	271			
6583-S			271	271	916	
6584	90	160, 180			359	
6585	90	160				
6586	90					
6587	90	160				
6588	90					
6589	90	160	263			C227
6589.E				263	620, 674(P), 824	C227
6590	103					
6591	103	180			358	
6592	103					
6593	104					
6594	104					
6595	104	180			358	
6596	104					
6597	104					
6598	104	160				
6599	104					
6600	104					
6601	104	161, 181	275			C69
6601-S2			275			C69

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6601-S2.E				281	716, 717, 825(P), 871(S), 967	C69
6602	104	127			359	
6603	104					
6604	104					
6605	110	161, 181	312			C119
6605-S.E				314	687, 787(P), 824	C119
6605-S			312			C119
6606	110	181	250			Vetoed
6606-S.E				251	501, 509(P), 940, 942, 972	Vetoed
6606-S			250		557	Vetoed
6607	110	181	248	248	620, 674(P), 824	C239
6608	110					
6609	110					
6610	110					
6611	110	161			358	
6612	110	161			359	
6613	110					
6614	110	181	294	294	690, 691, 787(P), 824, 928	C35
6615	110					
6616	111	161			359	
6617	111	161, 181	253			
6617.E				253	916	
6618	111	161			358	
6619	111				112	
6620	111	161	206	206		C240
6620.E					729, 825(P), 871(S)	C240
6621	111					
6622	111	161			358	
6623	113	181				
6624	113					
6625	113					
6626	113	162	207	207		
6627	113					
6628	113					
6629	114					
6630	116					
6631	116	162	322		322	
6631.E				322	916	
6632	118	162				
6633	118	162	321	322	501, 509(P), 557, 940, 943, 972	Vetoed
6634	118				119	
6635	118					
6636	118					
6637	118					
6638	118	162			359	
6639	118	127			358	
6640	118					
6641	130					
6642	130	182			358	
6643	130					
6644	130					

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
6645	130	162			359	
6646	132					
6647	132					
6648	132					
6649	132					
6650	132					
6651	133					
6652	163					
6653	163					
6654	163					
6655	164					
6656	196	554	958		962	C 37 L 16 E1
6656-S.E				962	971, 973	C 37 L 16 E1
6656-S			958			C 37 L 16 E1
6657	211	554	955			
6657-S			955			
6658	211					
6659	211					
6660	211					
6661	328					
6662	328	555			333	
6663	351					
6664	351					
6665	351					
6666	351					
6667	351					
6668	358	555				
6669	365	555				
6670	400	555				
6671	400	555				
6672	400					
6673	461					
6674	557					
6675	557					
6676	825					
6677	825					
6678	919					
6679	919					
6680	920					
6681	920					
6682	924					
6683	89					

HISTORY OF SENATE JOINT MEMORIALS

Bill No.	Introduction & 1st Reading	Committee Report	2nd Reading Amendments	3rd Reading Final Passage	Other Action
8000					359
8006					359
8007					359
8014		103			358
8015	8				
8016	8				
8017	65	103			358
8018	74				
8019	79	127	219	219	620, 674(P), 824
8020	83				
8021	86				
8022	111				
8023	133	182			358

HISTORY OF SENATE JOINT RESOLUTIONS

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action
8204			190		191
8204-2E				191	916
8204.E					190
8205					61, 359
8208	8				
8209	9				
8210	28	76	236	237	620, 674(P), 824
8211	61	113	216, 217, 218		218, 411, 455
8212	74				
8213	83	127			
8214	86				
8215	328	555			556
8216	336	361			365
8217	920				

HISTORY OF SENATE CONCURRENT RESOLUTIONS

Bill No.	Introduction & 1st Reading	Committee Report	2nd Reading Amendments	3rd Reading Final Passage	Other Action
8405	28	76			358
8406	9		9		9, 54(S)
8407	917		917		917, 918, 920(P)

HISTORY OF SENATE FLOOR RESOLUTIONS

NUMBER	SUBJECT	ACTION
8690	Senate organized, ready	3
8691	WA law enforcement officers	40
8692	Dr. Martin Luther King, Jr.	57
8693	Wong Tsoo/aeronautics	83
8694	WA's dairy workers	91
8695	2016 Paddle to Nisqually	114
8696	2016 Republic Day in India	87
8697	Senator Max Benitz	92
8698	Tahoma H.S. We the People	119
8699	Violence/women's health care	105
8700	Latino/a Ed. Achiev. Project	134
8701	Auburn Chamber of Commerce	335
8702	Alzheimer's disease plan	219
8703	Washington's National Guard	131
8704	Cyndie Shepard/WWU	622
8705	Cherie Tessier	183
8706	Bladder Health Month	164
8707	Don Murdzia/umpire & referee	288
8708	Motorcycle awareness month	705
8709	Filipino history month	344
8710	Refugees	197
8711	Bruce Shepard/WWU	621
8712	Ryan Lafferty/educator	348
8714	MSA awareness month	694
8716	African American history mo.	235
8717	Civil air patrol	352
8718	National Donate Life Month	502
8719	Richard Allen	234
8720	Catherine Wilson/educator	366
8721	WA State Historical Society	249
8722	Joan Earl/Sound Transit	621
8723	Stamp Out Hunger food drive	558
8724	Japanese-American internees	334
8725	Justice Antonin Scalia	256
8726	WGU Washington anniversary	348
8727	Miss Auburn Scholarship Prg.	360
8728	Apple Blossom Festival	462
8729	Steven VanAusdle/WWCC pres.	408
8730	Daffodil festival	408
8731	Taiwan	502
8732	Adventuress historic vessel	704
8734	Judy Rogers-LaVigne	789
8735	Bob Neilson/community leader	824
8736	Steve Jones/Senate staffer	826
8737	Bill Hobson/homelessness	704
8738	Achievements of women	705
8739	Senate business/interim	914
8740	John McKibbin	953

HISTORY OF HOUSE BILLS

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
1003					103	C37
1003.E	111	361	420	420	788, 825	C37
1022	230	349	413	413	211, 568, 577(P)	C73
1037-S2	328				284, 914	
1067-S.E	243	353			230, 357, 787, 915	
1094-2E					288	
1094-S.E2	284				255, 914	
1100-S.E2	243	353			230, 787, 915	
1111-S	337	387	458	459	327, 568, 577(P)	C74
1130-S	328	387	572	574	284, 573, 788, 871, 872(P)	C75
1213-S.E	337	345	418	418	327, 568, 577(P)	C76
1231	328				284, 914	
1236-S2.E	211				196, 914	
1248-S.E	133	349			130, 914	
1290-S	328				284, 914	
1294	230				211, 914	
1295-S3.E	111	361			914	
1295-S3					103	
1322	231				211, 914	
1345	111	361	416	416	103, 568, 577(P)	C77
1351-S.E	337	353	520	520	327, 520, 788, 871, 872(P)	C78
1390-S2.E	133	387, 400			130, 787, 915	
1408-S2		362	569	569	825	C79
1408-S2	111				103	C79
1409.E	212	387	472	473	196, 568, 577(P)	C80
1428-S	231				211, 914	
1448-S2	328	387, 400	466	467	284, 467, 788, 825	C158
1465.E	212	353, 401			196, 787, 915, 953, 973	
1499-S3	328	387			284, 915	
1512	328				299, 914	
1541-S4	133	362, 401	598	609	132, 609, 866, 912, 913(P)	C72
1541-S4			598			C72
1553-S.E2	328	388	508	508	284, 630, 634(P)	C81
1560	231	388			211, 233, 915	
1561	329	345			299, 787, 915	
1565	329				284, 914	
1571-S.E	212				196, 914	
1578.E	329	354	413	413	299, 568, 577(P)	C121
1581-S.E	557				501, 557, 915	
1590.E	329				284, 914	
1605-S2.E	329				284, 914	
1631-S	329				284, 914	
1632-S	243	388			230, 787, 915	
1645-S2.E	243	345			230, 914	
1646-S.E	133				130, 914	
1651-S2	329	354			284, 787, 915	
1659	212	354			196, 787, 915	
1682-S3	212	362, 401	548	551	196, 551, 788, 871, 872(P)	C157
1682-S3					551	C157

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
1713			969			C 29 L 16 E1
1713-S3					246, 915	C 29 L 16 E1
1713-S3.E	284, 954	388, 556	968, 970	970	954, 968, 969, 970, 971, 973, 973,	C 29 L 16 E1
1718-S	231				211, 914	
1725-S2					246, 915	C 30 L 16 E1
1725-S2.E	285, 954	345	957	957	954, 971, 971,	C 30 L 16 E1
1725-S2		556				C 30 L 16 E1
1737-S2	86	362, 401			84(S), 787, 915	
1745-S2.E	133	362			132, 787, 915	
1752					211	C82
1752.E	231	345	409	409	568, 577(P)	C82
1763-S2.E	212	388	517	518	196, 518, 788, 871, 872(P)	C38
1770					103	
1770.E	111				914	
1790-S	133	362			130, 915	
1804	212	362			196, 915	
1808-S2.E	212				196, 914	
1830-S	243	388	455	455	230, 568, 577(P)	C15
1855-S	111				103, 914	
1858	231	345	412	412	211, 568, 577(P)	C83
1867-S	212	362			196, 787, 915	
1874-S	243				230, 914	
1875-S.E	212	388, 401	559	560	196, 560, 915,	
1875-S			560			
1900-S2	285				246, 915	
1915-S	243				230, 915	
1918.E	212	388	504	507	196, 507, 788, 825	C84
1949-S.E	285	388			246, 915	
1983-S2.E	285	362			246, 915	
1999-S4	243	363, 401	456		230, 568, 577(P)	C71
1999-S				456		C71
2017-S	244	388	504	504	230, 630, 634(P)	C36
2023	337	363	414	414	327, 568, 577(P)	C85
2033.E	285				255, 915	
2061-S2.E	329	389	467, 468	469	299, 469, 693, 825	Vetoed
2086					211	
2086-2E	231				915	
2148-S.E	329				284, 915	
2214-S	86				84(S), 915	
2262	244	389	442	442	230, 568, 577(P)	C16
2274-S.E	244	389	486		230, 693, 825	C86
2274-S			486	492	492	C86
2280	285	389	473	473	246, 568, 577(P)	C87
2287-S	285	389, 401			246, 787, 915	
2296-S	231				211, 915	
2298	231				211, 915	
2300-S	337	389			327, 915	
2307-S.E	133				132, 915	
2309	244	354	457	457	230, 568, 577(P)	C88
2315	134	354			130, 915	
2317	213	389	498	499	196, 568, 577(P)	C17
2320	286	354, 402	526	526	246, 630, 634(P)	C160

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
2321	329	345			284, 787, 915	
2322	213	389	484	484	196, 568, 577(P)	C18
2323-S.E	213	345, 402	576	576	196, 825	C39
2326	231	389	562	562	211, 825	C139
2331	213	354			196, 787, 915	
2332	329	390	473	473	284, 577(P)	C122
2334-S	231	848			211, 915	
2335					519	C123
2335-S2	231	390	519	519	630, 634(P)	C123
2335-S2					211	C123
2340-S.E2		390			968, 973	
2340-S.E	244				230, 915	
2342-S	337				327, 915	
2346-S2.E	329	390			299, 915	
2350	330	390	509	509	284, 630, 634(P)	C124
2355-S.E	330	354			284, 787, 915	
2356	330	354	463	464	299, 464, 693, 825	C125
2357-S	213	349, 402	498	498	196, 568, 577(P)	C161
2359-S	337	354	422, 441	442	327, 442, 788, 825	C202PV
2360	286	363, 402	473	474	246, 568, 577(P)	C162
2362			609, 613, 616		613	C163
2362.E	351	390	609, 616, 617	618	347, 592, 609, 616, 618, 788, 871, 872(P)	C163
2366-S.E					84(S), 915	
2366-S	86					
2371	337	390	499	499	327, 568, 577(P)	C89
2375			447			C164
2375-S2.E	330	390	447	453	284, 452, 693, 825	C164
2376-S.E2	407, 954		956	957	915, 953, 954, 971, 971	C 36 L 16 E1
2376-S.E					400	C 36 L 16 E1
2380-S.E	956		971	971	956, 973, 973,	C 35 L 16 E1
2381-S	286				246, 915	
2384	286	390	474	474	246, 568, 577(P)	C91
2388	330	391			300, 787, 915	
2390	337	346			327, 787, 915	
2391	232	346	559	559	211, 825	C126
2394	244	391	499	500	230, 500, 788, 825	C92
2396-S	286				246, 915	
2398	330	346	411	412	284, 568, 577(P)	C40
2399	213	391			196, 915	
2400					211	C165
2400.E	232	349	413	413	568, 577(P)	C165
2403	337	391	474	474	327, 568, 577(P)	C70
2405-S	232	349	414	414	211, 568, 577(P)	C93
2410-S	286	391	455	455	246, 568, 577(P)	C94
2413-S	337	391	459	459	327, 568, 577(P)	C20
2417-S	213	461			196, 461, 915	
2425-S	338	349	421	421	327, 568, 577(P)	C41
2427-S	330	391	531, 564	568	300, 535, 542, 568, 866, 912, 913(P)	C95
2429-S	286				246, 915	
2430-S.E	244	349			230, 915	
2432	244	391	493	493	230, 568, 577(P)	C42

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
2433-S.E	232	354	456	456	568, 577(P)	C127
2433-S					211	C127
2435-S	338	391			327, 787, 915	
2439-S2.E	330	391	520, 522, 524, 844, 902, 904	525, 905	284, 522, 844, 847, 904, 913(P), 913	C96
2439-S2					912	C96
2440-S2					516	C166
2440-S	213	392	477, 873, 878	482, 882	196, 482, 873, 882, 896, 912, 913(P)	C166
2440-S2			510			C166
2441-S	330				300, 915	
2443-S	338	355	416	416	327, 568, 577(P)	C167
2444	338	355	420	420	327, 568, 577(P)	C168
2448-S	338	392	495	495	327, 568, 577(P)	C97
2449-S2	244	392	510, 835, 843	517, 844	230, 835, 844, 896, 912, 913(P)	C205PV
2449-S2			836		835	C205PV
2450-S.E	956		957	957, 958	915, 956, 956, 971, 971	C 31 L 16 E1
2450-S	244				230	C 31 L 16 E1
2452-S	244	392			230, 399, 915	
2453-S2.E					556, 915	
2453-S2	620					
2457	213	346	411	411	196, 568, 577(P)	C98
2458-S.E	232	392	484		485, 693, 825	C43
2458-S				486	211	C43
2462	338				327, 915	
2465-S	232	392			211, 787, 915	
2476	338	363	446	446	327, 568, 577(P)	C99
2478			410		410	C44
2478.E	213	350	410	411	196, 693, 825	C44
2483-S	286				246, 915	
2493	338	355			327, 915	
2494	286				246, 915	
2496-S	338	392, 556			327, 915	
2498-S	330	392	495	495	284, 568, 577(P)	C128
2500-S	213				196, 915	
2501-S	232	350			211, 787, 915	
2503-S	330	363			284, 787, 915	
2507	338	392			327, 787, 915	
2511-S.E	213	363	570	570	196, 788, 871, 872(P)	C169
2512	338	392			327, 915	
2516	214	346, 355	419	420	196, 568, 577(P)	C21
2518-S.E	330	393			284, 915	
2519-S	330	363	517	517	284, 630, 634(P)	C100
2520	338	355	447	447	327, 568, 577(P)	C170
2521	338	355	417	418	327, 568, 577(P)	C171
2522	338				327, 915	
2524.E			755			C14PV
2524-S.E	407		755, 781, 782, 783	786	400, 407, 694, 781, 786, 871, 872(P)	C14PV
2526	339	355			327, 915	
2530-S2	331	393, 402	542, 548	548	284, 548, 788, 871, 872(P)	C173
2534.E	339	346			327, 347, 915	

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
2539-S	331	402	494	494	284, 568, 577(P)	C174
2540-S.E	331	402	477	477	284, 568, 577(P)	C175
2541-S	232	393	507	507	211, 630, 634(P)	C45
2543	232	355			211, 787, 915	
2545-S.E	286	393, 403	592, 594, 596	598	255, 596, 598, 788, 871, 872(P)	C176
2545-S					594	C176
2557	232	346	418	418	211, 568, 577(P)	C177
2565	331	403	474	475	284, 568, 577(P)	C46
2573-S2.E	339	363, 403			327, 787, 915	
2575-S	245	393			230, 915	
2578	339	393			327, 915	
2580					476	C47
2580-S	339	393	475	476	327, 693, 825	C47
2583-S	339	355			327, 915	
2584-S	286	356	509	509	246, 630, 634(P)	C178
2585-S	214	356			196, 915	
2587	232	350	417	417	211, 568, 577(P)	C179
2591-S.E	245	393	492	492	230, 568, 577(P)	C180
2597	214	363	417	417	196, 568, 577(P)	C48
2598-S	214	393	476	476	196, 568, 577(P)	C22
2599	339	394	476	477	327, 568, 577(P)	C23
2604-S.E	286	394			255, 787, 915	
2605	339	356	477	477	327, 568, 577(P)	C129
2610.E	245				230, 915	
2615-S	245				230, 915	
2619	331				284, 915	
2621-S.E	214				196, 915	
2623	245	346	418	419	230, 568, 577(P)	C204
2624	339	346	419	419	327, 568, 577(P)	C130
2632-S	339	363			327, 787, 915	
2634	339	350	414	414	327, 568, 577(P)	C101
2637	339	394, 403	561	562	327, 562, 788, 871, 872(P)	C102
2639	214	364			196, 787, 915	
2644-S	287	394	574	575	246, 575, 871, 872(P)	C181
2647-S.E	287				246, 915	
2648	232	394			211, 915	
2651	331	394	486	486	284, 568, 577(P)	C24
2659.E	331				284, 915	
2663	232	346	417	417	211, 568, 577(P)	C182
2667					825	C103
2667-S2.E			883	883	788, 912, 913(P)	C103
2667-S2	825					C103
2674-S	340				327, 915	
2675	340	394			327, 787, 915	
2678-S	233	346	459	459	211, 568, 577(P)	C131
2679	340	356			327, 915	
2681-S2	233	394	508	508	508, 788, 871, 872(P)	C132
2681-S2					211	C132
2682-S	287				246, 915	
2694	214	394	495	496	196, 693, 825	C49
2698.E	340	364			327, 915	
2700-S.E	340	350, 394	801	819	327, 819, 866, 912, 913(P)	C203

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
2705-S	340				327, 915	
2708-S.E	340	395			327, 915	
2711-S	340	395, 403	581	582	327, 581, 788, 871, 872(P)	C50
2716-S	245	364			230, 915	
2725-S	233	347			211, 787, 915	
2726-S2	245	395, 403	447	447	230, 568, 577(P)	C183
2730-S	245	350	528	528	230, 630, 634(P)	C104
2741	340	403	507	508	327, 630, 634(P)	C105
2743-S	214				196, 915	
2745.E	340	395	453	453	327, 569, 577(P)	C25
2746-S.E	340	395, 404	531	531	327, 630, 634(P)	C106
2749.E	245	350	457	458	230, 458, 693, 825	C184
2764	331				284, 915	
2765-S	287	395	463	463	246, 569, 577(P)	C185
2767-S	331	395			284, 787, 915	
2768	331	395, 404	496	496	284, 569, 577(P)	C133
2769-S2	287				246, 915	
2771	340	395	569	570	327, 825	C51
2772	233	347	421	421	211, 569, 577(P)	C52
2773	233	350	494	494	211, 569, 577(P)	C186
2775.E	331				284, 915	
2778-S.E2	956		958	958	300, 956, 956, 958, 971, 971	C 32 L 16 E1
2778-S.E	331				915	C 32 L 16 E1
2781	341	350	419	419	327, 569, 577(P)	C53
2783-S.E	332	404			284, 915	
2785-S.E	287	395	525	525	255, 630, 634(P)	C187
2791-S2	287	396, 404	577, 583	583	246, 583, 788, 871, 872(P),	C188
2793-S2.E	332	396, 404	443	446	300, 446, 788, 871, 872(P)	C90PV
2800	332	347	415	415	284, 569, 577(P)	C189
2804-S.E	245	396			230, 915	
2805-S	233				211, 915	
2806	287				246, 915	
2807	245	396	422	422	230, 569, 577(P)	C26
2808	233	396	493	494	211, 233, 494, 788, 825	C107
2815	332	396	459	459	284, 569, 577(P)	C27
2825-S.E	287	396			246, 787, 915	
2831-S	332	396, 404	563	563	284, 399, 563, 788, 871, 872(P)	C190
2834-S.E	287	396			246, 787, 915	
2838	332	397	504	504	284, 630, 634(P)	C108
2839-S2	693	848	911	912	619, 912, 913(P)	C191
2839-S2			911			C191
2841-S	332	364	526, 905	528, 907	284, 528, 905, 907	
2842	341	404	561	561	327, 825	C192
2844	245				230, 915	
2845	332	397			284, 787, 916	
2847-S.E	332	397	469, 471	472	284, 472, 788, 871, 872(P)	C193
2849-S	233	397			211, 915	
2851-S	233	364			211, 787, 916	
2852-S.E	245	347	421	421	230, 569, 577(P)	C134
2856	332	405	529	531	300, 531, 788, 825	C194
2859-S	341	356	415	415	327, 569, 577(P)	C135

Bill No.	Introduction & 1 st Reading	Committee Report	2 nd Reading Amendments	3 rd Reading Final Passage	Other Action	Action by Governor
2871-S	341				327, 915	
2872-S2.E	557		752, 753	755	501, 557, 694, 754, 755, 871, 872(P)	C28
2875-S	287	364	415	415	246, 416, 569, 577(P)	C195
2876-S	332	356	564	564	284, 825	C196
2877-S2	341	350, 405	483	483	327, 483, 831, 871, 872(P)	C54
2883.E	341	397	569	569	327, 825	C197
2884-S	341	397	483	483	327, 569, 577(P)	C29
2886	332	397	482	482	284, 569, 577(P)	C198
2888	214				196, 915	
2895-S	246	397, 405			230, 787, 916	
2900-S	332	397	456	457	284, 569, 577(P)	C199PV
2906-S.E2					255	C136
2906-S.E	332	398, 405	583, 591	592	591, 788, 871, 872(P),	C136
2906-S			583, 591			C136
2908-S.E	333	398	453, 833	454, 834	284, 454, 833, 834, 866, 912, 913(P)	C200
2918	233	347	561	561	211, 825	C201
2925-S.E	341	356	416	416	327, 569, 577(P)	C109
2928					831	C110
2928-S.E	333	356, 405	496, 831, 832	497, 832	300, 497, 831, 866, 912, 913(P)	C110
2928-S			497			C110
2929	233	398	576, 834, 835	576, 835	211, 576, 834, 835, 916,	
2930	341				327, 915	
2933-S2	288				246, 915	
2936-S	341				327, 915	
2938-S	288	356	498	498	246, 788, 825	C137
2959					572	C55
2959.E	333	398, 405	570, 572	572	284, 333, 572, 788, 871, 872(P)	C55
2964-S	333	364			284, 915	
2970	246	398			230, 787, 916	
2971.E	333	405	464	466	284, 466, 788, 825	C138
2973-S	246				230, 915	
2985			872	872	872	C159
2985-S	620	848	872		556, 896, 912, 913(P)	C159
2988-S.E	956		962	962	956, 971, 971,	C 34 L 16 E1

HISTORY OF HOUSE JOINT MEMORIALS

Bill No.	Introduction & 1st Reading	Committee Report	2nd Reading Amendments	3rd Reading Final Passage	Other Action
4000	341				327, 915
4010	288	398	582	582	246, 582, 788, 871, 872(P)

HISTORY OF HOUSE JOINT RESOLUTIONS

Bill No.	Introduction & 1st Reading	Committee Report	2nd Reading Amendments	3rd Reading Final Passage	Other Action
House Joint Resolutions – None received.					

HISTORY OF HOUSE CONCURRENT RESOLUTIONS

Bill No.	Introduction & 1st Reading	Committee Report	2nd Reading Amendments	3rd Reading Final Passage	Other Action
4401	347	398			343, 916
4413	26		26		26, 27
4414	26		26		26, 27
4416			914		913, 914, 916(P), 916
4417			914		913, 914, 916(P), 916
4418	972		972		972, 973, 973
4419	972		972		972, 973, 973

HISTORY OF HOUSE FLOOR RESOLUTIONS

NUMBER	SUBJECT	ACTION
	House Floor Resolutions - none received	

CHAPLAIN OF THE DAY

Adam, Reverend Doctor William	501
Brzezinski, Reverend Robert	62
Degon, Pastor Peter	693
Erlandson, Reverend Jim	132, 361
Harris, Reverend Melissa	183
Johnson, Ms. Susan, Pacific Region and Washington State Coordinator for the National Governor's Prayer Breakfast	407
Kaurin, Pastor Greg	552
King, Major David	349
Knepper, Pastor Bill	117, 461
Lowe, Pastor Bob	230
Maultsby, Pastor James	243
Sawar, Imam Zafar	164
Senator Angel	284, 953
Senator Pearson	88, 928
Senator Rolfes	848
Senator Warnick	619
Sims, Dr. Andre	788
Sorensen, Pastor Elizabeth	196
Werner, Father Steve	29

FLAG BEARERS

Allison, Mr. Jeremiah	928
Amin, Mr. Sajid Muhammad	788
Austin, Miss Ainsley Grace	62
Bley, Miss Elsa Marie	196
Boyd, Miss Ellary Maeve	117
Braun, Miss Olivia	407
Bridgewater, Mr. Jack	928
Crosby, Mr. Benjamin Payton	196
DeRuyter, Mr. Brendon Daniel	501
DeRuyter, Mr. Jaymin Michael	501
D'Onofrio, Miss Sabrina	183
Ericksen, Miss Adele Elizabeth	117
Farr, Miss Kathleen Rhode	284
Flores, Miss Shauna Christine	619
Freeman, Mr. Charles Austin	62
Ganz, Mr. Keenan Joseph	211
Giles, Cadet Faith	349
Greer, Mr. Jason, Sergeant	1
Harris, Cadet Brishum	349
Jones, Mr. Steve	953
Lambert, Mr. David	361
Lewis, Mr. Kaden Carl	788
Lucy, Miss Larkin Elizabeth	361
Lustig, Mr. Brandon	461
McCoy, Mr. Hayden	183
Miller, Miss Grace	407
Mills, Miss Ashley Marie	230
Mills, Miss Clarissa May	230
Mohn, Mr. Erik Conner	88
Morales, Miss Gabriel Santana	132
Morgan, Ms. MaKayala R., Trooper	1
Morhous, Mr. Ian T., Corporal	1
Muhammad, Mr. Shaheed	164
Mullukatte, Mr. Rakshith	284
Natha, Mr. Zachary Alim	243
Pai, Miss Naima	693
Pan, Miss Yujing Jasmine	132
Peecher, Mr. Douglas Black	88
Reedy, Cadet Travis	349

Roach, Mr. Ethan Daniel	164
Rossi, Miss Jillian.....	243
Rutherford, Mr. William, Trooper.....	1
Saelee, Mr. Erickson	552
Sheldrake, Miss Meghan	552
Shirley, Mr. Clayton.....	619
Sims, Mr. Brian	953
Smith, Mr. Trent McLellan	211
Tibbs, Miss Mackenzie.....	461
Tyler, Cadet Daffyd.....	349
Wade, Miss Jene.....	693
Washington State Patrol Honor Guard	29
Wynecoop, Mr. Ethan, Trooper.....	1
GUESTS	
Agfalvi, Miss Kimberly.....	408
Alert, Mr. Mitchell, Member of Tacoma Allen African Methodist Episcopal Church	234
Allen, Ms. Pam, and Students from Utsalady Elementary School.....	97
Alvord, Olivia, Miss Newaukum Valley	463
Anders, Carol, Mayor of Pateros	29
Anderson, Reverend Doctor Kerry G., Senior Minister of the First African Methodist Episcopal Church	234
Arnold, Mr. Theron Green (Pledge of Allegiance)	88
Austin, Miss Ainsley Grace (Pledge of Allegiance)	62
Ballard High School Concert Choir.....	29
Banges, Miss Natalie, Yakima Valley Alternate Dairy Ambassador.....	91
Bank, Miss Katelyn, Yakima Valley Alternate Dairy Ambassador.....	91
Barrett, Mr. Francis Spencer, President Elder of the First African Methodist Episcopal Church.....	234
Bartelheimer, Miss Becca, Snohomish County Dairy Ambassador.....	91
Benitz, The Honorable Max, Family of.....	92
Benson, Dr. Carlene	164
Benton, Mrs. Mary	823
Benton, Ms. Jennifer	823
Bill, Miss Tjauna.....	409
Bittner, Mr. Daniel	823
Bohlke, Ms. Karen, Director of the Institute for Community Leadership and Students	57
Bratty, Ms. Linda, Member of Tacoma Allen African Methodist Episcopal Church	234
Bridges, George President of The Evergreen State College	29
Brown, Mr. Larry	408
Brown, Mr. Marty	408
Buell, Miss Nicole, Dairy Ambassador of Marysville.....	91
Carothers, Miss Allyson, Snohomish County Alternate Dairy Ambassador	91
Chandler, Miss Shayla.....	409
Chen, Dr. Elizabeth	408
Chew, Mr. Kobey (Pledge of Allegiance)	117
Cimmiyotti, Mr. Nick	823
Clanton, Ms. Karen	823
Clark, Ms. Kelly	503
Colmenares, Miss Faviola	409
Consular Association of Washington	29
Craig, Mr. Steven	502
Craig, Mrs. Patricia	502
Crawford, Ms. Susan.....	503
Cronic, Miss Laura	409
Dammeier, Mr. Brent	871
Dammeier, Mr. Craig	871
Dammeier, Mrs. Lauren	871
Dammeier, Mrs. Molly.....	871
DeBolt, Ms. Amy, and Students from Olympic Elementary School	173
Developmental Disabilities Voices.....	300
Dooley, Miss Shannon.....	409
Dorn, The Honorable Randy, Superintendent of Public Instruction	29
Earl, Mr. Charlie, former Executive Director of the State Board for Community and Technical Colleges	621

Earl, Ms. Joni, CEO Emeritus of Sound Transit.....	621
Ebel, Mr. Erich, Director of Communications for the Washington State Historical Society	249
Elizabeth Blackwell Elementary School.....	377
Eskilandersson, Mr. Mikael, MP	289
Evans, Dr. Jeff.....	164
Evergreen Elementary School	472
Everhart, Princess Sami.....	462
Farmer, Mr. Glenn and employees of Alcoa Intalco Works	463
Ferguson, The Honorable Bob, Attorney General	29
Finnborg, Mr. Thomas, MP	289
Floten, Ms. Jean, Chancellor of WGU Washington	348
Floyd, Carmento, widow of former Washington State University President Elson Floyd.....	29
Ford, Miss Emmalee.....	409
Fornarve, Lise-Lotte Jonnson, MP	289
Gacek, Ms. Cheryl, Sister of Carol Selland.....	135
Garcia, Ms. Karen	502
Girl Scout Troop No. 45297 Alexander, Miss Tylar, Hamilton, Miss Shanyce, Hunt, Miss Heather, Hunt, Miss Lacey, Keip, Miss Gwen, and Kerrick, Miss Althea	58
Goldmark, The Honorable Peter, Commissioner of Public Lands.....	29
Griffin Middle School	467
Griggs, Ms. Karen, Royalty Chair.....	1
Hale, Mr. Earl.....	408
Hall, Ms. Monica, Head of the Committee Secretariat	289
Hannah, Mr. Robert, MP	289
Hansford, Ms. Keilah	502
Hanson, Miss Ashley, Inland Northwest Dairy Ambassador.....	91
Haraldsson, Johanna, MP	289
Hargrove, Mr. Daniel	888
Hargrove, Mr. Jimmy	888
Hargrove, Mrs. Laurie	888
Hewitt, Mrs. Cory.....	887
Hoell, Mr. Steve	378
Holmes, Princess Emily.....	462
Howe, Miss Amanda, Washington State Alternate Dairy Ambassador of Lynden.....	91
Hult, Ms. Emma, MP.....	289
Indian-American Community Members	87
Inslee, First Lady Trudi	29
Inslee, The Honorable Jay	703, 890
Inslee, The Honorable Jay, Governor	29
Japhet, Ms. Rebecca.....	885
Jenkins, Miss Jaycee.....	409
Johansson, Ola, MP	289
Johnson, Miss Lydia, Washington State Alternate Dairy Ambassador of Ethel.....	91
Johnson, Mr. Jim	823
Johnson, Ms. Debi, Executive Director of the Washington State Urology Society	164
Johnson, Pastor Richmond, and Members of the Emmanuel Apostolic Church of Bremerton	235
Johnston, Ms. Angela, and Students from the Northwest Christian School.....	66
Jones, Mr. Steve	826
Jonsson, Mr. Lars, Consul of the Kingdom of Sweden	289
Justin, Mr. Evan	790
Kalich, Miss Myra J.	848
Kilmer, Ms. Jennifer, Director of the Washington State Historical Society	249
Kinney, Miss Melissa	409
Knutson, Ms. Deborah.....	694
Kuang, Mr. Johnson (Pledge of Allegiance).....	619
Kuipers, Miss Grace, Skagit County Dairy Ambassador.....	91
Lafferty, Mr. Rod	348
Lafferty, Mr. Ryan.....	348
Langrell, Dr. Ron.....	408
Larsson, Hillevi, MP	289
LaVigne, Mr. George	789
Le Roy, Mr. Bob, Executive Director of the Washington State Chapter of the Alzheimer's Association	219

Lee, Ms. Nancy and Heritage Christian School Students	409
Leiataua, Ms. Frances	502
Lelli, Mr. Vance, Son of Phil Lelli	220
Lelli, Ms. Kimberlie, Daughter in Law of Phil Lelli	220
Lepere, Ms. Karen	377
Littlejohn, Ms. Deborah, Member of Tacoma Allen African Methodist Episcopal Church	234
Locke, The Honorable Gary, former Governor	412
Lopez, Miss Chelsea	409
Macoy, Miss Mackenzie	409
Maddox, Ms. Margaret, Member of Tacoma Allen African Methodist Episcopal Church	234
Maddox, Ms. May, Member of Tacoma Allen African Methodist Episcopal Church	234
Madsen, The Honorable Barbara, Chief Justice of the State Supreme Court	2
Mahar, Mr. Dennis, Chairman of the Washington State Chapter of the Alzheimer's Association	219
Mailloux, Ms. Diana, and Students from Utsalady Elementary School	95
Manthey, Ms. Antoinette, City of Auburn	360
Martin, Queen Kori	462
Mason, Lieutenant Colonel Larry	352
Masteller, Mr. Andy	789
Mathews, Miss Madeline Elizabeth (Pledge of Allegiance)	361
May, Ms. Jeri	887
McCarthy, Pat, Pierce County Executive	29
McClellan, Miss Lindsey	409
McCulley, Ms. Joy	790
McGregor, Mr. Eddie, Member of Tacoma Allen African Methodist Episcopal Church	234
McIntire, The Honorable Jim, Treasurer	29
McMurray Middle School	790
Meek, Miss Caitlin, Grays Harbor Dairy Ambassador	91
Meissner, Miss Kaitlyn, Snohomish County Alternate Dairy Ambassador	91
Meyer, Miss Maddie	409
Mitchell, Ms. Joann, Member of Tacoma Allen African Methodist Episcopal Church	234
Mohn, Miss Olivia Grace (Pledge of Allegiance)	164
Moore, Mrs. Lori, and Students from Chambers Primary School	79
Morris, Miss Jessica, Pledge of Allegiance	407
Munro, Ralph, Former Secretary of State	29
Munro, The Honorable Ralph, Former Washington State Secretary of State	289
Murdzia, Mr. Don	288
Murray, Ed, Mayor of Seattle	29
Nelson, Lieutenant Colonel David	352
Nelson, Mr. Derik and Ms. Riana (National Anthem)	196
Nisqually Tribal Council	114
Nordstrom, Ms. Noelle	1
O'Ban, Mr. Thomas, Specialist	1
Parents and Advocates from Dayton, Washington	300
Partnering for Youth Program Students and Mentors, Mt. Zion Missionary Baptist Church of Bremerton	235
Pateros High School	790
Pathfinders Club of Wenatchee	253
Pele, Ms. Jacinta	502
Pele, Ms. Sariah	502
People First of the Tri-Cities	300
Peterson, Miss Tiana, King-Pierce Counties Dairy Ambassador	91
Pitts, Mr. Kristian	848
Plagerman, Miss Jana, Whatcom County Dairy Ambassador	91
Poultridge, Miss Madeline, Lakefair Queen	1
Poultridge, Mr. Andrew	1
Poultridge, Ms. Joan	1
Ridgewood Elementary School	378
Robertson, Dr. Lillian	235
Robertson, Pastor Larry, New Life Youth Group	235
Rogers-LaVigne, Mrs. Judy	789
Rohrer, Ms. Susan, heritage Outreach Manager for the Washington State Historical Society	249
Roosma, Miss Pamela, Whatcom County Alternate Dairy Ambassador	91

Roswall, Ms. Jessika, MP	289
Seifert, Jaclyn, Miss Auburn Outstanding Teen 2016	360
Sharp, Mr. George, Capital Lakefair President.....	1
Shepard, Mr. Bruce, President Western Washington University	621
Shepard, Ms. Cyndie, first lady of Western Washington University	622
Sigvardsson, Ms. Denice, Assistant to the Consul.....	289
Siira, Ms. Katie.....	254
Sims, Mr. Brian	966
Sims, Ron Sims, Former King County Executive	29
Sjoblom, Ms. Susanne, Committee Secretary.....	289
SkillSource Learning Center	882
Smaczarz, Miss Alicia, Lewis County Dairy Ambassador.....	91
Smolko, Mrs. Lindsay, and Students from Hedden Elementary School.....	136
Sonidsson, Ms. Eva, MP.....	289
Steele, Mr. A.J., Son of Theresa and Anthony Steele.....	234
Steele, Mrs. Theresa, First Lady of Tacoma Allen African Methodist Episcopal Church	234
Steele, Pastor Anthony, of Tacoma Allen African Methodist Episcopal Church	234
Stephanson, Ray, Mayor of Everett	29
Stewart, Dr. Gail, Member of Tacoma Allen African Methodist Episcopal Church	234
Stokes, Dr. Timothy	408
Stoutjesdyk, Miss Jessica, Yakima Valley Dairy Ambassador.....	91
Supreme Court Justices	29
Sweet, Ms. Lelia, Member of Tacoma Allen African Methodist Episcopal Church.....	234
Tahoma High School Students	119
Tax, Colonel Ted.....	352
The Arc of Tri Cities	300
The Benton-Franklin Parent Coalition.....	300
Titialii, Mr. Field.....	502
Treat, Pastor Casey.....	211
Tribal Nation Leaders.....	29
Truman Elementary Fourth Grade Class	254
Turner, Ms. Patricia, Member of Tacoma Allen African Methodist Episcopal Church.....	234
Turow, Ms. Rosemary, Member of Tacoma Allen African Methodist Episcopal Church.....	234
VanAusdale, Dr. Steven	408
VanAusdale, Ms. Rozanne	408
Ward, Ms. Elizabeth.....	472
Washington Council of Police & Sheriffs	40
Washington Dairy Products Commission Commissioners and Staff	91
Washington State Civil Air Patrol.....	352
Washington State Dairy Federation Board and Staff.....	91
Washington State Dairy Women Representatives	91
Wedgwood Elementary School	503
Werden, Cami, Miss Auburn 2016.....	360
White, Mr. Roberto Duarte (Pledge of Allegiance)	230
Wilson Creek High School	694
Woods, Mr. Greg.....	467
Wyman, The Honorable Kim, Secretary of State	1, 29
Yeonggwang Girls High School Missionary Choir, Gunsan, South Korea	197
Yoshiwara, Ms. Jan	408
Young, Terry, Communications and Marketing Director of Tacoma Allen African Methodist Episcopal Church.....	234
Kreidler, The Honorable Mike, Insurance Commissioner	29
MESSAGES FROM OTHER STATE OFFICERS	108, 365, 693
MESSAGES FROM THE GOVERNOR	
472, 917, 921, 928, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 967	
E2SSB 6195	472
E2SB 6601	967
ESB 6413	967
ESSB 6293	967
Gubernatorial Appointments	46, 109, 326, 357, 619, 925, 928
Pardons and Commutations.....	14
Partial Veto on 2ESSB 5996	13

Partial Veto on 2ESSB 5998	13
Partial Veto on E2SSB 5564	12
Partial Veto on ESSB 6052	12
Partial Veto on SSB 5052.....	9
Partial Veto on SSB 5501	11
Partial Veto on SSB 5824.....	10
Partial Veto SB 5024.....	11
SB 5689.....	967
SB 5879.....	967
SB 6171.....	967
SB 6400.....	967
SB 6405.....	967
SB 6475.....	967
SSB 5728.....	967
SSB 6273.....	967
SSB 6283.....	967
SSB 6337.....	967
SSB 6519.....	967
Veto Message, ESSB 5145.....	948
Veto Message, ESSB 6206.....	940
Veto Message, ESSB 6606.....	942
Veto Message, SB 5265	940
Veto Message, SB 5458	951
Veto Message, SB 5549	943
Veto Message, SB 6148	947
Veto Message, SB 6162	945
Veto Message, SB 6170	946
Veto Message, SB 6196	944
Veto Message, SB 6220	944
Veto Message, SB 6398	952
Veto Message, SB 6401	950
Veto Message, SB 6491	950
Veto Message, SB 6633	943
Veto Message, SSB 5767	946, 947
Veto Message, SSB 6177	945
Veto Message, SSB 6281	948
Veto Message, SSB 6284	949
Veto Message, SSB 6290	941
Veto Message, SSB 6326	941
Veto Message, SSB 6341	950
Veto Message, SSB 6342	944
Veto Message, SSB 6354	949
Veto Message, SSB 6466	941
Veto Message, SSB 6498	942
Veto Message, SSB 6569	951
Veto on ESSB 5785.....	9
MESSAGES FROM THE SECRETARY OF STATE	
Partial Veto 2ESSB 5988	13
Partial Veto 2ESSB 5996	13
Partial Veto 2SSB 5052.....	9
Partial Veto E2SSB 5564	11
Partial Veto ESSB 6052	12
Partial Veto SB 5024.....	11
Partial Veto SSB 5501.....	11
Partial Veto SSB 5824.....	10
Provisional Certification Initiative to the Legislature No. 732	27
Provisional Certification Initiative to the Legislature No. 735	27
PRESIDENT OF THE SENATE	
Pledge of Allegiance	1
Remarks by the President	1, 94, 215, 248, 349, 380, 385, 386, 552, 553, 698, 784, 823, 887, 888
Reply by the President.....	68, 145, 146, 184, 216, 217, 218, 293, 366, 380, 383, 542, 629, 675, 784, 785, 861, 866
Ruling by the President	145, 380, 386, 564, 785

PRESIDENT PRO TEMPORE OF THE SENATE

Presiding Officer 227, 302, 326, 336, 387, 409, 502, 703, 786, 824, 925, 928, 929, 946, 953, 956, 967, 970, 972, 973

Remarks by the President Pro Tempore 334, 969, 970

Reply by the President..... 341

Reply by the President Pro Tempore 411, 938

VICE PRESIDENT PRO TEMPORE OF THE SENATE

Presiding Officer 947, 963

Remarks by the Vice President Pro Tempore 966

WASHINGTON STATE LEGISLATURE

Joint Session 28

State of the State Address 30

WASHINGTON STATE SENATE

Parliamentary Inquiry, Senator Dansel 366

Parliamentary Inquiry, Senator Ericksen 184

Parliamentary Inquiry, Senator Hobbs 629

Parliamentary Inquiry, Senator Liias 145, 146, 784

Parliamentary Inquiry, Senator Padden 629

Parliamentary Inquiry, Senator Rolfes 629

Parliamentary Inquiry, Senator Schoesler 68

Personal Privilege, Senator Angel 94, 552, 702, 821, 868, 890

Personal Privilege, Senator Bailey 823, 869, 885

Personal Privilege, Senator Baumgartner 93, 386, 613, 820, 869, 884, 894

Personal Privilege, Senator Becker 93, 95, 215, 486, 552, 867, 885, 893

Personal Privilege, Senator Benton 411, 702, 894

Personal Privilege, Senator Billig 385, 386, 821

Personal Privilege, Senator Braun 869, 895

Personal Privilege, Senator Brown 868, 885, 894

Personal Privilege, Senator Carlyle 92, 120, 553, 789, 868

Personal Privilege, Senator Chase 120, 823

Personal Privilege, Senator Cleveland 552

Personal Privilege, Senator Conway 702, 828, 867, 966

Personal Privilege, Senator Dammeier 92, 94, 870, 884, 895, 966

Personal Privilege, Senator Dansel 215, 226, 248, 366, 473, 519, 553, 701, 820, 870, 890

Personal Privilege, Senator Darneille 95, 828, 868, 890

Personal Privilege, Senator Ericksen 93, 95, 822, 893

Personal Privilege, Senator Fain 92, 95, 228, 386, 406, 456, 495, 703, 821, 914

Personal Privilege, Senator Fraser 120, 701, 789, 830, 884, 889, 965

Personal Privilege, Senator Frockt 386, 867, 965

Personal Privilege, Senator Habib 893

Personal Privilege, Senator Hargrove 94, 247, 324, 519, 553, 700, 820, 830, 867, 883, 887

Personal Privilege, Senator Hasegawa 335, 822, 895, 970

Personal Privilege, Senator Hewitt 226, 827, 868, 871, 886, 888, 965

Personal Privilege, Senator Hill 886, 891

Personal Privilege, Senator Hobbs 92, 94, 702, 820, 830, 869, 884, 894

Personal Privilege, Senator Honeyford 635, 822, 831, 870, 885, 964

Personal Privilege, Senator Jayapal 87, 93, 613, 829, 892

Personal Privilege, Senator Keiser 551, 821, 830, 895, 965

Personal Privilege, Senator King 786

Personal Privilege, Senator Liias 94, 218, 456, 820, 830, 892

Personal Privilege, Senator Litzow 867, 885

Personal Privilege, Senator McAuliffe 702, 822

Personal Privilege, Senator McCoy 618, 703, 827, 891

Personal Privilege, Senator Miloscia 895

Personal Privilege, Senator Mullet 819, 886, 966

Personal Privilege, Senator Nelson 93, 456, 552, 700, 827, 888, 971

Personal Privilege, Senator O'Ban 622, 870, 895

Personal Privilege, Senator Padden 218, 891

Personal Privilege, Senator Parlette 93, 120, 828, 868, 885, 966

Personal Privilege, Senator Pearson 120, 827, 884, 892

Personal Privilege, Senator Ranker 120, 655, 827, 889

Personal Privilege, Senator Rivers 870

Personal Privilege, Senator Roach.....	199, 218, 324, 822, 828, 891
Personal Privilege, Senator Rolfes	167, 218, 229, 341, 366, 495, 568, 826, 869, 895
Personal Privilege, Senator Schoesler	93, 228, 386, 552, 700, 819, 827, 866, 883, 888
Personal Privilege, Senator Sheldon.....	270, 701, 829, 886, 889, 910
Personal Privilege, Senator Takko.....	94
Personal Privilege, Senator Warnick	95, 553, 868
Point of Inquiry, Senator Baumgartner.....	218
Point of Inquiry, Senator Chase.....	295
Point of Inquiry, Senator Cleveland	749
Point of Inquiry, Senator Conway	143
Point of Inquiry, Senator Dammeier.....	293
Point of Inquiry, Senator Fain	216
Point of Inquiry, Senator Frockt	217
Point of Inquiry, Senator Hargrove	675
Point of Inquiry, Senator Lias	383
Point of Inquiry, Senator McAuliffe.....	786
Point of Inquiry, Senator Mullet.....	295
Point of Inquiry, Senator Rolfes	380, 783
Point of Inquiry, Senator Takko	938
Point of Order, Senator Baumgartner	866
Point of Order, Senator Benton	145, 542
Point of Order, Senator Fain.....	323
Point of Order, Senator Hobbs	784
Point of Order, Senator Lias	542, 785
Point of Order, Senator McAuliffe	861
Point of Order, Senator Padden	216
Point of Order, Senator Rolfes	254, 365, 380, 861
Presiding Officer, Secretary of the Senate, Hunter G. Goodman	400
Presiding Officer, Senator Benton.....	905
Presiding Officer, Senator Fraser	896
Presiding Officer, Senator Hargrove	910
Presiding Officer, Senator Hewitt.....	146, 907
Presiding Officer, Senator Parlette	927
Remarks by Senator Benton	784, 785
Remarks by Senator Hasegawa	334
Remarks by Senator Rolfes	112, 334
Senator Carlyle.....	3
Senator Takko	2
Statement for the Journal, Senator Hasegawa, E2SB 5127	939
Statement for the Journal, Senator Hasegawa, SB 5180.....	799
Statement for the Journal, Senator Miloscia, ESSB 6525.....	267
Statement for the Journal, Senator Parlette, ESHB 2908.....	834

911 (See also EMERGENCY MANAGEMENT AND SERVICES)

911 personnel, training program for, when emergencies include person with disability at scene: SHB 2287
 Enhanced 911 system, certain information, public disclosure exemption: ***ESHB 1980, CH 224 (2015) PV**
 Enhanced 911 system, role in alerting first responders when person with disability at scene: SHB 2287

ABORTION

Parental notification, requirements: SB 5289
 Sex-selection abortions, prohibiting: SB 6612
 Termination of pregnancy, health plan coverage: HB 1647, SB 5574
 Wrongful life or wrongful birth, prohibiting actions for, abortion provisions: SB 5747

ACCOUNTANTS AND ACCOUNTING

Certified public accountants, attest or compilation services, defining "reports": ***ESHB 2433, CH 127 (2016)**, SB 6406
 Certified public accountants, private investigator regulations exemption: ***HB 1263, CH 105 (2015)**
 Local government financial audits, by licensed CPA firm rather than state auditor, option to request: ESHB 2148
 Scholarships, certified public accounting scholarship program, establishing: SB 5534

ACTIONS AND PROCEEDINGS (See also ORDERS OF COURT)

Arbitration of civil actions, procedures and arbitrator continuing legal education: ESHB 1248
 Arbitration, interest arbitration, ordering when unfair labor practices: HB 1230
 Arbitration, international commercial arbitration proceedings: SHB 1070, ***SB 5227, CH 276 (2015)**
 Dispute resolution centers, increasing funding through various court filing fee surcharges: SHB 2674, SB 6448
 Habeas corpus, writ for return of child, fees waiver by sheriff, when: EHB 1632, SHB 1632

ADMINISTRATIVE HEARINGS, OFFICE

Adjudicative proceedings, administrative law judge from office, provisions: SB 5686, SB 6019
 Adjudicative proceedings, removal to office: SB 5369
 Insurance commissioner, office employees who have presided over hearings, transfer to OAH: SB 5103

ADMINISTRATIVE OFFICE OF THE COURTS (See also GUARDIANSHIP)

Detention facilities, youth in for violating court orders, tracking, office role: ***2SHB 2449, CH 205 (2016) PV**
 Domestic violence perpetrator treatment, work group on, office to convene: SHB 1632
 Guardianship, modification or termination of, complaint procedure, office role: SB 5607
 Juvenile justice, Washington state partnership council on, creating in office: SB 6557
 Traffic-based financial obligations, payment plans unified system and work group, office role: EHB 2659, SB 6360

ADMINISTRATIVE PROCEDURE (See also LEGISLATURE)

Adjudicative proceedings, deposition and final determination deadlines and judicial review petitions: SB 6464
 Adjudicative proceedings, including ex parte communications and initial and final orders: SB 6019
 Adjudicative proceedings, removal to office of administrative hearings: SB 5369
 Adjudicative proceedings, when agency presides and is a party, ex parte communications: SB 5777
 Adjudicative proceedings, when agency presides and is a party, requiring administrative hearings office ALJ: SB 5686
 Administrative law, unnecessary laws, legislative removal and repeal procedures: SB 6380
 Declaratory orders, entering by agency, limiting authority: SB 5371
 Ecology, department of, greenhouse gas emission-limiting rule or policy, requiring authorizing legislation for: SB 6173
 Ecology, department of, significant agency land use actions, empirical science use: SB 5622
 Education system, equity impact review process, for screening rules and budget proposals: SB 5718
 Fish and wildlife, department of, significant agency land use actions, empirical science use: SB 5622
 Human rights commission, requiring WAC 162-32-060 repeal and no further gender-segregated facilities rule making: SB 6443
 Judicial review of administrative actions, after agency failure to meet certain deadlines: SB 6464
 Judicial review of administrative actions, legal interpretation by court without deference to agency's interpretation: SB 5374
 Judicial review of administrative actions, new evidence, modifying limitations on: SB 5373
 Review of rules and rule making, petitions for: ***EHB 2253, CH 11 (2015)**, SB 5274, SB 5364
 Rule making by agencies, petitions for, requirements when agency denies: SB 6032
 Rule making by agencies, statutory authority for and preadoption review and yearly expiration of: SB 6396

Rule making, abrogation of agency rules by governor or legislature: SB 5365, SB 5367, SB 5372

Rule making, requiring APA adoption and filing with office of code reviser: SB 6456

Rule making, requiring APA adoption, WAC codification, and legislative ratification: SB 5366, SB 5368, SB 5372

ADVANCED COLLEGE TUITION PAYMENT (GET) PROGRAM

College in the high school and running start programs, paying with GET units: ***E2SHB 1546, CH 202 (2015)**

Washington college savings program, and plan account, GET committee to administer: SB 6601

ADVERTISING

Free coffee at safety rest areas, restoring signage that advertises: SB 5068

Transportation, department of, sale of commercial advertising on DOT web sites and social media: SB 6359

Vapor products, labeling and advertising, regulation of: E2SHB 1645, SB 5573

AERONAUTICS

Aerospace training or educational program, Everett Community College to offer: ***SB 5746, CH 218 (2015)**

Aircraft, registration, proof of, and penalty structure when late: ***SHB 2413, CH 20 (2016)**

Airplanes, new building construction for maintenance repair operators for, sales and use tax exemptions: ***2SHB 2839, CH 191 (2016)**, SB 6454

Airports, state grants to, using aircraft excise tax revenues: SB 5324

Commercial airplanes, new building construction for maintenance repair operators for, sales and use exemption: SB 6047

Rotorcraft, commercial, tax preferences: SB 5756

Unmanned aerial vehicles, dangerous drone operations near correctional facilities, prohibiting: SB 6437

Unmanned aerial vehicles, procedures and prohibitions: SB 6437

Unmanned aircraft, nefarious drone enterprises, special allegation of: SB 5499

Unmanned aircraft, prohibitions: ESHB 1093

AFRICAN-AMERICANS

Educational opportunity gap, oversight and accountability committee recommendations: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

Stewart, William P., requesting SR 99 be named William P. Stewart memorial highway: ***HJM 4010 (2016)**, SJM 8014

Teachers, classroom teachers of color, posting data on internet: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

AGRICULTURE (See also FARMS AND FARMING; FOOD AND FOOD PRODUCTS; LIVESTOCK; WATER RIGHTS; WEEDS)

Bees and beekeepers, tax preferences: SB 5017

Bees, honey, replacing pollen-rich noxious weeds with forage plants, pilot project: 2SHB 1654, ***EHB 2478, CH 44 (2016)**

Berry growing operations, commercial, outdoor burning of pruning waste: SB 6178

Cesar Chavez day, recognizing March thirty-first as: HB 1560, SB 5565

Commodities, vehicle weight limits when carrying: SB 6265

Crop protection products, hazardous substance tax exemption, when: SB 5209

Dairy purpose of use water rights, modifying "municipal water supply purposes" to include: SB 6215

Fairs, nonprofit fair associations, property tax exemption extension: SB 5706

Fairs, nonprofit fair associations, rented property owned by, taxation of: SB 5708

Food policy forum, Washington, establishing: ESHB 1685

Food safety and animal health program, certain fee increases: ***ESHB 2128, CH 27 (2015)**

Food system, state, study of, to include goal for expansion of capacity: ESHB 1685

Hemp, as commercial animal feed component, study of: ***HB 1268, CH 106 (2015)**

Hemp, industrial production of: SB 5012, SB 6206

Irrigation and agricultural irrigation, modifying "municipal water supply purposes" to include: SB 6215

Labor, agricultural labor skills and safety grant program, creating: ***SHB 1127, CH 68 (2015)**, SB 5019

Lands, agricultural, agricultural activity discharges from, violation reported by named third party, notice of: SB 6551

Lands, agricultural, river and sediment management demonstration projects for protecting: SB 5347

Lands, long-term commercial significance, local or state agency-owned, use: SB 5013

Lands, qualifying as agricultural, prohibiting conversion from agriculture activities: SB 5168, SB 5169, SB 5170

Producers and regulatory staff, forums for: SB 5060

Seed sales, mandatory nonbinding arbitration provisions, repealing: SB 6344
 Seed, procurement by state agencies, identity and purity of: SB 5972
 Seeds, native and reclamation, testing requirements: SB 5273
 Wildlife damage to crops, compensation claim damage assessor costs, DFW responsibility: SB 6450
 Wildlife damage to crops, compensation claims, prohibiting DFW management actions until paid: SB 5712

AGRICULTURE, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; STATE AGENCIES AND DEPARTMENTS)

Apple commission, provisions: SB 6290
 Applications and permits, requiring consistent and prompt department decision making: SB 5197
 Beef commission, assessment by, modifying provisions: SB 6638
 Commodity boards and commissions, assessments by, exception to simple majority approval requirement, repealing: SB 6186
 Cottage food operations, maximum sales limit for permit, department role: ***SB 5603, CH 196 (2015)**
 Dairy products commission, duties related to dairy farm-produced nutrients: ***HB 2634, CH 101 (2016)**, SB 6343
 Farm-to-school program, appropriating funds for: SB 6039
 Food safety and animal health program, certain fee increases, department role: ***ESHB 2128, CH 27 (2015)**
 Fruit and vegetable inspection districts, merging: ***SB 6345, CH 229 (2016)**
 Hemp, as commercial animal feed component, department to study: ***HB 1268, CH 106 (2015)**
 Hemp, industrial production of, department role: SB 6206
 Livestock, movement reporting system, establishing, department role: SB 5733
 Pesticide licensees, recertification waiver, comparable standards for, department role: ***SHB 1527, CH 184 (2015)**, SB 5601
 Seed sales, mandatory nonbinding arbitration involving department, repealing: SB 6344
 Small farm direct marketing assistance program, appropriating funds for: SB 6039
 Solid waste, disease and pest control, department regulatory role: SB 6605
 Wine commission, assessment, exempting cider makers: ***HB 1179, CH 76 (2015)**, SB 5260

AIR POLLUTION CONTROL AUTHORITIES

Vacancies on boards, nominations to fill, role of city selection committees: SB 6348

AIR QUALITY AND POLLUTION (See also CLIMATE; ECOLOGY, DEPARTMENT; POLLUTION LIABILITY INSURANCE AGENCY)

Applications and permits, requiring consistent and prompt agency decision making: SB 5197
 Burning, forest resiliency burning pilot project, DNR to conduct: ***ESHB 2928, CH 110 (2016)**
 Burning, outdoor, of commercial berry growing pruning waste: SB 6178
 Burning, outdoor, prohibiting in certain urban growth areas, when: SB 6644
 Burning, permits for, narrowing grounds for refusing or revoking use of: SB 6511
 Burning, prescribed burn managers, certification program for, creating: SB 6502, SB 6511, SB 6632
 Burning, prescribed, for silvicultural forest land purposes, updating smoke management plan for: SB 6510, SB 6632
 Carbon pollution market and competitiveness certificate programs, creating: SB 5283
 Carbon pollution market and competitiveness certificate programs, including rebates, creating: SB 6121
 Carbon pollution tax on fossil fuel, imposing through evergreen initiative: SB 6306
 Carbon pollution tax on fossil fuels consumption, I-732: SI 732
 Carbon pollution tax on fossil fuels consumption, I-732, "2016 act" to be on ballot as alternative: SB 6381
 Greenhouse gas emissions, defining for energy independence act purposes: SB 5735
 Greenhouse gas emissions, statewide limit, requiring authorization in legislation for rule or policy establishing: SB 6173
 Hazards, exposure to, forming permanent cumulative impacts task force: SB 6121
 Motor vehicle emissions, adoption of standards, modifying regulatory authority: SB 5423
 Motor vehicle emissions, manufacturers falsely certifying vehicles as meeting standards, violations and penalties: SB 6419
 Natural gas engines, in combined heat and power systems, emission limits and permits: ***E2SHB 1095, CH 19 (2015)**
 Solid fuel burning devices, installation and use during temporary outages: ***ESHB 2785, CH 187 (2016)**

ALCOHOL AND DRUG ABUSE (See also DRUGS; TRAFFIC OFFENSES)

Alcohol, powdered, banning use, purchase, sale, and possession of: SB 6082

Behavioral health and medical services, via managed care in regional service area, certain reimbursements, when: SB 5924

Behavioral health services, providing, training for leveraging federal funds: SB 6430

Behavioral health services, task force on aligning with primary health care: ***E3SHB 1713, CH 29 (2016)**, SB 6544

Behavioral health treatment services and facilities, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**

Chemical dependency professionals, mental health and chemical dependency dual licensure: SB 6485

Chemical dependency recovery programs, funding: SB 5078

Chemical dependency treatment, funding support services for: SB 5178

Chemical dependency treatment, health or social welfare organizations providing, B&O tax deductions: SB 6477

Chemical dependency treatment, involuntary and minors, integration with mental health treatment: ESHB 1713, ***E3SHB 1713, CH 29 (2016)**

Chemical dependency treatment, involuntary, detention standards, modifying: SB 5687

Chemical dependency treatment, non-hospital facilities, patient ambulance transport to: ***SHB 1721, CH 157 (2015)**

Chemical dependency, mental health, and/or co-occurring disorder treatment disposition alternative for juvenile offenders, creating: ***ESHB 2746, CH 106 (2016)**

Chemical dependency, replacing with "substance use disorder," in treatment administrative provisions: 2SHB 1916

Defendants, pretrial electronic alcohol monitoring programs, pretrial supervision costs limitation exemption for: SB 6134

Homeless, chemical dependency and/or mental illness treatment for, using certain account funds for: SB 6647

Jails, persons in, communication about health services and medications for, work group to study: SHB 2501

Opioid overdoses, overdose medications to counteract, increasing access: ***ESHB 1671, CH 205 (2015)**

Recovery, alcohol or drug addiction fellowship sponsors, testimony by: SB 6498

Sentencing for criminal offenses, alcohol or controlled substance possession or use, prohibitions: ***SB 5104, CH 81 (2015)**

Students, truancy, substance abuse assessment or mental health evaluation: ***2SHB 2449, CH 205 (2016) PV**

Substance abuse programs, funding with marijuana excise tax revenues: SB 5245

Substance use disorder treatment, involuntary and minors, integration with mental health treatment: ESHB 1713, ***E3SHB 1713, CH 29 (2016)**

Substance use disorder, integrating administrative provisions into community mental health system provisions: 2SHB 1916

Substance use disorder, replacing "chemical dependency" with, in treatment administrative provisions: 2SHB 1916

ALCOHOLIC BEVERAGES (See also LIQUOR AND CANNABIS BOARD; LIQUOR CONTROL BOARD; TAXES - EXCISE; TRAFFIC OFFENSES)

Beer, additional tax, revenue use for health security trust: SB 5741

Beer, domestic breweries and microbreweries, providing promotional items to certain nonprofits: ***SB 5662, CH 94 (2015)**

Beer, in cans, exemption from detachable ring sales prohibition, when: SB 5008

Beer, microbreweries, sales by, including cider in tasting rooms: ***HB 1342, CH 42 (2015)**

Beer, microbreweries, various sales of beer, wine, and spirits by: SB 5353

Beer, on-tap sales, endorsement for grocery store licensees, conditions: SB 5280

Charter party and excursion service carriers, regulation of, alcoholic beverage provisions: SB 5362

Cider, alcohol content for purposes of liquor excise taxes: ***SB 6325, CH 225 (2016)**

Cider, domestic winery-produced, sales in microbrewery tasting rooms: ***HB 1342, CH 42 (2015)**

Cider, exempting makers from wine commission assessment: ***HB 1179, CH 76 (2015)**, SB 5260

Cider, on-tap sales, endorsement for grocery store licensees, conditions: SB 5280

Distilleries and craft distilleries, spirits sales at farmers markets: SB 5353

Distilleries and craft distilleries, various sales of own spirits, as well as wine and beer: SB 5353

Distributors, employees between 18 and 21, allowing liquor handling and transporting by, conditions: ***ESB 5504, CH 33 (2015)**

Distributors, price discrimination, prohibiting: SB 5660

Excursion service and charter party carriers, regulation of, alcoholic beverage provisions: SB 5362

Farmers markets, sales by wineries, microbreweries, or craft distilleries: SB 5353

Farmers markets, spirits sales by distilleries and craft distilleries: SB 5353

Farmers markets, wine and beer samples at, wineries and microbreweries offering: SB 6390

Jail, persons in, prohibiting alcohol during term of confinement: ***SHB 2900, CH 199 (2016) PV**

- Licensees, beer and/or wine specialty shops with spirits retail license, industry member personal services offered to: SHB 2342
- Licensees, card of identification, various provisions: SB 6470
- Licensees, free beer and wine samples, when: ***HB 1124, CH 180 (2015)**
- Licensees, retail, authority to sell gift certificates and cards: SB 5353
- Licensees, spirits retail, group of individual retailers, delivery at individual premises: ***E2SHB 1807, CH 186 (2015)**
- Licensees, technical changes, various: SB 6470
- Licensees, various, purchase of liquor, repealing provision: SB 6470
- Licenses, beer and/or wine specialty shops, wine retailer reseller endorsement, creating: ***SHB 2831, CH 190 (2016)**
- Licenses, distilleries and craft distilleries, shipping own spirits to residents: SB 5353
- Licenses, special occasion, not-for-profit organizations, wine sales for on-premises consumption: SB 6470
- Licenses, special occasion, wine sales for on-premises consumption: SB 5155
- Licenses, special occasion-licensed event, winery's own wine for off-premises consumption, retail sales endorsement: SB 6470
- Licenses, spirits retail, beer and/or wine specialty shops with, industry member personal services offered to: SHB 2342
- Licenses, spirits retail, license issuance fee provisions: ***E2SHB 1807, CH 186 (2015)**, SB 5660
- Licenses, spirits retail, nonprofit organizations, exemption from issuance fee and certain sales taxes: SB 5353
- Licenses, temporary additional fee on all, exceptions: ***ESHB 1965, CH 26 (2015)**, SB 5400
- Liquor excise taxes, cider alcohol content for purposes of: ***SB 6325, CH 225 (2016)**
- Liquor excise taxes, revenues, distribution from liquor revolving fund: SB 5896, SB 6425
- Liquor excise taxes, wine sales by winery, exemption for certain amount each year: SB 6388
- Liquor industry members, personal services for retailers, authorizing, when: SB 5248
- Liquor industry members, providing purchase credit to a retailer, authorizing, when: SB 6011
- Liquor stores, state, individual purchases disclosure exemption, repealing: ***HB 2663, CH 182 (2016)**
- Permits, special occasion or banquet, sales of beer, wine, and spirits: SB 5353
- Permits, special, private collection of wine or spirits, sale of: SB 6470
- Permits, special, tasting and selling brewery's own beer at private event: ***HB 2605, CH 129 (2016)**, SB 6346
- Permits, temporary additional fee on all, exceptions: ***ESHB 1965, CH 26 (2015)**, SB 5400
- Personal services by industry members, offering to certain retail license holders, when: SHB 2342
- Powdered alcohol, applying regular liquor statutes to: SB 5292
- Powdered alcohol, banning use, purchase, sale, and possession of: SB 6082
- Prison inmates, prohibiting alcohol while incarcerated: ***SHB 2900, CH 199 (2016) PV**
- Prohibition on sale of liquor, local option, municipality and county power to repeal: SB 5167
- Prohibition on sale of liquor, local option, territory annexed into city after: ***SHB 1564, CH 153 (2015)**
- Restaurants and other on-premises retailers, preferential pricing, authorizing, conditions: SB 6324
- Spirits and wine, retailer authorized to sell, volume discounts and accepting and making deliveries: ***SHB 2831, CH 190 (2016)**
- Spirits retail licensees, group of individual retailers, delivery at individual premises: ***E2SHB 1807, CH 186 (2015)**
- Spirits, additional taxes, revenue use for health security trust: SB 5741
- Spirits, retailers selling for resale, provisions: SB 5301
- Spirits, sales tax, comprehensive reduction: SB 5711
- Tasting, by certain post-secondary students: ***HB 1004, CH 59 (2015)**, SB 5001
- Wine and spirits, retailer authorized to sell, volume discounts and accepting and making deliveries: ***SHB 2831, CH 190 (2016)**
- Wine manufacturers, private tasting and selling event, special permit for: SB 5596
- Wine, beer and/or wine specialty shop license retailer reseller endorsement, creating: ***SHB 2831, CH 190 (2016)**
- Wine, on-tap sales, when license permits on-tap beer sales: SB 5213
- Wineries, domestic licensees, tasting rooms: SHB 1290, SB 5212
- Wineries, domestic, creation of new wineries in Washington, reports concerning: SHB 1290
- Wineries, domestic, own wine at special occasion-licensed event for off-premises consumption, retail sales endorsement: SB 6470
- Wineries, various sales of beer, wine, and spirits by: SB 5353

ANIMALS (See also HORSES; LIVESTOCK; VETERINARIANS; WILDLIFE)

Abuse of animals, offender registration and animal abuse registry: SB 6234

Cruelty to animals, modifying provisions: ***SHB 2644, CH 181 (2016)**, ***ESHB 2906, CH 136 (2016)**, SB 5501, SB 6529

Dogs, unlawful dog tethering act, restraint restrictions: SB 5812

Massage, animal, changing "practitioner" to "therapist": ***SHB 2425, CH 41 (2016)**, SB 6181

Pet adoption fees, for animal rescue organization ownership transfer, removing from "sale" definition: SB 6438

Unattended confined animals, class 2 civil infraction, when: SB 5501

APPRENTICES AND APPRENTICESHIP PROGRAMS

Apprenticeship and training council, certain grant awards report, requirements: ***EHB 2883, CH 197 (2016)**

Building code officials, apprenticeship and training program: SB 5882

Electricians, certain certificates of competency, apprenticeship program for: EHB 1590, SB 6581

Labor hours of apprentice utilization, compliance with percentage as responsible bidder criterion: SB 6574

Labor hours, definition, modifying for public works apprenticeship utilization: ***HB 1595, CH 48 (2015)**, SB 5734

Public works, certain contracts, apprentice utilization requirements for: ***2ESB 5993, CH 40 (2015)**, SB 6031

Transportation workforce development, apprenticeship programs, modifying: ***ESB 5863, CH 164 (2015)**

ARCHAEOLOGY AND HISTORIC PRESERVATION, DEPARTMENT OF

Cemeteries, historic, preservation capital grant program, department role: ***HB 2637, CH 102 (2016)**

Main street program, trust fund, increasing amount of tax credits for contributions to: SB 5313

ART AND ARTWORKS

Creative districts, state-certified, designation and certification of: SHB 2583

Cultural access programs, creation: ***ESHB 2263, CH 24 (2015)**, SB 5463

Environmental policy, state, art and cultural resources as components of: SB 6646

Higher education institutions, expending part of art allocation during design phase, when: SB 6409

Nonprofit arts organizations, exemption from spirits retail license issuance fee and certain sales taxes: SB 5353

Public buildings, appropriations for construction, eliminating public art purchases with: SB 5190

ARTS COMMISSION (See also ART AND ARTWORKS)

Creative districts, state-certified, local government designation and commission certification of: SHB 2583

Higher education institutions, expending part of art allocation during design phase, commission role: SB 6409

ATTORNEY GENERAL (See also ACTIONS AND PROCEEDINGS; CIVIL PROCEDURE)

Animal abuse offenses, animal abuse offender registry, attorney general to maintain: SB 6234

Homeowners' association ombuds, office of, establishing in attorney general's office: SB 6212

Homicide, justifiable, and use of deadly force by law enforcement, data concerning, attorney general role: SB 6294

Incapacitated adults, alleged theft or financial exploitation by guardian, investigation and action by AG: SB 5945

Medicaid fraud false claims act, reauthorizing to aid prosecution by office: SB 5287

Military and veteran legal assistance, office of, creating within attorney general's office: SHB 2496, SB 6300

Pregnant women, workplace accommodations for, attorney general to investigate complaints: ESHB 2307

Rule making by state agencies, preadoption review by attorney general: SB 6396

Traffic-based financial obligations, payment plans work group, AG to convene: EHB 2659, SB 6360

ATTORNEYS

Legal service contractors and plans, regulation of: SB 5412

Prosecuting attorney, county, accused of wrongdoing, appointing independent counsel: SB 6159

Prosecuting attorneys, financial affairs statement, requirements: HB 1397, SB 5308

AUDITORS AND AUDITING (See also ELECTIONS; STATE AUDITOR)

Audits, of local government, option to request financial audit by licensed CPA firm: ESHB 2148

Election reconciliation reports, county auditor and secretary of state duties: SHB 2435

Local government financial audits, by licensed CPA firm rather than state auditor: ESHB 2148

BAIL AND BAIL BONDS

Agents, general power of attorney in bail bond contracts: ***HB 1022, CH 73 (2016)**

Surety treatment bonds, authorizing use by therapeutic or specialty courts: SB 6556

Surety's bond, surrender of person: HB 2462, SB 6403

BICYCLES

Intersections, stopping and proceeding through red light, allowing, conditions: SB 5438
 Outdoor recreation, bicycling as, for purposes of landowner liability provisions: SB 6384

BLIND (See also BLIND, STATE SCHOOL FOR THE; DISABILITIES, PERSONS WITH)

Nonprofit agencies for the blind, procurement from, by public agencies: ***HB 2398, CH 40 (2016)**

BLIND, STATE SCHOOL FOR THE (See also BLIND)

Teachers and staff, raising base salaries for, allocations: SB 6241

BOATS AND BOATING (See also COMMERCIAL VESSELS AND SHIPPING)

Floating homes and on-water residences, sale by real estate broker: ***HB 1309, CH 133 (2015)**
 Moorage facilities, city- or county-owned, use fee imposition and liability immunity: SB 5022
 Moorage facilities, in island counties, using county road fund moneys for: ***EHB 1868, CH 223 (2015)**
 Owner information, disclosure, when: ***EHB 1409, CH 80 (2016)**, SB 5397
 Permits, nonresident entity-owned vessels, state waters permit and sales and use tax exemptions: SB 5878
 Recreational vessels, large, sales and use tax exemptions: SB 5762
 Vessel registration, exemption, low-wattage-propulsion-machinery vessels, when: SB 6120
 Vessel registration, service fee, provisions: ESB 5416
 Vessel reports of sale, after filing, department of licensing duties: ***EHB 2190, CH 148 (2015)**
 Vessel titles, quick title service fee paid to subagent, apportionment: ***SHB 1157, CH 1 (2015)**

BOILERS AND UNFIRED PRESSURE VESSELS

Energy assessments for boilers and process heaters, when: ***E2SHB 1095, CH 19 (2015)**
 Miniature hobby boilers, exemption from certain requirements: SB 5234

BONDS (See also BAIL AND BAIL BONDS)

Bond authorization statutes, inactive or obsolete: ***EHB 1859, CH 4 (2015)**, SB 5723
 Bonds, state and local government authority to invest in: SB 5390
 Debt, state, calculation of working debt, working debt service, and new bond appropriations limits: SB 5981
 General obligation bonds, as part of designated disaster area public works financing: SB 6316
 General obligation bonds, for certain higher education capital projects, decodifying statutes: ***HB 1961, CH 55 (2015)**, SB 5977
 General obligation bonds, for school facilities to support all-day kindergarten and K-3 class size reduction: SB 6080
 General obligation bonds, in connection with state land improvement financing area creation: ***HB 2842, CH 192 (2016)**, SB 6580
 General obligation bonds, proceeds for capital and operating budget projects: ***ESHB 1166, CH 37 (2015)**, SB 5095
 General obligation bonds, proceeds for transportation budget projects: SB 5361, SB 5989
 Investment authority and options of public entities, modifying provisions: SHB 2936, ***ESB 6349, CH 152 (2016)**, SB 6596
 Passenger-only ferry service districts, general obligation and revenue bonds: SB 5242, SB 5358, SB 5987
 Private activity bonds, allocation of, for housing and student loans: SHB 2585, SB 6342, SB 6682

BUDGETS (See also ECONOMIC AND REVENUE FORECAST COUNCIL)

Adoption of any biennial budget after regular session, legislator campaign contributions when: SB 6137
 Balanced budget requirements, constitutional amendment to reject initiatives when not complying with: SJR 8201
 Balanced budget, constitutional amendments to require: SJR 8213
 Capital, 2015-2017: SB 5097
 Capital, 2015-2017 and supplemental 2015: ***2EHB 1115, CH 3 (2015) PV**
 Capital, biennial requests by agencies, document for projects, modifying requirements: HB 1532, SB 5562
 Capital, emergency drought response appropriations for 2015 supplemental and 2015-2017 budgets: SB 6125
 Capital, general obligation bond proceeds for capital projects: ***ESHB 1166, CH 37 (2015)**, SB 5095
 Capital, supplemental 2015 and capital 2015-2017: ***2EHB 1115, CH 3 (2015) PV**
 Capital, supplemental, 2015: SB 5096
 Capital, supplemental, 2016: ***ESHB 2380, CH 35 (2016) PV**, SB 6201
 Carbon pollution market and competitiveness certificate programs, creation and appropriations: SB 6121
 Education, K-12 appropriations, basic education funding to be determined in omnibus appropriations act: SB 6079

Expenditures by state, suspending state expenditure limit to amply fund basic education: ***EHB 2267, CH 29 (2015)**
 Fee increases, simple majority vote by legislature, prohibiting approval in omnibus appropriations act: SB 6604
 Fiscal analysis, nonpartisan agency for, work group to consider establishing: SB 5667
 Forecasts, economic and revenue, on same date during all legislative sessions: SB 5064
 Operating, 2015-2017: SB 5077
 Operating, 2015-2017 and supplemental 2015: ESHB 1106
 Operating, general obligation bond proceeds for projects: ***ESHB 1166, CH 37 (2015)**, SB 5095
 Operating, omnibus appropriations act, basic education funding to be determined in: SB 6079
 Operating, omnibus appropriations act, to include tax expenditure budget: SB 5492
 Operating, supplemental 2015: ***SHB 1105, CH 3 (2015)**, SB 5076
 Operating, supplemental 2015 and operating 2015-2017: ESHB 1106
 Operating, supplemental 2016: ***2ESHB 2376, CH 36 (2016) PV**, SB 6246
 Revenue growth, extraordinary, transferring from budget stabilization account to general fund: ***EHB 2286, CH 2 (2015)**
 Review of agency requests and governor's proposal using zero-based budget review process: SB 6423
 State budget outlook work group, outlook prepared by, requirements: SB 5279
 Transportation, 2015-2017: SB 5360
 Transportation, 2015-2017 and supplemental 2013-2015: ***2ESHB 1299, CH 10 (2015) PV**
 Transportation, additive budget, 2015-2017: SB 5988
 Transportation, coordinating authorization of 1063 block replacement project with budget: SB 5886
 Transportation, general obligation bond proceeds for projects: SB 5361, SB 5989
 Transportation, supplemental 2013-2015: SB 5359
 Transportation, supplemental 2013-2015 and transportation 2015-2017: ***2ESHB 1299, CH 10 (2015) PV**
 Transportation, supplemental 2015-2017: ***ESHB 2524, CH 14 (2016) PV**, SB 6307

BUILDING CODE COUNCIL

Above-ground used oil collection tanks, transferring duties to council: SB 5271
 Building code, substantial amendments to, six-year time frame: SB 5185
 Council members, modifying provisions: SHB 2841, SB 6525
 Council, administration and operations of, legislative task force on, establishing: SHB 2841, SB 6525
 Efficiency, standards for toilets, water closets, and urinals, council adoption: ESHB 2430
 Energy code, adoption and amendment of, council role in procedures for: SB 5804
 Energy code, counties in climate zones, prohibiting changes by council: ***HB 1011, CH 11 (2015)**
 Energy code, substantial amendments to, six-year time frame: SB 5185
 Plumbing code, international, adoption of: SB 6226
 Smoke detection devices, transferring certain duties from state patrol to council: SB 5271

BUILDING CODES AND PERMITS

Building code, substantial amendments to, six-year time frame: SB 5185
 Buildings, four or more stories high, application of code to: ***SB 5139, CH 226 (2015)**
 Code officials, apprenticeship and training program: SB 5882
 Efficiency, standards for toilets, water closets, and urinals, including adoption: ESHB 2430
 Electrical code, exemptions for certain work, when: SB 5846
 Energy code, adoption and amendment of, procedures for: SB 5804
 Energy code, counties in climate zones, changes of, prohibitions: ***HB 1011, CH 11 (2015)**
 Energy code, substantial amendments to, six-year time frame: SB 5185
 Permits, applications for, collecting information concerning unregistered contractors not paying taxes: SB 6138
 Permits, residential and nonresidential buildings, fees and surcharge for deposit in building code council account: SB 6525
 Permits, residential and nonresidential buildings, fees for deposit in building code council account: SB 5183
 Permits, single-family residential construction, impact fees, deferred collection of, when: ***ESB 5923, CH 241 (2015)**
 Permits, temporary surcharge, imposing and depositing into building code council account: SHB 2841
 Plumbing code, exemptions for certain work, when: SB 5846
 Plumbing code, international, adoption of: SB 6226
 Residential buildings, single-family, minimum dimensions of habitable spaces: EHB 1123
 Vested rights doctrine, preserving common law interpretation and application: ESB 5921

Water reliance, proof of, for building permit recipients, application process for: SB 6584
 Water supply, risk assessment of possible impacts to, as part of building permit application, when: SB 6012
 Wildland urban interface code, international, incentivizing adoption by high wildfire risk counties: SB 6632

BUILDINGS, STATE (See also CAPITOL CAMPUS, STATE)

Art, for public buildings, eliminating purchases with public building construction appropriations: SB 5190

BUSINESSES (See also ALCOHOLIC BEVERAGES; COMMERCE, DEPARTMENT; CORPORATIONS; DISCRIMINATION; ECONOMIC DEVELOPMENT; FINANCIAL INSTITUTIONS; HEALTH CARE PROFESSIONS AND PROVIDERS; INDIANS; LIMITED LIABILITY COMPANIES; MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE; PARTNERSHIPS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TOWING AND TOW TRUCKS; WAGES AND HOURS)

Adult entertainment establishments, sexually oriented live, admission fee: SB 6484
 Amusement services, simplifying taxation: ***HB 1550, CH 169 (2015)**
 Assistance programs and services, consolidating through creation of office for regulatory innovation and assistance: SB 6669
 Auto malls, directional signs on state highways, authorizing DOT installation, when: SB 6468
 Automotive dealers and repair facilities, records in electronic form, retaining: HB 2512, SB 6326
 Beekeepers, tax preferences: SB 5017
 Biometric identifiers, attaining and using for commercial purposes and disclosing, requirements, prohibitions, and actions: 2ESHB 1094
 Car rental and sharing companies, discover pass bulk sales to and agency partnerships with: SB 6140
 Car rental businesses, vehicle license cost recovery fee charged by: ***HB 2322, CH 18 (2016)**
 Car rental businesses, violations applicable to rental cars, renter responsibility, when: ***SB 5100, CH 189 (2015)**
 Charter party and excursion service carriers, regulation of, various provisions: SB 5362
 Cigar lounge or retail tobacconist shop, retail license endorsement for, requirements: SB 5917
 Collection agencies, account level documentation, agency personal review of, requirements: SB 6649
 Collection agencies, debt collection legal actions, service of summons and complaint, when: SB 6628
 Collection agencies, electronic payment transaction fees: SB 5222
 Collection agencies, medical liens, authority for use and requirements: ***SHB 1503, CH 201 (2015)**
 Collection agencies, recouping local homeless housing and assistance document-recording surcharge, when: SB 5536
 Commercial transportation services providers, regulating of: ESHB 2131, ***HB 2516, CH 21 (2016)**, SB 6444
 Computer data centers, eligible server equipment installed in, sales and use tax exemptions: SB 5827
 Consumer reporting agencies, consumer credit report security freeze, requesting: ***SHB 2859, CH 135 (2016)**
 Consumer reporting agencies, prohibiting eviction records in reports, when: SB 5376
 Cottage food operations, adding certain candies to list of foods: ***HB 1622, CH 203 (2015)**
 Cottage food operations, maximum sales limit for permit: ***SB 5603, CH 196 (2015)**
 Cottage food operations, tetrahydrocannabinol concentration in product ingredients: ***HB 1622, CH 203 (2015)**
 Credit reports, consumer security freeze, requesting: ***SHB 2859, CH 135 (2016)**
 Credit reports, prohibiting eviction records in, when: SB 5376
 Debt adjusting services, various provisions: ***SHB 1283, CH 167 (2015)**, SB 5485
 Debt settlement services, registration of providers: SB 5321
 Disadvantaged business enterprise advisory committee, creating within transportation commission: SB 6180
 Economic gardening pilot project, creating within department of commerce: ***ESB 6100, CH 212 (2016)**
 Electronic signatures and records, broader use of, authorizing: SB 5810
 Employment agencies or directories, repealing most provisions and prohibiting prospective employee fee: SB 6522
 Employment agencies, repealing employment agency act: SB 5007
 Excursion service and charter party carriers, regulation of, various provisions: SB 5362
 Farmers markets, sales by wineries, microbreweries, or craft distilleries: SB 5353
 Farmers markets, spirits sales by distilleries and craft distilleries: SB 5353
 Farmers markets, wine and beer samples at, wineries and microbreweries offering: SB 6390
 Financial information of consumers, data breach notification by businesses: ***ESHB 1078, CH 64 (2015)**, SB 5047
 Fishing guides, commercial license for, when employer-purchased: ***HB 1232, CH 103 (2015)**
 Fishing guides, food or game fish or chartering, licensing requirements and violations: SB 5824
 Floral or ornamental products businesses, misrepresenting geographic location: ***EHB 1422, CH 168 (2015)**
 Floral products businesses, misrepresenting geographic location on web site: SB 5224

Food establishments, college on-campus, student use of electronic benefit transfer cards at: HB 1820, SB 5794
 Food processing, B&O tax preferences, extending expiration dates: SB 5698
 Food service, time-temperature standards, Asian rice-based noodles and Korean rice cakes: ***SB 6398, CH 20 (2016) V**
 For hire vehicles, persons owning or leasing, industrial insurance provisions: HB 1821, SB 5710
 Government, business interactions with, one-stop integrated system for: SB 6222
 Grocery stores, on-tap cider and beer sales, endorsement for certain licensees, conditions: SB 5280
 Legal service contractors and plans, regulation of: SB 5412
 Licensing, business licensing service, disclosure of information for commercial purposes, prohibiting: SB 6438
 Licensing, local business tax and licensing simplification task force, establishing: ***EHB 2959, CH 55 (2016)**
 Life alert services, contact information for subscribers, providing to first responders: SB 5346
 Limousine operators owning or leasing vehicle, industrial insurance provisions: HB 1821, SB 5710
 Locksmith services, regulation of: SB 5296
 Log transportation businesses, public utility tax credit, when: SB 6121
 Marijuana, businesses, product traceability and operations information disclosure exemption, when: ***SHB 2584, CH 178 (2016), ESB 6207**
 Marijuana, common carrier transportation of, rules for licensing: ***2E2SHB 2136, CH 4 (2015)**, SB 5051, SB 6136
 Marijuana, comprehensive marijuana market reform, regulation and taxation: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, marijuana clubs, legalizing, when: SB 6375
 Marijuana, marijuana clubs, prohibition: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, plants, sale by licensed producers to cooperatives: ***HB 2520, CH 170 (2016)**, SB 6304
 Marijuana, producers and processors, personal services and promotional items for retailers: SB 6341
 Marijuana, recreational businesses, creating Washington publicly owned trust as sole depository for: SB 5971
 Marijuana, recreational businesses, excise tax and revenues, provisions: ***2E2SHB 2136, CH 4 (2015)**, SB 5417, SB 6136
 Marijuana, recreational businesses, minors entering or being served by retailers, crimes related to: HB 2522, SB 6302
 Marijuana, recreational businesses, miscellaneous provisions: ***2E2SHB 2136, CH 4 (2015)**, SB 5417, SB 6136
 Marijuana, recreational businesses, retail outlet unsellable marijuana disposal: ***HB 2521, CH 171 (2016)**, SB 6303
 Marijuana, recreational businesses, siting of: ***2E2SHB 2136, CH 4 (2015)**, SB 5417, SB 5450, SB 5572, SB 6136
 Marijuana, recreational businesses, vending machines or drive through, prohibition: ***2E2SHB 2136, CH 4 (2015)**, SB 5903, SB 6136
 Marijuana, research facilities, siting of: ***2E2SHB 2136, CH 4 (2015)**, SB 5572, SB 6136
 Marijuana, state cannabis industry and economic development committee, establishing: SB 5858
 Medical businesses, medical liens, authority for use and requirements: ***SHB 1503, CH 201 (2015)**
 Monitoring agencies, for electronic home detention monitoring, requirements: SB 5766
 Monitoring agencies, for electronic monitoring of criminal offenders, requirements: ***EHB 1943, CH 287 (2015)**
 Movers, local rural license, creating: SB 5669
 Music licensing agencies, regulating: ***E2SHB 1763, CH 38 (2016)**
 Music, performing rights societies, regulating: ***E2SHB 1763, CH 38 (2016)**
 Networking services, excluding providers from gambling information transmissions prohibitions, when: SB 6566
 New businesses, B&O tax credit: SB 5339
 Noncompetition agreements, voiding, when: SB 6625
 Opportunity, certificates of restoration of, comprehensive provisions: ***2ESHB 1553, CH 81 (2016)**
 Organizations, uniform business organizations code--general provisions, creating: ***SB 5387, CH 176 (2015)**
 Parking businesses, commercial, parking charges imposed by, conditions: EHB 1443
 Parking businesses, commercial, passenger-only ferry district parking tax on: SB 5242, SB 5358, SB 5987
 Patents, bad faith assertions of infringement, prohibitions and actions: SB 5059
 Pawnbrokers, fees and interest rates: ***ESB 5616, CH 294 (2015)**
 Physical fitness services, simplifying taxation: ***HB 1550, CH 169 (2015)**
 Professional service corporations, outstanding shares holders' eligibility to be director, officer, or shareholder: SB 6411
 Protection product guarantee providers, registration and regulation provisions: ESHB 2355, SB 6309
 Radio and television broadcasting, B&O tax provisions, modifying: SB 5641
 Recreation services, simplifying taxation: ***HB 1550, CH 169 (2015)**
 Regulatory and business requirements, developing business assistance materials concerning: SB 6221, SB 6669
 Regulatory innovation and assistance, office, creating: SB 6223, SB 6669
 Remote sellers, nexus within state, when deemed to have for certain sales and B&O tax purposes: SB 5541

Restaurants, preferential spirits and wine pricing for, authorizing, conditions: SB 6324
 Sawmills and planing mills, B&O tax credit, when: SB 6121
 School service providers, via online service or site or mobile application, requirements: ESHB 1495, ***ESB 5419, CH 277 (2015)**
 Service contract providers, registration and regulation provisions: ESHB 2355, SB 6309
 Signature gatherers, entities that compensate, disclosure requirements: SB 5375
 Small businesses, modifying excise tax filing threshold: SB 5043
 Small businesses, task force on state and local regulations that affect small businesses with fifty or fewer employees, establishing: SB 6033
 Small businesses, Washington small business retirement marketplace, creating: SHB 2109, SB 5826
 Small, small business tax credit, increasing: SB 6216
 Storage facilities, self-service, personal property lien notices: ***SHB 1043, CH 13 (2015)**, SB 5009, ***SB 6148, CH 6 (2016) V**
 Subscriptions, product, means of cancellation of product subscriptions, requiring parity: SB 5530
 Tax relief and exemption for certain businesses, providing living wage through new rates and: SB 6029
 Taxicab operators owning or leasing vehicle, industrial insurance provisions: HB 1821, SB 5710
 Television and radio broadcasting, B&O tax provisions, modifying: SB 5641
 Ticket brokers and resellers, online, disclosure requirements: SB 5580
 Ticket sellers, internet web sites of, using or selling software to interfere with: ***EHB 1091, CH 129 (2015)**
 Ticket sellers, internet web sites of, using software to interfere with: SB 5456
 Transportation network companies, regulating of: SB 5550
 Transportation services providers, commercial, regulating of: ESHB 2131, SB 6444
 Veteran-owned businesses, maximum participation in state procurement contracts, provisions: SB 6034
 Veterans, businesses hiring, tax credits for: SB 5042
 Veterans, hiring, campaign to increase, including database of participants: ***2SHB 2040, CH 57 (2015)**

CAMPAIGNS (See also ELECTIONS; PUBLIC DISCLOSURE COMMISSION)

Committees of political parties, state, gender requirements for chair and vice chair, removing: SHB 2632
 Committees, political or candidate, inspection of books of account of: ***HB 1819, CH 54 (2015)**
 Committees, political or candidate, payment of fee to public disclosure commission: SB 5867
 Committees, political, contribution limits for state-level, county-level, and district-level committees: SB 5738
 Committees, political, inside and outside state, standardizing disclosure requirements: SB 6208
 Contributions, by nonprofit organizations, disclosure requirements: ESB 5153
 Contributions, excluding from B&O tax deduction, when: SB 6232
 Contributions, from one political committee to another, prohibiting, when: SB 5528
 Contributions, I-735, urging U.S. constitutional amendment reversing spending-of-money-as-free-speech court decisions: SI 735
 Contributions, requesting that Congress regulate money spent on elections: SJM 8002
 Contributions, to include candidate or political committee joint campaign expense, payment in full of: SB 5483
 Contributions, to legislator, when any biennial budget not adopted during regular session: SB 6137
 Contributions, urging U.S. constitutional amendment reversing spending-of-money-as-free-speech court decisions: SB 6505, SJM 8011
 Expenditures for campaign, credit card use for: SB 5409
 Incidental committees, including nonprofit organizations, definition and disclosure requirements: ESB 5153

CANCER RESEARCH ENDOWMENT AUTHORITY

Life sciences and cancer research, center of excellence for, merging authority with life sciences discovery fund authority to create: HB 2679

CAPITOL CAMPUS, STATE

1063 block replacement project, coordinating authorization with transportation budget: SB 5886
 Capitol furnishings preservation committee, modifying provisions: ***SB 5176, CH 24 (2015)**
 Heritage center, county auditor document recording surcharge for, increasing: ***HB 2195, CH 28 (2015)**
 Office Building 2 (OB2), renaming as Human Services Building: HCR 4401, SCR 8405

CASELOAD FORECAST COUNCIL

Adult basic education, expected enrollments at community and technical colleges, council forecast: SB 6161

Adult basic education, funding for, council role: SB 5619
 Early childhood education and assistance program, eligibility forecast, moving to council: SB 5999
 Health benefit exchange, nonmedicaid persons enrolling, council to forecast: SB 6279
 High school diploma or credential, certain residents without, council forecast: SB 6161
 Higher education funding, enrollment levels for calculating, council role in determining: SB 6095
 Performance management strategies, including lean management, agency savings from, council duties concerning: SB 5736
 Promise program, Washington, effectiveness of, council forecasting: SB 6481
 Racial impact statements, for legislative bills and resolutions, council to establish procedure: SB 5752
 School district four-year budget outlook generic model, council technical working group to consider feasibility: SB 6130
 Schools, common, enrollment forecasting by council: SB 6455

CHARITABLE ORGANIZATIONS (See also NONPROFIT ORGANIZATIONS)

Fund-raising activity, organization contest of chance prizes, use tax exemption: ***ESB 6013, CH 32 (2015)**
 Raffles, enhanced, by organizations for persons with intellectual disabilities: SB 6449

CHECKS AND CHECK CASHING (See also FINANCIAL INSTITUTIONS)

Small loans, borrowing, borrower twelve-month limit, raising: SB 5613
 Small loans, eliminating payday loans and creating small consumer installment loan: SB 5899

CHIEF INFORMATION OFFICER, OFFICE OF THE

Business interactions with government, one-stop integrated system for, office role: SB 6222
 Cybersecurity blue-ribbon panel, officer to convene, duties: SHB 1470
 Cybersecurity jobs act, state security policies and incident response, office role: SB 6528
 Data, office of privacy and data protection, creating within office: ***SHB 2875, CH 195 (2016)**
 Electronic signatures and records, broader use of, office role: SB 5810
 Transferring duties in OFM to consolidated technology services agency, CIO to be director: 2SHB 1391, SB 5315

CHILD CARE (See also EARLY LEARNING, DEPARTMENT; PUBLIC EMPLOYMENT AND EMPLOYEES)

Background checks, on child care workers, access to various records for: ESHB 2621, SB 6370
 Children, kindergartners, in mixed group or classroom, requirement: ***ESHB 2511, CH 169 (2016)**
 Early achievers program, child care programs quality award and tiered reimbursement, forecasting: SB 6279
 Early achievers program, joint select committee on, establishing: ***2E2SHB 1491, CH 7 (2015)**
 Early achievers program, modifying provisions: ***2E2SHB 1491, CH 7 (2015)**, SB 5452
 Early achievers review subcommittee, early learning advisory council to convene: ***2E2SHB 1491, CH 7 (2015)**, SB 5452
 Early care and education system, improving through early start act: ***2E2SHB 1491, CH 7 (2015)**, SB 5452
 Fatality and near fatality reviews, procedures: ***ESHB 1126, CH 199 (2015)**
 Native early child care and education, office of, creation: SB 5160
 Personal information of a child, disclosure of, exemption, when: ***HB 1554, CH 47 (2015)**, SB 5396
 Preschool, integrating child care with: ***2E2SHB 1491, CH 7 (2015)**, SB 5452
 Providers, certain in-home, exempted employment and licensing information, using employee identity to obtain: ESHB 1349
 Providers, family child care, collective bargaining unit representatives periodic certification elections: SB 6410
 Providers, family child care, collective bargaining, "feasible financially for the state" for purposes of agreements: SB 6126
 Providers, licensed family day care providers' personal information, public records disclosure exemption: SB 6542
 Working connections child care, eligibility for child protective services child care recipients, when: SHB 2716, SB 6598
 Working connections child care, modifying provisions: ***2E2SHB 1491, CH 7 (2015)**, SB 5452
 Working connections child care, reporting modifications: SB 5098

CHILDHOOD DEAFNESS AND HEARING LOSS, CENTER FOR (See also DEAF)

Teachers and staff, raising base salaries for, allocations: SB 6241

CHILDREN (See also CHILD CARE; DOMESTIC RELATIONS; EARLY LEARNING, DEPARTMENT; SEX OFFENSES AND OFFENDERS)

Abuse and exploitation of children, sexual, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**

Abuse and exploitation of children, sexual, creating account to combat: SB 5215

Abuse by school personnel and family, school staff training and response: ***HB 2597, CH 48 (2016)**

Abuse or neglect, allegations, notifying military when involving military family: ***SB 5079, CH 6 (2015)**

Abuse or neglect, certain records concerning certain reports of, modifying provisions: HB 1672

Abuse or neglect, including sexual assault, children's advocacy centers for victims: SB 5865

Abuse or neglect, records of, access for child care worker background checks: ESHB 2621, SB 6370

Abuse or neglect, removing references to exemptions for Christian Science treatment: SB 5408

Abuse, child out-of-home emergency placement, background check request by tribe: ***HB 2694, CH 49 (2016)**, SB 6391

Abuse, child victims testifying remotely, raising awareness of as legal alternative, including annual survey: ***SHB 1898, CH 286 (2015)**

Abuse, sexual, by school personnel and peers, requesting action: SJM 8006

Assault, suspected child victim, examination of, costs to be paid by state, when: SB 5897

At-risk youth, programs for, group fishing permit for: ***SB 5881, CH 98 (2015)**

Autism and developmental delays, screening for, requirements: SB 5317

Aversive mental health therapies, performing on patients under 18, prohibitions: SB 5870

Child protective services, near fatality in context of abuse or neglect, review of files and actions, when: SB 5888

Child welfare services, behavioral rehabilitation services, governor's advisory committee on vendor rates, creating: SB 5852

Child welfare services, behavioral rehabilitation services, reimbursement rates for: SB 5852

Child welfare services, confidential records disclosure for foster care purposes: ***4SHB 1999, CH 71 (2016)**

Child welfare services, demonstration sites and performance-based contracts effects review, extending expirations: ***EHB 2749, CH 184 (2016)**

Child welfare services, demonstration sites for performance-based contracts, extending expirations: SB 6382

Child welfare services, homeless youth, crisis residential centers and HOPE centers for: 2SHB 1436, SB 5404

Child welfare services, homeless youth, in crisis residential centers and HOPE centers, records disclosure: ESHB 2834

Child welfare services, near fatality, review of: SB 5888

Child welfare services, truant youth, crisis residential and HOPE centers: ***2SHB 2449, CH 205 (2016) PV**, SB 6497

Custody, custodial interference, abduction statutes and residential provisions: ***HB 1302, CH 38 (2015)**, SB 5394

Death or injury, when under 26 and unemancipated, allowing parent to bring civil action for: SB 5782

Depression, screening and provider payment through medical assistance: SB 6494

Disabilities, children from birth to age three with, early intervention services: ***SB 5879, CH 57 (2016)**

Endangerment of child due to unsafe storage of firearm, first and second degree, when: SB 5789, SB 6310

Gangs, criminal street gang activity at rental properties, law enforcement response: SB 5894

Gangs, involvement prevention, public works prevailing wage exemption for youth recreation projects for: SB 5931

Genital mutilation, female, class B felony: SB 6563

Health care information, disclosure by provider or facility, parent as personal representative for: SB 6565

Homeless youth prevention and protection act of 2015, implementation, modifications for: ESHB 2834

Homeless youth, health care informed consent from school personnel: ***3SHB 1682, CH 157 (2016)**, SHB 2396

Homeless youth, homeless youth act, creating office of homeless youth programs: 2SHB 1436, SB 5404

Homeless youth, homeless youth prevention act, prevention measures: SB 5932

Homeless youth, office of homeless youth prevention programs, creating within DSHS: SB 5932

Homeless youth, Washington state homeless youth alert database, establishing: SB 5932

Host home programs, child abuse or neglect reporting requirements: ***SHB 2440, CH 166 (2016)**

Host home programs, registration with secretary of state's office: ***SHB 2440, CH 166 (2016)**

Host home programs, removing from "agency" definition, when: ***SHB 2440, CH 166 (2016)**, SB 6249

Immunization, information for expecting parents: ***SB 5143, CH 141 (2016)**

Internet crimes against children, including sexual exploitation, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**

Internet crimes against children, including sexual exploitation, new account to combat: SB 5215

Jewelry, children's, cadmium standards for: SB 5021, SB 6042

Luring of a minor, with intent to harm or to facilitate commission of any crime: SB 6463

Mental health, children's mental health work group, establishing: ***E2SHB 2439, CH 96 (2016)**, SB 6494

Missing and exploited children, task force on, terminating advisory board for: ***SB 5270, CH 208 (2016)**

Newborns, critical congenital heart disease screening, mandatory: ***SHB 1285, CH 37 (2015)**

Newborns, safe surrender at health care facilities, information concerning, compiling: SB 6586

Paternity, genetic testing for, termination of legal responsibilities, when: SB 5006, SB 6452

Personal information, disclosure of, exemption, when: ***HB 1554, CH 47 (2015)**, SB 5396
 Poverty, intergenerational within families, tracking system for and commission on, establishing: ESHB 2518
 Products, children's, flame retardants in, limiting: E2SHB 1174, ***ESHB 2545, CH 176 (2016)**, SB 5056, SB 5684, SB 6131, SB 6440
 Sexual abuse of children, school staff training and response: ***HB 2597, CH 48 (2016)**
 Sexual assault, child victims, nonexclusive information disclosure exemption: ***ESHB 1980, CH 224 (2015) PV**
 Sexual exploitation and abuse of children, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**
 Sexual exploitation and abuse of children, creating account to combat: SB 5215
 Sexual exploitation of children, law enforcement administrative subpoena authority use, when: SHB 2483
 Sexual orientation change efforts, on patients under 18, prohibitions: SB 5870
 Tattoos, illegal application to minor, exception for nonmedical removal procedures: SB 6639
 Teen summer employment wage, creating: SB 5421
 Teen training wage, establishing: SB 5422
 Tobacco and vapor products, measures to prevent youth access to: E2SHB 1645, SB 5477, SB 5494, SB 5573, SB 6157, SB 6328
 Vapor and tobacco products, measures to prevent youth access to: E2SHB 1645, SB 5477, SB 5494, SB 5573, SB 6157, SB 6328
 Vapor products, child-resistant packaging and labeling and advertising requirements: SB 5477
 Vapor products, child-resistant packaging and labeling and retail sales: SB 6328
 Vapor products, child-resistant packaging and labeling, advertising, and retail sales requirements: E2SHB 1645
 Vapor products, selling or giving to minors and possession on public school property, etc., prohibitions: E2SHB 1645
 Vapor products, selling or giving to minors and possession on public school property, prohibitions: SB 6328
 Victims of crimes, children testifying remotely, raising awareness of as legal alternative, including annual survey: ***SHB 1898, CH 286 (2015)**
 Visitation, by grandparents, petitioning the court: SB 5005
 Visitation, by relatives, petitioning the court: SB 6658
 Wrongful life or wrongful birth, actions for, prohibiting: SB 5747

CITIES AND TOWNS (See also BUILDING CODES AND PERMITS; CRIMINAL JUSTICE TRAINING COMMISSION; ELECTIONS; GROWTH MANAGEMENT; LAW ENFORCEMENT AND LAW ENFORCEMENT OFFICERS; LOCAL GOVERNMENT; RECORDS)

Annexation, service costs to newly annexed areas, imposing taxes for: SHB 1576, SB 5864
 Annexations and deannexations, notice and review processes, requirements: SB 5138
 Boundary line adjustment and city limit reduction, notice and review processes, requirements: SB 5138
 Capital projects, expanding range for which real estate excise tax revenues may be used: SB 5585
 Consolidation, notice and review processes, requirements: SB 5138
 Fire protection districts, formation with boundaries of city or town, alternative to petition method: ESHB 2708, SB 6387
 Fire protection, regional fire protection service authorities within boundaries of regional cities, establishing: SB 5537
 Housing, affordable housing incentive zones, designation: SB 6311
 Incorporations and disincorporations, notice and review processes, requirements: SB 5138
 Joint operating agencies, formed by cities, raising contract sealed bid threshold, when: ***SB 5760, CH 73 (2015)**
 Liquor, local prohibition on sale of, municipality and county power to repeal: SB 5167
 Liquor, local prohibition on sale of, territory annexed into city after: ***SHB 1564, CH 153 (2015)**
 Mediation, authority to request in event of conflict with another town, city, or county, procedure: SB 6645
 Municipal corporations, overpayment and recovery of wages by: SB 6090
 Nuisance abatements, assessments for, city and town authority, requirements: ***SHB 2519, CH 100 (2016)**, SB 5694
 Prevailing wages, public works and public building service maintenance contracts, small cities, exemption: SB 5707
 Regulation of wages, hours, employee retention, and leave, city and town prohibition and county authority for: SB 6578
 Stanwood railway station, requesting naming as Mary Margaret Haugen Station: SJM 8023
 State land improvement financing area, certain eastern Washington city, area creation by: ***HB 2842, CH 192 (2016)**, SB 6580
 Streets and roads, maintaining of, city creation of transportation utility for: SB 5813
 Streets and roads, repealing street utility local option transportation tax provisions: SB 5813
 Traffic schools, establishing and operating, city or town authority for: ***HB 2918, CH 201 (2016)**
 Warrant officers, authority to establish, requirements, duties: SB 5004
 Water storage asset management services, procurement procedures for municipalities: ***EHB 1989, CH 187 (2015)**

CITIZEN COMMISSION FOR PERFORMANCE MEASUREMENT OF TAX PREFERENCES

Commission, renaming by replacing "preferences" with "expenditures": SB 5492

CIVIL LEGAL AID, OFFICE

Juvenile case records, release to office, when: HB 1129

Juvenile offenders, case records, access for office: ***ESB 5262, CH 262 (2015)**

CIVIL PROCEDURE (See also COURTS; CRIMINAL PROCEDURE)

Alcohol or drug addiction recovery fellowship sponsors, testimony by: SB 6498

Arbitration of civil actions, procedures and arbitrator continuing legal education: ESHB 1248

Asset forfeiture, under uniform controlled substances act, burden of proof in certain civil hearings: SB 5751

Collection agencies, debt collection legal actions, service of summons and complaint, when: SB 6628

Costs, claims against government party, interim attorneys' fees and costs, payment of: SB 5370

Death or injury of child, when under 26 and unemancipated, allowing parent to bring civil action for: SB 5782

Defensive force, holding reasonable fear of imminent peril, when appropriate, immunity from civil liability: SB 6487

Foreign laws and systems, prohibiting enforcement when violating constitutional rights: SB 5192

Intimate images, unauthorized distribution of, civil action for damages, when: ***ESHB 2160, CH 8 (2015)**, SB 5502

Liability, of landowners, adding bicycling to "outdoor recreation" in relation to: SB 6384

Liability, of mobile telecommunications providers, for intimate image disclosure: ***HB 2384, CH 91 (2016)**

Process servers, legal, assault in third degree to include assault of: SB 5521

Process servers, legal, social security numbers of, disclosure prohibitions: ESB 5523

Self-defense, holding reasonable fear of imminent peril, when appropriate, immunity from civil liability: SB 6487

Wildfires, citizen entering land to initiate control measures, legal immunity, when: ***ESHB 2093, CH 182 (2015)**

Wrongful death, actions for, expanding beneficiaries: SB 5747

Wrongful life or wrongful birth, actions for, prohibiting: SB 5747

CODE REVISER (See also ADMINISTRATIVE PROCEDURE; REVISED CODE OF WASHINGTON; WASHINGTON ADMINISTRATIVE CODE)

Agency policies, requiring APA adoption and filing with office: SB 6456

Expired RCW provisions, removing certain: ***SHB 2359, CH 202 (2016) PV**

Forms in RCW, technical changes to year designations in: ***SHB 2359, CH 202 (2016) PV**

Official electronic records, including RCW and WAC, publication and authentication: SB 6361

Unnecessary administrative and codified laws, legislative removal and repeal procedures: SB 6380

Unnecessary RCW provisions, removing various: SB 6268

COLLEGES AND UNIVERSITIES (See also COMMUNITY AND TECHNICAL COLLEGES; HIGHER EDUCATION FACILITIES AUTHORITY; LABOR; PUBLIC EMPLOYMENT AND EMPLOYEES)

Alcohol tasting by certain students, special permit: ***HB 1004, CH 59 (2015)**, SB 5001

Art, for higher education buildings, expending part of allocation during design phase, when: SB 6409

Branch campus information, displaying on public four-year higher education dashboard: SB 5295

Capital budget projects, major and minor works, valuation thresholds, revising: SB 6409

Capital budget requests by institutions, document for projects, modifying requirements: HB 1532, SB 5562

Central Washington University, online alternative credit model: SHB 1439

Central Washington University, wildfire behavior forecasting BS degree program, developing: SB 6502

Central Washington University, wildfire management certification course for wildlife professionals, developing: SB 6502

College in the high school program, dual credit access for low-income students: ***E2SHB 1546, CH 202 (2015)**

College in the high school program, dual credit opportunities: SB 5080, SB 5086

College in the high school program, earlier participation: SHB 1031, ***E2SHB 1546, CH 202 (2015)**

College savings program, Washington, establishing: SB 6601

Contracts, submission and public inspection provisions, higher education institution exception, when: SB 6409

Costs, higher education cost drivers, studying: SB 5133

Credits, transfer to community or technical college, plans for: SB 6354

Degrees, accelerated baccalaureate programs, work group on, establishing: SB 6626

Disabilities, higher education transfer students with, core services for: SB 6466

Disabilities, higher education transfer students with, work group on removing obstacles for: ESHB 2825

Employees, collective bargaining to be considered as open public meetings: SB 6126

Employees, collective bargaining unit representatives, periodic certification elections: SB 6410
 Employees, collective bargaining unit representatives, prohibiting certain benefits and payments to, when: SB 5602
 Faculty, adjunct, certification as common schools substitute teachers: SB 5941
 Faculty, collective bargaining agreements, digital copy submission: ESB 5854
 Faculty, salary or wage increases, collective bargaining agreement requirements: SB 5979
 Fees, services and activities, to be arrived at without reference to tuition: SB 6587
 Financial aid, certified public accounting scholarship program, establishing: SB 5534
 Financial aid, college bound scholarship program, pledge requirement, modifying: ESHB 1236, E2SHB 1236
 Financial aid, college bound scholarship program, student support services programs for enrollees in: SB 5856
 Financial aid, college bound scholarship program, work group recommendations: SB 5851
 Financial aid, college bound scholarship, aligning eligibility with state need grant: SB 6113
 Financial aid, educator retooling conditional scholarship program, endorsements via: E2SHB 1541, ***ESHB 1570, CH 9 (2015), *SHB 1813, CH 3 (2015)**, SB 5312, SB 6192
 Financial aid, for graduate students, feasibility of and alternatives to state loan program for, studying: SB 6609
 Financial aid, future teachers conditional scholarship and loan repayment program, provisions: SB 6097
 Financial aid, health professional loan repayment and scholarship program fund, funding: SB 5010, SB 5909
 Financial aid, health professional loan repayment and scholarship program, eligibility: ***E2SHB 1485, CH 252 (2015)**
 Financial aid, providing information to students, when: SB 5328
 Financial aid, state need grant performance-based scholarship pilot project, creating: 2SHB 2041
 Financial aid, state need grant, aligning college bound scholarship eligibility with: SB 6113
 Financial aid, state need grant, awarding percentage to students pursuing STEM degrees: SB 6512
 Financial aid, state need grant, eligibility provisions: ***SB 5638, CH 121 (2015)**
 Financial aid, state need grant, minimum grade point average for renewing: SB 5547
 Financial aid, state need grant, reducing appropriations via college affordability program: SB 5954
 Financial aid, student loan ombuds, designating: SB 6610
 Financial aid, student loan repayment assistance, B&O tax credit for employers providing employees with: SB 6608
 Financial aid, student loan servicers, licensing and regulation of: SB 6610
 Financial aid, student loans, private activity bond allocation for: SHB 2585, SB 6342, SB 6682
 Financial aid, teacher shortage conditional grant program, for teacher preparation program students: E2SHB 2573
 Financial aid, wildlife college student loan program, establishing: SB 5318
 Financial literacy seminars, live, mandatory: SB 5349
 For-profit higher education institutions, unfair business practices, prohibitions, requirements, student ombuds, and study: ESHB 1949
 Funding, certain percentage of sales tax revenues to support higher education: SB 5286
 Funding, enrollment levels for calculating, definition of "caseload" used when determining: SB 6095
 Funding, prioritizing biennial state revenue growth for education: SB 5063
 GET ready for college program, establishing: SB 5636
 Graduate students, state loan program for, feasibility of and alternatives to, studying: SB 6609
 Inmates, post-secondary programs, modifying provisions to increase opportunities: HB 1704, HB 2619, SB 5354, SB 6260
 Intellectual property rights, assignment by students, staff, and faculty, exceptions and prohibitions: SB 6107
 Investment authority and options of higher education institutions, modifying: SHB 2936, ***ESB 6349, CH 152 (2016)**, SB 6596
 Media, student journalist freedom of speech, including civil action for relief: SB 6233
 Medical education, family medicine education advisory board, creating: ***E2SHB 1485, CH 252 (2015)**, SB 5680
 Medical education, family practice education advisory board, establishing: SB 5909
 Medical education, residency programs, allocating funds for new or expanded: SB 5909
 Medical schools, foreign, medical quality assurance commission approval of: SHB 1874, SB 5773
 Medical schools, role in expanding residency programs in shortage areas: ***E2SHB 1485, CH 252 (2015)**, SB 5680
 Medical schools, Washington State University, to be Elson S. Floyd School of Medicine: SB 6141
 Mental health and suicide prevention in higher education, task force on: ***SHB 1138, CH 67 (2015)**
 Military members, early registration for spouse or domestic partner: ***SHB 1052, CH 14 (2015)**
 Military members, waivers of building and services and activities fees, when: ***HB 1706, CH 143 (2015)**, SB 5620
 Peer mentoring, of at-risk elementary students by college students, encouraging college attendance: SB 5637
 Placement, in precollege or college courses, determining with multiple measures: ***SB 5122, CH 83 (2015)**

Procurement, employees performing, independent training or certification programs for: SB 6409

Procurement, independent commodities purchasing authority, eliminating report: ***EHB 2883, CH 197 (2016)**

Purchasing, higher education independent authority, amending provisions concerning: SB 6409

Research, release of records for, removing higher education institutions from "state agency": SB 6409

Running start program, dual credit options through: ***E2SHB 1546, CH 202 (2015)**, SB 5086

Sexual assault and similar crimes, survivors on campuses, rights: SB 5518

Sexual violence on campuses, requirements for institutions, including survey: SB 5518

Sexual violence on campuses, work group concerning, establishing: SB 5518

Sexual violence, campus, task force on preventing, establishing: SB 5719

State universities, leasehold excise tax credit for certain real property parcels owned by: SB 6462

Students, electronic benefit transfer cards for food assistance, using on-campus: HB 1820, SB 5794

Students, foster youth, educational outcomes improvement strategies for: 2SHB 1999, ***4SHB 1999, CH 71 (2016)**

Teacher preparation programs, increasing recruitment into: E2SHB 2573

Teacher preparation programs, underrepresented groups recruitment specialists: E2SHB 2573

Tuition and fees, "resident student," criteria for veteran and veteran's spouse or children to qualify as: 2E2SHB 1825, SB 5355

Tuition and fees, exemption for surviving spouses and children of certain highway workers: ***HB 1977, CH 46 (2015)**, ESHB 2804, SB 5841

Tuition and fees, previous tuition increases in relation to fees and financial aid, modifying provisions: SHB 1696, SB 5484

Tuition and fees, resident undergraduate, freezing at each student's first year rate, when: SB 6094

Tuition and fees, services and activities fees to be arrived at without reference to tuition: SB 6587

Tuition and fees, waiver of portion for veteran, survivor eligibility for, when: SHB 1644, SB 5561

Tuition and fees, Washington college savings program, establishing: SB 6601

Tuition, advanced college tuition payment (GET) program, provisions: SB 5954

Tuition, controlling to increase affordability of higher education: SHB 1238

Tuition, reducing through college affordability program: SB 5954

Tuition, waivers for K-12 classified staff: SB 5559

University of Washington, Forefront at, mental health and suicide prevention task force: ***SHB 1138, CH 67 (2015)**

University of Washington, Forefront at, safe homes suicide awareness task force: SB 6603

University of Washington, Forefront at, school suicide prevention model rollout: ***E2SHB 2439, CH 96 (2016)**

University of Washington, Forefront at, student support staff suicide concerns response training: ***E2SHB 2439, CH 96 (2016)**

University of Washington, Forefront at, youth suicide prevention training program: SB 6243

University of Washington, health sciences library, online health professions access: ***SHB 1184, CH 77 (2015)**

University of Washington, joint center for deployment and research in earth-abundant materials, co-authority over: ***SHB 1897, CH 20 (2015)**

University of Washington, marijuana research, role of university: ***2E2SHB 2136, CH 4 (2015)**, ***SB 5121, CH 71 (2015)**, SB 6136

University of Washington, medical facility contracts, alternative process for awarding: SB 5141, ESB 6617

University of Washington, predator ecology lab, studying wolf recovery's wild ungulate impact: SHB 1676

University of Washington, psychiatry and behavioral sciences department, integrated care psychiatry training program: SB 5947

University of Washington, school of pharmacy, suicide management curriculum work group: ***E2SHB 2793, CH 90 (2016) PV**, SB 6603

University of Washington, school of social work, safe homes suicide awareness task force: ***E2SHB 2793, CH 90 (2016) PV**

University of Washington, Spokane dental school, provisions concerning: SB 5909

University of Washington, Spokane medical school, provisions concerning: SB 5909

University of Washington, Spokane medical school, transfer of WSU's WWAMI state funds and facilities to: SB 5909

University of Washington, telehealth services, telemedicine advancement collaborative: SB 6519

University of Washington, UW Medicine agreement with public hospital district No. 1 of King county, voter ratification: SB 6021

University of Washington, WWAMI regional medical education and training program account, creating: SB 6101

University of Washington-Bothell, special education administration training for leaders at: SB 5905

Volunteers, higher education students, medical aid benefits coverage, when: SB 6293
 Voting, student voter registration and voting, higher education institution plans to increase: SB 6474
 Voting, student voter registration at higher education institution, modifying deadline for: SB 6539
 Washington State University, center for sustaining agriculture and natural resources, role in state food system study:
 ESHB 1685
 Washington State University, energy program, combined heat and power facilities report: *E2SHB 1095, CH 19 (2015)
 Washington State University, energy program, nuclear energy education program, WSU role: SB 5093
 Washington State University, energy program, role in renewable energy system cost recovery program: E2SHB 2346,
 SB 6188
 Washington State University, establishing school of medicine at: *SHB 1559, CH 6 (2015), SB 5487
 Washington State University, extension energy program, clean energy education program administration by: SB 6218
 Washington State University, industrial hemp production, studying feasibility of: SB 5012, SB 6206
 Washington State University, joint center for deployment and research in earth-abundant materials, co-authority over:
 *SHB 1897, CH 20 (2015)
 Washington State University, marijuana research, role of university: *2E2SHB 2136, CH 4 (2015), *SB 5121, CH 71
 (2015), SB 6136
 Washington State University, medical school to be Elson S. Floyd School of Medicine: SB 6141
 Washington State University, school of pharmacy, suicide management curriculum work group: *E2SHB 2793, CH 90
 (2016) PV, SB 6603
 Washington State University, teaching forestry as a major line: *SHB 1559, CH 6 (2015), SB 5487
 Washington State University, urban integrated pest management program, technical assistance to school districts: SB
 6002
 Washington State University, Washington State University medical education and training program account, creating:
 SB 6101
 Washington State University, WWAMI state funds and facilities, transfer to University of Washington: SB 5909

COMMERCE, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE)

Agricultural labor skills and safety grant program, creating, department role: *SHB 1127, CH 68 (2015), SB 5019
 Business assistance materials, department to develop: SB 6221, SB 6669
 Carbon pollution market and competitiveness certificate programs, creating, department role: SB 5283, SB 6121
 Child abuse or neglect, including sexual assault, children's advocacy centers for victims, department role: SB 5865
 Coal-fired electric generation facilities, retirement of, department to study: ESB 5874
 Crime victims advocacy, office of, crime victim certification steering committee, office to convene: SHB 2895
 Crime victims advocacy, office of, studying sexual assault nurse examiners availability: *SHB 2711, CH 50 (2016)
 Crime victims advocacy, office of, to be state government contact for trafficking of persons, duties: SB 5884
 Disabilities, persons with, achieving a better life experience program, creating, department role: *ESHB 2323, CH 39
 (2016), SB 6043, SB 6210
 Economic gardening pilot project, creating within department: *ESB 6100, CH 212 (2016)
 Energy strategy, state, to include carbon sequestration: SB 6225
 Federal funding opportunities, tracking and maximizing in Washington, department role: *SB 6220, CH 12 (2016) V
 Financial fraud and identity theft crimes investigation and prosecution program: *HB 1090, CH 65 (2015), SB 5058
 Growth management grant funds, administered by department, review and evaluation prerequisites: SB 5604
 Homeless client management information system (HMIS), personally identifying information in, department role: SB
 5898
 Homeless housing strategic plan, modifying requirements, department role: SB 6671
 Homeless students, housing grant program to aid, department role: E2SHB 1682, *3SHB 1682, CH 157 (2016), SB
 5065
 Homelessness in Washington, causes and characteristics, statewide study of, department role: SB 6671
 Host home programs, department report concerning: *SHB 2440, CH 166 (2016), SB 6249
 Housing assistance program, funds for certain projects to aid low-income students: *EHB 1633, CH 155 (2015), SB
 5578
 Housing assistance program, funds for promoting homeownership for low-income households: SB 5655
 Housing, department of, creation of and transfer of department housing duties to: SB 6518
 Housing, low-income weatherization program, weatherization plus health initiative: *HB 1720, CH 50 (2015)
 Impact fees, for single-family residential construction permits, deferred collection, department report on system for:
 *ESB 5923, CH 241 (2015)

Law enforcement and pretrial grant programs, establishing: SB 6143
 Law enforcement grant program, establishment by department: SB 6641
 Manufacturing partnerships and development, department role: SB 6078
 Middle schools and junior high schools, afterschool learning labs pilot project, department role: SB 6368
 Nuclear energy, small modular reactors, siting and manufacturing in state: SB 5113
 Ombuds for employers interacting with L&I, creating within department: SB 6081
 Pacific Northwest manufacturing partnership advisory committee, department to appoint: SB 6078
 Pretrial grant program, establishment by department: SB 6641
 Public water systems, financial assistance activities, transferring department role: ***2ESB 5251, CH 111 (2016)**
 Regulatory innovation and assistance, office for, creating, department role: SB 6669
 Residential energy efficiency incentive pilot program, department role: SB 6276
 Saint Edward state park, seminary building public or nonprofit use feasibility study: ***E2SHB 2667, CH 103 (2016)**
 Sexual assault, sexual assault kit program, creating within department: ***2SHB 2530, CH 173 (2016)**, SB 6484
 Small business retirement marketplace, role of department: SHB 2109, SB 5826
 Washington academic, innovation, and mentoring (AIM) program act, department role: SB 5303
 Youth, office of homeless youth programs, creating under department supervision: 2SHB 1436, SB 5404

COMMERCIAL VESSELS AND SHIPPING

Harbor maintenance tax, federal, requesting that Congress reform: SJM 8017
 Lelli, Philip Martin, longshoreman, requesting portion of SR 509 be renamed Philip Martin Lelli memorial highway:
***SJM 8019 (2016)**
 Oil transport, contingency plans, notice, financial responsibility, and emergency response: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 5834, SB 6418
 Oil transport, safety of, hazardous materials emergency response reporting: SHB 2575
 Oil transport, spill prevention and response activities, including symposium on: SB 5057
 Ports, state, requesting aid to resolve Pacific maritime association and longshore and warehouse union negotiations: SJM 8009
 Ports, Washington's largest, legislative joint select committee on, establishing: ESB 6631, SB 6681
 Tankers, large, operating in Puget Sound and adjacent waters, tug escort requirements: SB 6418
 Vessels, nonresident entity-owned, state waters permit and sales and use tax exemptions: SB 5878

COMMUNITY AND TECHNICAL COLLEGES (See also COLLEGES AND UNIVERSITIES; HIGHER EDUCATION FACILITIES AUTHORITY; LABOR; PUBLIC EMPLOYMENT AND EMPLOYEES)

Adult basic education, expected enrollments at community and technical colleges, forecasting: SB 6161
 Adult basic education, funding for: SB 5619
 Art, for higher education buildings, expending part of allocation during design phase, when: SB 6409
 Baccalaureate degree programs, applied, leading to teacher certification: SB 5391
 Baccalaureate degrees, baccalaureate of science degree in computer science, authorizing at Bellevue College: SB 6673
 Baccalaureate degrees, impact of allowing community and technical colleges to offer, studying: 2SHB 2769
 Bachelor degrees, programs of study for, pilot program: 2SHB 2769
 Bellevue College, baccalaureate of science degree in computer science at, authorizing: SB 6673
 Bonds, general obligation for certain higher education capital projects, decodifying statutes: ***HB 1961, CH 55 (2015)**, SB 5977
 Capital budget projects, major and minor works, valuation thresholds, revising: SB 6409
 Capital budget requests by institutions, document for projects, modifying requirements: HB 1532, SB 5562
 College in the high school program, dual credit access for low-income students: ***E2SHB 1546, CH 202 (2015)**
 College in the high school program, dual credit opportunities: SB 5080, SB 5086
 College in the high school program, earlier participation: SHB 1031, ***E2SHB 1546, CH 202 (2015)**
 College savings program, Washington, establishing: SB 6601
 Contracts, submission and public inspection provisions, higher education institution exception, when: SB 6409
 Credits, transfer from 4-year public institution to community or technical college, plans for: SB 6354
 Disabilities, higher education transfer students with, core services for: SB 6466
 Disabilities, higher education transfer students with, work group on removing obstacles for: ESHB 2825
 Employees, academic, collective bargaining agreements, digital copy submission: ESB 5854
 Employees, academic, collective bargaining to be considered as open public meetings: SB 6126
 Employees, academic, salary and benefit increases and COLAs: SB 5469

Employees, academic, salary or wage increases, collective bargaining agreement requirements: SB 5979
 Employees, academic, step increases for, requirements: HB 1863
 Employees, collective bargaining unit representatives, periodic certification elections: SB 6410
 Employees, collective bargaining unit representatives, prohibiting certain benefits and payments to, when: SB 5602
 Employees, technical college classified employees, salary and benefit increases and COLAs: SB 5469
 Everett Community College, offering aerospace training or educational program: ***SB 5746, CH 218 (2015)**
 Faculty, adjunct, certification as common schools substitute teachers: SB 5941
 Faculty, full-time, strategic plan for increasing by decreasing part-time faculty: SHB 2615
 Faculty, part-time nontenured, collective bargaining unit participation: SB 5231
 Faculty, part-time, priorities and impacts of overuse by community colleges of, studying: SHB 2615
 Fees, community college services and activities, to be arrived at without reference to tuition: SB 6587
 Financial aid, college bound scholarship program, pledge requirement, modifying: ESHB 1236, E2SHB 1236
 Financial aid, college bound scholarship program, student support services programs for enrollees in: SB 5856
 Financial aid, college bound scholarship program, work group recommendations: SB 5851
 Financial aid, college bound scholarship, aligning eligibility with state need grant: SB 6113
 Financial aid, state need grant performance-based scholarship pilot project, creating: 2SHB 2041
 Financial aid, state need grant, aligning college bound scholarship eligibility with: SB 6113
 Financial aid, state need grant, awarding percentage to students pursuing STEM degrees: SB 6512
 Financial aid, state need grant, eligibility provisions: ***SB 5638, CH 121 (2015)**
 Financial aid, state need grant, minimum grade point average for renewing: SB 5547
 Financial aid, state need grant, reducing appropriations via college affordability program: SB 5954
 Financial aid, student loan ombuds, designating: SB 6610
 Financial aid, student loan repayment assistance, B&O tax credit for employers providing employees with: SB 6608
 Financial aid, student loan servicers, licensing and regulation of: SB 6610
 Financial aid, student loans, private activity bond allocation for: SHB 2585, SB 6342, SB 6682
 Financial literacy seminars, live, mandatory: SB 5349
 Funding, certain percentage of sales tax revenues to support higher education: SB 5286
 Funding, enrollment levels for calculating, definition of "caseload" used when determining: SB 6095
 Funding, prioritizing biennial state revenue growth for education: SB 5063
 Funding, revenues and nonstate nonappropriated funds expenditures and ending balances, posting on districts' web sites:
 SHB 1893
 GET ready for college program, establishing: SB 5636
 High school equivalency certificates, tests for, options: SB 5676
 Inmates, post-secondary programs, modifying provisions to increase opportunities: HB 1704, HB 2619, SB 5354, SB
 6260
 Investment authority and options of higher education institutions, modifying: SHB 2936, ***ESB 6349, CH 152 (2016)**,
 SB 6596
 Media, student journalist freedom of speech, including civil action for relief: SB 6233
 Mental health and suicide prevention in higher education, task force on: ***SHB 1138, CH 67 (2015)**
 Military members, early registration for spouse or domestic partner: ***SHB 1052, CH 14 (2015)**
 Military members, waivers of building and services and activities fees, when: ***HB 1706, CH 143 (2015)**, SB 5620
 Procurement, employees performing, independent training or certification programs for: SB 6409
 Procurement, independent commodities purchasing authority, eliminating report: ***EHB 2883, CH 197 (2016)**
 Programs and RCW provisions, expiration dates and clarifications: ***HB 1961, CH 55 (2015)**, SB 5977
 Promise program, Washington, resident students tuition waiver and completion programs, and study of: SB 6481
 Purchasing, higher education independent authority, amending provisions concerning: SB 6409
 Research, release of records for, removing higher education institutions from "state agency": SB 6409
 Running start program, dual credit options through: ***E2SHB 1546, CH 202 (2015)**, SB 5086
 Sexual assault and similar crimes, survivors on campuses, rights: SB 5518
 Sexual violence on campuses, requirements for institutions, including survey: SB 5518
 Sexual violence on campuses, work group concerning, establishing: SB 5518
 Sexual violence, campus, task force on preventing, establishing: SB 5719
 Students, electronic benefit transfer cards for food assistance, using on-campus: HB 1820, SB 5794
 Students, foster youth, educational outcomes improvement strategies for: 2SHB 1999, ***4SHB 1999, CH 71 (2016)**

Tuition and fees, "resident student," criteria for veteran and veteran's spouse or children to qualify as: 2E2SHB 1825, SB 5355

Tuition and fees, community college services and activities fees to be arrived at without reference to tuition: SB 6587

Tuition and fees, waiver for resident students under Washington promise program: SB 6481

Tuition and fees, waiver of portion for veteran, survivor eligibility for, when: SHB 1644, SB 5561

Tuition and fees, Washington college savings program, establishing: SB 6601

Tuition, advanced college tuition payment (GET) program, provisions: SB 5954

Tuition, controlling to increase affordability of higher education: SHB 1238

Tuition, reducing through college affordability program: SB 5954

Tuition, waivers for K-12 classified staff: SB 5559

Volunteers, higher education students, medical aid benefits coverage, when: SB 6293

Voting, student voter registration and voting, higher education institution plans to increase: SB 6474

Voting, student voter registration at higher education institution, modifying deadline for: SB 6539

COMMUNITY AND TECHNICAL COLLEGES, STATE BOARD FOR (See also COMMUNITY AND TECHNICAL COLLEGES)

Adult basic education, funding for, state board role: SB 5619

Baccalaureate degrees, impact of allowing community and technical colleges to offer, studying, board role: 2SHB 2769

Bachelor degrees, programs of study for, pilot program, board role: 2SHB 2769

Community colleges, full-time faculty, increasing by decreasing part-time faculty, board role: SHB 2615

Community colleges, overuse of part-time faculty by, studying priorities and impacts of, board role: SHB 2615

Credits, transfer from 4-year public institution to community or technical college, plans for, board role: SB 6354

Disabilities, higher education transfer students with, core services for, board role: SB 6466

High school equivalency certificates, tests for, options, state board role: SB 5676

Inmates, post-secondary education programs, modifying provisions to increase opportunities, state board role: HB 2619, SB 6260

Promise program, Washington, student retention and completion program as part of, board role: SB 6481

COMMUNITY ECONOMIC REVITALIZATION BOARD (See also ADMINISTRATIVE PROCEDURE)

Public facilities loans and grants, awarding for certain projects: SB 5442

COMPUTERS (See also CHIEF INFORMATION OFFICER, OFFICE OF THE; CONSOLIDATED TECHNOLOGY SERVICES AGENCY; TELECOMMUNICATIONS)

Auctions, real and personal property, via electronic media, including internet and electronic payment: ***SB 5768, CH 95 (2015)**

Bellevue College, baccalaureate of science degree in computer science at, authorizing: SB 6673

Cloud service providers, private, proprietary information relating to criminal background checks of employees of, disclosure exemption: ESHB 2604

Commercial transportation services providers, connecting passengers with drivers via digital network or software, regulating of: ESHB 2131, SB 6444

Computer science, baccalaureate of science degree in, authorizing at Bellevue College: SB 6673

Computer science, standards for learning and K-12 teacher endorsement: ***SHB 1813, CH 3 (2015)**

Cybercrime, new chapter of crimes, Washington cybercrime act: ***E2SHB 2375, CH 164 (2016)**, SB 6197

Cybersecurity blue-ribbon panel, chief information officer to convene, duties: SHB 1470

Cybersecurity jobs act, state security policies and incident response: SB 6528

Data breaches, consumer notification by businesses: ***ESHB 1078, CH 64 (2015)**, SB 5047

Data centers, eligible server equipment installed in, sales and use tax exemptions: SB 5827

Data, office of privacy and data protection, creating: ***SHB 2875, CH 195 (2016)**

Digital automated services, sales and use tax exemptions for digital goods used solely for business purposes, extending to: SB 5541

Digital citizenship and safe technology use, schools and students: SB 6273

Digital platform, domestic servant hired via, industrial insurance coverage exemption: SB 6289

Digital products and services, wholesaler nexus, economic standard for: SB 6138

Elections, online, conservation district online election pilot project, establishing: SB 6600

Electronic records, uniform fiduciary access to digital assets act: SB 5029

Information services, criminal justice information agreement, private cloud service providers who have entered into: ESHB 2604

Information systems, state, payment credentials and other information held on data systems, removing: 2SHB 1469

Information technology infrastructure and security, governing body executive sessions concerning: HB 1561

Insurance notices and documents, electronic delivery, when: ***ESB 5471, CH 263 (2015)**

Internet crimes against children, including sexual exploitation, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**

Internet crimes against children, including sexual exploitation, new account to combat: SB 5215

Internet crimes against children, sexual exploitation, law enforcement administrative subpoena authority use, when: SHB 2483

Internet openness, requesting that Congress protect and promote: SJM 8004

Internet service providers, telecommunications services purchased or used or sold, sales and use tax exemptions: SB 6048

Internet services, active duty military service member termination of, procedures: SB 6636

Intimate images, disclosing, crime of: ***2E2SHB 1272, CH 7 (2015)**

Intimate images, unauthorized distribution of, civil action for damages, when: ***ESHB 2160, CH 8 (2015)**, SB 5502

Networking services, excluding providers from gambling information transmissions prohibitions, when: SB 6566

Official electronic records, legal material in, publication and authentication: SB 6361

Public records, electronic copies of, local government charge for, when: SB 5533

Remote sellers, nexus within state, when deemed to have for certain sales and B&O tax purposes: SB 5541

School service providers, via online service or site or mobile application, requirements: ESHB 1495, ***ESB 5419, CH 277 (2015)**

Schools, technology sales to and use in public schools, sales and use tax exemption: SB 5907

Sexual exploitation and abuse of children, facilitated via internet, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**

Sexual exploitation and abuse of children, facilitated via internet, new account to combat: SB 5215

Software, pre-written, sales and use tax exemption for manufacturing machinery and equipment: SB 5541

Software, pre-written, sales and use tax exemption for manufacturing machinery and equipment, limiting: SB 6138

Ticket brokers and resellers, online, disclosure requirements: SB 5580

Ticket sellers, internet web sites of, using or selling software to interfere with: ***EHB 1091, CH 129 (2015)**

Ticket sellers, internet web sites of, using software to interfere with: SB 5456

Transportation network companies, using digital network or software to connect passengers with drivers, regulating of: SB 5550

Transportation services providers, commercial, connecting passengers with drivers via digital network or software, regulating of: ESHB 2131, SB 6444

Vapor products, internet sales of, prohibition, when: E2SHB 1645

Webcams, unauthorized remote access when connected to computer, civil action for: SB 5106

CONCURRENT RESOLUTIONS

Deceased former members of legislature, joint session to honor: ***SCR 8401 (2015)**

Legislature, 2015 first special session, adjourning SINE DIE: ***HCR 4408 (2015)**

Legislature, 2015 first special session, reintroduction of bills, memorials, and resolutions: ***HCR 4406 (2015)**

Legislature, 2015 first special session, returning bills, memorials, and resolutions to house of origin: ***HCR 4407 (2015)**

Legislature, 2015 regular session, adjourning SINE DIE: ***HCR 4405 (2015)**

Legislature, 2015 regular session, returning bills, memorials, and resolutions to house of origin: ***HCR 4404 (2015)**

Legislature, 2015 second special session, adjourning SINE DIE: ***HCR 4410 (2015)**

Legislature, 2015 second special session, reintroduction of bills, memorials, and resolutions: ***SCR 8403 (2015)**

Legislature, 2015 second special session, returning bills, memorials, and resolutions to house of origin: ***HCR 4409 (2015)**

Legislature, 2015 third special session, adjourning SINE DIE: ***HCR 4412 (2015)**

Legislature, 2015 third special session, reintroduction of bills, memorials, and resolutions: ***SCR 8404 (2015)**

Legislature, 2015 third special session, returning bills, memorials, and resolutions to house of origin: ***HCR 4411 (2015)**

Legislature, 2016 first special session, adjourning SINE DIE: ***HCR 4419 (2016)**

Legislature, 2016 first special session, reintroduction of bills, memorials, and resolutions: ***SCR 8407 (2016)**

Legislature, 2016 first special session, returning bills, memorials, and resolutions to house of origin: ***HCR 4418 (2016)**

Legislature, 2016 regular session, adjourning SINE DIE: ***HCR 4417 (2016)**

Legislature, 2016 regular session, reintroduction of bills, memorials, and resolutions: ***HCR 4413 (2016)**

Legislature, 2016 regular session, returning bills, memorials, and resolutions to house of origin: ***HCR 4416 (2016)**
 Legislature, bills and other legislation, cutoff dates: ***SCR 8400 (2015)**, ***SCR 8406 (2016)**
 Legislature, joint rules, adoption: ***HCR 4402 (2015)**
 Legislature, joint session, state of state message: ***HCR 4400 (2015)**, ***HCR 4414 (2016)**
 Legislature, Washington state commission on the evaluation of the, establishing: SCR 8402
 Office Building 2 (OB2), renaming as Human Services Building: HCR 4401, SCR 8405

CONSERVATION (See also CONSERVATION COMMISSION)

Conservation corps, noxious weed replacement with honey bee forage plants: 2SHB 1654, ***EHB 2478, CH 44 (2016)**
 Conservation districts, conservation district online election pilot project, establishing: SB 6600
 Conservation districts, special assessments, assessor and treasurer deduction from: SB 6003
 Conservation districts, system of rates and charges by, modifying provisions: SB 5322
 Conservation futures program, parks and recreation land acquired through, maintenance and operations funds: SB 5614
 Nature conservancy lands, nonprofit, state agencies acquiring, funds application requirements: SB 6392

CONSERVATION COMMISSION (See also CONSERVATION)

Agricultural producers and regulatory staff, forums for, commission role: SB 5060

CONSOLIDATED TECHNOLOGY SERVICES AGENCY (See also CHIEF INFORMATION OFFICER, OFFICE OF THE)

Information technology services, transfer from DES and OFM to CTSA, CIO to be director: 2SHB 1391, SB 5315

CONSTITUTION, STATE (See also JOINT RESOLUTIONS)

Foreign laws and systems, prohibiting enforcement when violating constitutional rights: SB 5192
 Income tax, imposing of, constitutional amendment approval contingency for the: SB 6559
 Publication and authentication of constitution, as legal material in official electronic record, provisions: SB 6361

CONSTITUTION, U.S.

Amendment convention of the states, for limits on federal government, requesting that Congress call: SJM 8016
 Amendment reversing corporations-as-persons and spending-of-money-as-free-speech court decisions, urging: SB 6505, SJM 8011
 Amendment, I-735, reversing corporations-as-persons and spending-of-money-as-free-speech court decisions, urging: SI 735
 Election campaign contributions, requesting that Congress exercise constitutional authority to regulate: SJM 8002
 Elections and government policy, undue influence of money on, I-735, requesting U.S. constitutional amendment to eliminate: SI 735
 Elections and government policy, undue influence of money on, requesting U.S. constitutional amendment to eliminate: SB 6505, SJM 8011
 Foreign laws and systems, prohibiting enforcement when violating constitutional rights: SB 5192
 Free and fair elections amendment, requesting that Congress call a limited convention for: HJM 4000, SJM 8015
 Government of, by, and for the people act, amendments for curtailing political influence of corporations and money: SB 6505, SJM 8011
 Government of, by, and for the people act, I-735, amendments for curtailing political influence of corporations and money: SI 735

CONSUMER PROTECTION (See also COMPUTERS)

Military service members, active duty, terminating certain services, procedures: SB 6636
 Music, performance of copyrighted, businesses' rights and responsibilities: ***E2SHB 1763, CH 38 (2016)**
 Student loan servicers, licensing and regulation of: SB 6610

CONTRACTORS (See also BUILDING CODE COUNCIL; BUILDING CODES AND PERMITS; PLUMBERS AND PLUMBING; PUBLIC WORKS; ROADS AND HIGHWAYS)

Electricians, appliance repair specialty, certified, using for like-in-kind appliance replacement: SB 5845
 Electricians, certain certificates of competency, apprenticeship program for: EHB 1590, SB 6581
 Electricians, electrical scope of work, clarifying and expanding: ***HB 2886, CH 198 (2016)**
 Electricians, HVAC/refrigeration specialty, certified, using for like-in-kind appliance replacement: SB 5845
 Electricians, installing or maintaining modular systems UL-listed for commercial furniture, licensing exemption: SB 6085

Electricians, nonresident security system specialty electrician certificate: SB 5281
 Independent contractors, hiring of, reporting to state child support registry: SB 5388
 Independent contractors, misclassifying employees as, prohibiting: SB 5566
 Mechanics and materialmen, claims of lien, late payment or overdue amount information after notice: SB 6482
 Registration, by L&I, optional electronic wage survey completion: ***2ESB 5993, CH 40 (2015)**
 Registration, deposit of non-fine moneys into construction registration inspection account: EHB 1465, SB 5598
 Registration, not required when contracting with registered general contractor and not superintending: ***SHB 1749, CH 52 (2015)**
 Registration, not required when property owner improves and offers to sell, when: SB 5847
 Security systems, nonresident security system specialty electrician certificate: SB 5281
 Security systems, residential installations, without license, when: SB 5282
 State procurement, "contracting out" assessment and contractor ethical standards: SHB 1915
 State procurement, contract and contractor information, public web sites for: SB 5081
 Taxes, unregistered contractors not paying, building permit application information concerning: SB 6138
 Veterans, helmets to hardhats program, creating coordinator for: SB 5633

CONVENTION AND TRADE CENTERS (See also PUBLIC FACILITIES DISTRICTS)

Public facilities district convention center, expansion, tax deferrals: SB 5571

CONVEYANCES

Elevators and other conveyances, deposit of non-fine moneys into dedicated account: EHB 1465, SB 5598
 Elevators and other conveyances, disclosure in real estate transactions, when: SB 5156

COOPERATIVE ASSOCIATIONS

Mergers, when member not entitled to dissent or obtain share's fair value payment: SB 6338

CORPORATIONS (See also COOPERATIVE ASSOCIATIONS; LIMITED LIABILITY COMPANIES; PARTNERSHIPS)

Acquiring person, of target corporation, with voting stock of multiple classes: ***SB 6205, CH 216 (2016)**
 Boards of directors, gender representation on, requirements: SB 6652
 Business corporation act, revisions: ***SB 5387, CH 176 (2015)**
 Business opportunities, advance action by directors and officers: ***SB 5031, CH 20 (2015)**
 Corporations-as-persons and spending-of-money-as-free-speech court decisions, urging U.S. constitutional amendment reversing: SB 6505, SI 735, SJM 8011
 Filings with secretary of state, electronic transmission and signatures: ***SHB 2359, CH 202 (2016) PV**, SB 6492
 Initiative 735, urging U.S. constitutional amendment reversing corporations-as-persons court decisions: SI 735
 Nature conservancy corporations, nonprofit, state agencies acquiring lands from, funds application requirements: SB 6392
 Nonprofit corporation act, revisions: ***SB 5387, CH 176 (2015)**
 Nonprofit miscellaneous and mutual corporations act, revisions: ***SB 5387, CH 176 (2015)**
 Nonprofit, boards of directors, gender representation on, requirements: SB 6652
 Nonprofit, cultural organizations, funding through cultural access programs: ***ESHB 2263, CH 24 (2015)**, SB 5463
 Nonprofit, joint self-insuring for property and liability risks: ***SB 5119, CH 109 (2015)**
 Nonprofit, low-income homeownership development, property tax exemption: SB 6211
 Political influence of corporations and money, actions to eliminate: SB 6505, SI 735, SJM 8011
 Professional service corporations, outstanding shares holders' eligibility to be director, officer, or shareholder: SB 6411
 Uniform business organizations code--general provisions, creating: ***SB 5387, CH 176 (2015)**
 Vessels, permits for nonresident corporations, including sales and use tax exemption eligibility: SB 5878

CORRECTIONS, DEPARTMENT (See also JAILS; PRISONS AND PRISONERS)

Cameras, body worn, legislative task force on law enforcement and corrections agency use of: ***EHB 2362, CH 163 (2016)**
 Corrections ombuds, office of, creating and supporting with ombuds advisory council: SB 6154
 Corrections ombuds, office of, creating in office of governor, department role: SB 5505
 Domestic violence offenders, felony offense, supervision by department, when: ***SB 5070, CH 290 (2015)**, SB 6531
 Electronic monitoring, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
 Employees, assaulted by offenders, injury reimbursement period: SB 6286

Employees, assaulted by offenders, reimbursement for injuries, period of: HB 2507
 Employees, collective bargaining provisions: SB 6126
 Firearms, transfers involving corrections officers, background check exemption, when: SB 5615
 Home detention, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
 Inmates, health care at hospitals, accompanying and payment of hospital for: SB 5593
 Inmates, health care at hospitals, payment of hospital for: SB 6023, SB 6322
 Inmates, post-secondary education programs, modifying provisions to increase opportunities: HB 1704, HB 2619, SB 5354, SB 6260
 Offenders, community custody supervision, period of department authority for: SB 6531
 Offenders, earned release time, felony convictions with deadly weapon enhancements, DOC recalculation of release date: SB 5835
 Offenders, health care visits by, department reporting requirement, eliminating: ***EHB 2883, CH 197 (2016)**
 Offenders, incarcerated, prohibiting marijuana, alcohol, or cell phone while: ***SHB 2900, CH 199 (2016) PV**
 Offenders, no-contact conditions for community custody, department authority: ***HB 2838, CH 108 (2016)**
 Offenders, positive achievement time, earned award of, development of procedures by department for: SB 6143
 Offenders, positive time, earned award of, development of procedures by department for: SB 5629
 Offenders, supervision of, peace officer authority to assist department with: SB 5783, ***SB 6459, CH 234 (2016)**
 Performance management, lean management plan and study of Baldrige framework or equivalent: SB 6583
 Performance management, state auditor to audit department's management system: SB 6583
 Recordings, video or sound, access by persons interacting with corrections officers: ***EHB 2362, CH 163 (2016)**
 Recordings, video or sound, by corrections officers using body camera: ***EHB 2362, CH 163 (2016)**
 Supervision of property offenders, provisions: SB 6143
 Unmanned aerial vehicles, dangerous drone operations near correctional facilities, prohibiting: SB 6437

COUNSELORS AND COUNSELING

Aversive mental health therapies, performing on patients under 18, prohibitions: SB 5870
 Certified counselors and advisers, scope of practice: HB 1134, SB 5440
 Chemical dependency professionals, mental health and chemical dependency dual licensure: SB 6485
 Marriage and family therapist associates, online UW health sciences library access: ***SHB 1184, CH 77 (2015)**
 School counselors and social workers, role in meeting unmet student mental health needs, defining: 2SHB 1900
 School counselors, psychologists, and social workers, task force on: SHB 2381
 Sexual orientation change efforts, on patients under 18, prohibitions: SB 5870
 Social workers and associates, online UW health sciences library access: ***SHB 1184, CH 77 (2015)**
 Social workers, child protective services, near fatality in context of abuse or neglect, review of files and actions: SB 5888

COUNTIES (See also BUILDING CODES AND PERMITS; CRIMINAL JUSTICE TRAINING COMMISSION; ELECTIONS; GROWTH MANAGEMENT; LAW ENFORCEMENT AND LAW ENFORCEMENT OFFICERS; LOCAL GOVERNMENT; SEWAGE AND SEWERS; TAXES - PROPERTY TAX)

Assets of county, capitalized, filing of inventory of: SB 6348
 Auctions, real and personal property, via electronic media, including internet and electronic payment: ***SB 5768, CH 95 (2015)**
 Capital projects, expanding range for which real estate excise tax revenues may be used: SB 5585
 Clark, elder justice center demonstration program, establishing: SB 6585
 Clark, elder justice center, establishing: SB 5788
 Clark, elder justice centers at demonstration sites, establishing: SB 5945
 Clerk, court action document processing by, responsibilities: ***SHB 2405, CH 93 (2016)**, SB 5658
 Commissioners, board of, compensation for extra services, repealing RCW section: SB 6348
 Commissioners, county, redistricting committees for districts for, establishing: EHB 2610, SB 6514
 Coroners and medical examiners, death investigations and human remains: EHB 2775, SB 6261
 Coroners or their appointees, certification of list of inventoried effects of deceased by: SB 6348
 Coroners, authority to issue warrant at end of inquest, repealing: ***HB 2773, CH 186 (2016)**, SB 6262
 Coroners, inquests venue and related costs payment: SB 6295
 Dispute resolution centers, increasing funding through various court filing fee surcharges: SHB 2674, SB 6448
 Documents recorded by county auditor, surcharge for, increasing: ***HB 2195, CH 28 (2015)**
 Guardianship courthouse facilitator programs, county authority to create: ***SB 5647, CH 295 (2015)**
 Health care coverage, purchase through PEBB by certain counties: ESHB 1740, SB 5731, ***SB 6475, CH 67 (2016)**

Housing, affordable housing incentive zones, designation: SB 6311
 Investment pools, external, investment of local government funds through: SB 5390
 Island counties, county road fund, authorizing certain marine uses: ***EHB 1868, CH 223 (2015)**
 Legislative authorities of counties, joint meetings: ***SHB 1145, CH 74 (2015)**, SB 6000
 Legislative authorities, alternate meeting locations: ***HB 1013, CH 179 (2015)**, SB 5223
 Legislative authorities, correcting RCW double amendment concerning: ***HB 2800, CH 189 (2016)**
 Liquor, local prohibition on sale of, municipality and county power to repeal: SB 5167
 Liquor, local prohibition on sale of, territory annexed into city after: ***SHB 1564, CH 153 (2015)**
 Marriage, commissioner of civil marriages, designating in each county: SB 5385
 Mediation, authority to request in event of conflict with another town, city, or county, procedure: SB 6645
 Newspaper, official county, advertising for bid proposals for contract for: SB 6348
 Okanogan, adding to farm internship pilot program: SB 5937
 Payroll, draw day salary payment requirements: ***HB 2391, CH 126 (2016)**, SB 6155
 Property tax, county treasurer retention of percentage of taxes paid: SB 5677
 Public works contracts, with county, actions in superior court, requirement void: ***HB 1601, CH 138 (2015)**
 Regulation of wages, hours, employee retention, and leave, county authority for: SB 6578
 Road vacation, by county legislative authority, conditions: SB 5918, SB 6314
 Roads, county road fund, authorizing certain marine uses by island counties: ***EHB 1868, CH 223 (2015)**
 Roads, county, defining "riverine project" and "storm water project": SB 6314
 Roads, county, updating statutes for lower costs and greater efficiency: SB 6314
 Skagit, district court judges, increasing: ***HB 1061, CH 25 (2015)**, SB 5174
 Special purpose districts, county treasurer distribution of certain revenues to, prohibiting, when: EHB 2084
 Spokane, elder justice center demonstration program, establishing: SB 6585
 Spokane, elder justice center, establishing: SB 5788
 Spokane, elder justice centers at demonstration sites, establishing: SB 5945
 Treasurers, county, authority to accept electronic payments: SB 5767
 Treasurers, county, expanding duties of: SB 5853

COURTS (See also ADMINISTRATIVE OFFICE OF THE COURTS; CIVIL PROCEDURE; CRIMINAL PROCEDURE; GUARDIANSHIP; JUDGES; JUVENILE COURT AND JUVENILE OFFENDERS)

Administrative actions by agencies, judicial review determinations without deference to agency's interpretations: SB 5374
 Appeals, court of, creating and transferring board of tax appeals to tax division of: SB 5449
 District court, jurisdiction of, dollar amount threshold: ESHB 1248
 District courts, civil and small claims filing fee surcharges, increasing for dispute resolution center funding: SHB 2674, SB 6448
 District courts, civil jurisdiction, modifying claim value dollar amount threshold: ***SB 5125, CH 260 (2015)**
 Family court, proceedings, appointment of guardian ad litem for a child: SB 5823
 Foreign laws and systems, prohibiting enforcement when violating constitutional rights: SB 5192
 Forensic mental health services, office of, establishing within DSHS: SB 5792
 Guardianship courthouse facilitator programs, county authority to create: ***SB 5647, CH 295 (2015)**
 Indigent defense, determination of indigency: SB 5232
 Judicial information system, court consultation before granting certain orders: ***SHB 1617, CH 140 (2015)**, ***HB 2371, CH 89 (2016)**, SB 6402
 Jury service, length of, superior courts and courts of limited jurisdiction: ***SHB 1610, CH 7 (2015)**
 Reporters, certified court, use in courts of record: ***SHB 1111, CH 74 (2016)**
 Specialty or therapeutic courts, surety treatment bonds, authorizing use of: SB 6556
 Superior courts, association of the superior court judges of the state of Washington, modifying name of: ***HB 2587, CH 179 (2016)**, SB 6538
 Superior courts, filing fee surcharge for dispute resolution center funding: SHB 2674, SB 6448
 Superior courts, state office of, creating: SB 6317
 Superior courts, state office of, creating oversight committee for: SB 6317
 Therapeutic courts, encouraging establishment: ***SB 5107, CH 291 (2015)**
 Therapeutic or specialty courts, surety treatment bonds, authorizing use of: SB 6556
 Transcriptionists, authorized, use in courts of record: HB 1111, ***SHB 1111, CH 74 (2016)**

CREDIT AND DEBIT CARDS

Collection agencies, electronic payment transaction fees: SB 5222
 County treasurers, authority to accept electronic payments: SB 5767
 Credit cards, for campaign expenditures, requirements: SB 5409
 Debt adjusting services, various provisions: ***SHB 1283, CH 167 (2015)**, SB 5485
 Debt settlement services, registration of providers: SB 5321

CREDIT UNIONS

Corporate governance and investments, modifying provisions: HB 1871, ***SB 5757, CH 123 (2015)**
 Regulatory enforcement, updating statutes concerning: HB 1062, ***SB 5300, CH 114 (2015)**

CRIMES (See also CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; DOMESTIC VIOLENCE; FIREARMS; SENTENCING; SEX OFFENSES AND OFFENDERS; TRAFFIC OFFENSES; VICTIMS OF CRIMES)

Abuse of vulnerable adults, elder justice center demonstration programs, establishing: SB 6585
 Abuse of vulnerable adults, elder justice centers at demonstration sites, establishing: SB 5945
 Abuse of vulnerable adults, elder justice centers, establishing: SB 5788
 Abuse of vulnerable adults, including sexual abuse, modifying certain definitions: SB 5600
 Abuse or neglect, children or vulnerable adults, removing references to Christian Science treatment exemptions: SB 5408
 Abuse, child victims testifying remotely, raising awareness of as legal alternative, including annual survey: ***SHB 1898, CH 286 (2015)**
 Alcohol, powdered, gross misdemeanor if used, purchased, sold, and/or possessed: SB 6082
 Animal abuse offenses, offender registration and animal abuse registry: SB 6234
 Assault of a child, examination of suspected victim, costs to be paid by state, when: SB 5897
 Assault of a child, when domestic violence involved, modifying points for offender scoring: EHB 1632, SHB 1632
 Assault, domestic violence assault by juvenile, offense report discretion: ***ESHB 2906, CH 136 (2016)**
 Assault, domestic violence assault, arresting 16- and 17-year-olds: ***SB 5605, CH 113 (2016)**, SB 6529
 Assault, fourth degree involving domestic violence, modifying: EHB 1632, SHB 1632
 Assault, of a utility company worker or employee, as aggravating circumstance, when: SB 6554
 Assault, third degree, to include assaulting persons serving legal process: SB 5521
 Assault, third degree, to include assaulting utility company employees: SHB 1178, SB 5833
 Body armor, crimes committed while wearing, sentence enhancement for: SB 5036
 Cannabinoids, cathinones, and methcathinones, synthetic, pilot program for instant identification: ESB 5673
 Cannabinoids, cathinones, and methcathinones, synthetic, prohibiting manufacture and sales: ESB 5673, SB 6136
 Cetacean captivity, unlawful: HB 2888, SB 5666, SB 6582
 Computers, electronic data crimes, computer trespass, and spoofing: ***E2SHB 2375, CH 164 (2016)**, SB 6197
 Computers, new chapter of crimes, Washington cybercrime act: ***E2SHB 2375, CH 164 (2016)**, SB 6197
 Controlled substances, certain offenses, modifying seriousness level for sentencing purposes: SB 5836
 Cruelty to animals, modifying provisions: ***SHB 2644, CH 181 (2016)**, ***ESHB 2906, CH 136 (2016)**, SB 5501, SB 6529
 Custodial interference, child abduction statutes and residential provisions: ***HB 1302, CH 38 (2015)**, SB 5394
 Domestic violence protection order, violation of, penalty assessment for: EHB 1729
 Domestic violence, crimes involving, penalty assessment for: EHB 1729
 Driving under the influence, provisions: ***2E2SHB 1276, CH 3 (2015) PV**, ***HB 2280, CH 87 (2016)**, ***ESHB 2700, CH 203 (2016)**, SB 5105, SB 6143, SB 6198, SB 6236
 Electronic data service interference, tampering, and theft: ***E2SHB 2375, CH 164 (2016)**, SB 6197
 Escape, third degree, to include knowingly violating terms of home detention: ***EHB 1943, CH 287 (2015)**
 Failing to summon assistance, modifying provisions: SB 5072
 Female genital mutilation, class B felony: SB 6563
 Financial fraud, financial fraud and identity theft crimes investigation and prosecution program: ***HB 1090, CH 65 (2015)**, SB 5058
 Financial fraud, unlawful possession of instruments of, expanding definition: SB 5069
 Firearm offenses, convicted felony firearm offender registration, requiring: ***SHB 2410, CH 94 (2016)**
 Firearms, unsafe storage of, child endangerment due to, first and second degree, when: SB 5789, SB 6310
 Gambling information transmissions, class C felony, excluding networking services providers from, when: SB 6566
 Gangs, criminal street gang activity at rental properties, law enforcement response: SB 5894

Human remains, sale or commercial display, prohibiting, class C felony: SB 5891
 Human trafficking, at rental properties, law enforcement response: SB 5894
 Human trafficking, definitions: SHB 1651, 2SHB 1651, ***SB 5342, CH 4 (2016)**, SB 6526
 Human trafficking, sex trade and labor services, human trafficking awareness day, establishing: ***SB 6376, CH 9 (2016)**
 Human trafficking, sex trade and labor services, noncitizen victims of, processing of certain certification forms: SHB 2895
 Human trafficking, sex trade and labor services, posting information in public restrooms: SB 5883
 Human trafficking, sex trade and labor services, Washington state clearinghouse on human trafficking, creating: SB 5884
 Human trafficking, sex trade, using certain fees to aid victims of: SB 6484
 Human trafficking, state laws, criminal justice personnel training program on: SB 5933
 Human trafficking, state task force against trafficking of persons, reestablishing: SB 5884
 Identity theft, financial fraud and identity theft crimes investigation and prosecution program: ***HB 1090, CH 65 (2015)**, SB 5058
 Incapacitated person's property or services, theft by a guardian, creating crime of: SB 5945
 Internet crimes against children, including sexual exploitation, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**
 Internet crimes against children, including sexual exploitation, new account to combat: SB 5215
 Ivory or rhinoceros horn, unlawful trafficking, class C felony: SB 5241
 Juveniles, offenses committed before age 18, technical corrections to provisions: ***SHB 1319, CH 134 (2015)**, SB 5839
 Luring, with intent to harm or to facilitate commission of any crime: SB 6463
 Marijuana, marijuana clubs, legalizing, when: SB 6375
 Marijuana, marijuana clubs, prohibition: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, minors entering or being served by retail outlets, crimes related to: HB 2522, SB 6302
 Marijuana, misdemeanor convictions, vacation of: SB 5461, SB 6164
 Marijuana, opening package of or consuming in public, prohibitions: ***2E2SHB 2136, CH 4 (2015)**, SB 5398, SB 6136
 Marijuana, possession and delivery offenses, modifying penalties, when: HB 2494, SB 6486
 Mistreatment, criminal, when domestic violence involved, modifying points for offender scoring: EHB 1632, SHB 1632
 Motor vehicle air bags, crimes involving manufacture, sale, installation, etc.: SB 6160
 Motor vehicle property offenses, offender score provisions: SB 6350
 Motor vehicle, taking without permission, first degree, juvenile offender sentencing: SB 6529
 Murder, aggravated first degree, eliminating death penalty and adding restitution for: SB 5639
 Physical control of vehicle under the influence, provisions: ***2E2SHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**, SB 5105, SB 6143, SB 6198, SB 6236
 Property offenses, motor vehicle, offender score provisions: SB 6350
 Property offenses, reducing, comprehensive provisions: SB 5755, SB 6143, SB 6641
 Property offenses, reducing, law enforcement and pretrial grant programs for: SB 6143, SB 6641
 Property, crimes against, habitual property offender special allegation: SB 5503, SB 6641
 Public employees, felony for misconduct during service as, forfeiture of pension, when: SB 6077, SB 6433
 Public employees, felony for misconduct during service as, garnishing pension to pay for incarceration, etc.: SB 6076, SB 6434
 Restraint of vulnerable adults, improper use of, modifying relevant definitions: SB 5600
 Shellfish, unlawful trafficking in second degree: ***HB 1641, CH 141 (2015)**
 Tattoos, illegal application to minor, exception for nonmedical removal procedures by tattoo artists: SB 6639
 Theft of rental, leased, lease-purchased, or loaned property, adding holding of property beyond rental period to crime: SB 6007
 Theft, of an incapacitated person's property or services by a guardian, creating crime of: SB 5945
 Theft, organized retail theft when electronic communication made or received: SB 5037
 Trespass, criminal trespass in first degree, adding certain persons to crime of: SB 5894
 Trespass, criminal trespass of dwelling in foreclosure, creating crime of: SB 5894
 Trespass, notice against, defining "posting in a conspicuous manner": SB 5233, SB 6117
 Trespass, unlawfully collecting wildlife parts from another's property, misdemeanor: ***HB 1627, CH 154 (2015)**
 U.S. citizen or lawful resident alien, unlawful investigation or detainment of, class C felony, when: SB 5742
 Unmanned aerial vehicles, dangerous drone operations near correctional facilities, class C felony: SB 6437
 Unmanned aircraft, illegal operation of: ESHB 1093
 Unmanned aircraft, nefarious drone enterprises, special allegation of: SB 5499
 Vehicular homicide and assault, increasing additional fee and using portion for DUI reduction: SB 6143

Vehicular homicide, by operation of vehicle in reckless manner, seriousness level: SB 6219
 Voyeurism, second degree, establishing as gross misdemeanor: HB 2970
 Vulnerable adult, criminal mistreatment of, provisions: 3SHB 1499
 Vulnerable adult, theft from, crime of: 3SHB 1499
 Vulnerable adults, abuse, neglect, and financial exploitation of, elder justice center demonstration programs, establishing: SB 6585
 Vulnerable adults, abuse, neglect, and financial exploitation of, elder justice centers at demonstration sites: SB 5945
 Vulnerable adults, abuse, neglect, and financial exploitation of, elder justice centers, establishing: SB 5788
 Youth, crimes committed as minors, adult criminal court sentencing for, adding mitigating circumstances for: SB 6524

CRIMINAL JUSTICE TRAINING COMMISSION (See also ADMINISTRATIVE PROCEDURE; LAW ENFORCEMENT AND LAW ENFORCEMENT OFFICERS)

Basic law enforcement training, reimbursement of commission by city or county employer of trained personnel: SB 5955
 Crisis intervention training for new officers, commission role: SB 5311
 Driving under the influence, reduction programs, commission role and funding: SB 6143
 Hiring and continuing employment, lawful permanent residents, extending eligibility to: HB 2543, SB 6319
 Nonimmigrant visas, U and T, course of study on legal protections for immigrant crime victims and on, commission role: SHB 2895
 Testifying by children, including child sexual abuse cases, surveying law enforcement and prosecuting agencies: ***SHB 1898, CH 286 (2015)**

CRIMINAL OFFENDERS (See also BAIL AND BAIL BONDS; CRIMINAL PROCEDURE; DOMESTIC VIOLENCE; JAILS; MENTAL HEALTH; PRISONS AND PRISONERS; SENTENCING; SEX OFFENSES AND OFFENDERS; VICTIMS OF CRIMES)

Arrests or convictions, employers prematurely asking applicants about: SB 5608
 Civil rights, restoration, vacated domestic violence records, use in later prosecution, prohibiting, exceptions: SB 5831
 Community custody, no-contact conditions, department of corrections authority: ***HB 2838, CH 108 (2016)**
 Community custody, period of department of corrections authority to supervise: SB 6531
 Community placement or supervision, mental status evaluations: ***SB 5101, CH 80 (2015)**
 Corrections ombuds, office of, creating and supporting with ombuds advisory council: SB 6154
 Corrections ombuds, office of, creating in office of governor: SB 5505
 DNA sample, collection at jail intake or by order, when: SB 5653
 DNA sample, collection from felony arrestees for certain crimes: SB 6366
 DNA sample, persons acquitted by reason of insanity: SB 5240
 Domestic violence, felony offenders, department of corrections supervision: SB 6531
 Early release, petition for, notice, records, and video recording requirements: SB 6242
 Earned release time, felony convictions with deadly weapon enhancements, recalculating release date: SB 5835
 Education, postsecondary inmate programs, modifying provisions to increase opportunities: HB 1704, HB 2619, SB 5354, SB 6260
 Electronic home detention monitoring, monitoring agencies for, requirements: SB 5766
 Electronic monitoring, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
 Electronic monitoring, monitoring agencies for, requirements: ***EHB 1943, CH 287 (2015)**
 Firearm offenses, convicted felony firearm offender registration, requiring: ***SHB 2410, CH 94 (2016)**
 Health care at hospitals for persons in custody, accompanying and payment of hospital for: SB 5593
 Health care at hospitals for persons in custody, payment of hospital for: SB 6023, SB 6322
 Health care, offenders in jails, communication about services and medications for, work group to study: SHB 2501
 Home detention, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
 Identical cards, for certain incarcerated offenders, when: E2SHB 1320, SB 5173
 Legal financial obligations, various provisions: E2SHB 1390, SB 5713, SB 6642
 Marriage, surname changes, criminal offender procedures: HB 1034
 Medical assistance, benefits suspension when incarcerated: SB 6430
 Medical expenses of inmates, outside-source money for, exempting from required deductions: ***SB 5650, CH 238 (2015)**
 Nursing care for offender populations, PSERS membership for providers, when: SHB 1718, SB 5703
 Offender score, domestic violence involved, points for assault of a child and criminal mistreatment, modifying: EHB 1632, SHB 1632
 Offender score, motor vehicle property offenses, modifying provisions: SB 6350

Parenting program for offenders, eligibility, modifying criteria: SB 6364
 Positive achievement time, earned award of, procedures, when: SB 6143
 Positive time, earned award of, procedures, when: SB 5629
 Property offenders, motor vehicle property offenses, offender score provisions: SB 6350
 Property offenders, sentencing, community custody and positive achievement time: SB 6143
 Property offenders, supervision of: SB 6143
 Public employees, felony for misconduct during service as, forfeiture of pension, when: SB 6077, SB 6433
 Public employees, felony for misconduct during service as, garnishing pension to pay for incarceration, etc.: SB 6076, SB 6434
 Racial and ethnic impact statements regarding crime legislation, requirements: SB 5755, SB 6143, SB 6641
 Reentry and recidivism, Washington statewide reentry council, creating: ***2SHB 2791, CH 188 (2016)**
 Registered sex or kidnapping offenders, comprehensive provisions, modifying: SB 5154
 Reprieve, petitions for, recommendations to governor: SB 5039
 Restoration of opportunity, certificates of, comprehensive provisions: ***2ESHB 1553, CH 81 (2016)**
 Supervision of offenders, peace officers assisting department of corrections with: SB 5783, ***SB 6459, CH 234 (2016)**

CRIMINAL PROCEDURE (See also BAIL AND BAIL BONDS; CRIMINAL OFFENDERS; ORDERS OF COURT; SENTENCING)

Animal abuse offenses, offender registration and animal abuse registry: SB 6234
 Competency, evaluations and restoration, performance targets and time limits: E2SHB 2060, SB 5889
 Competency, evaluations, reimbursement of county, when: E2SHB 2060, SB 5403
 Competency, nonfelony offense, optional diversion: SB 5925
 Competency, restoration, time periods and alternative locations: E2SHB 2060, SB 5177
 Deadly force, policing and the use of, task force on, convening: SB 6621
 Deadly force, use in community policing, joint legislative task force, establishing: ***ESHB 2908, CH 200 (2016)**
 Deadly force, use of by law enforcement, collecting data concerning: SB 6294
 Deadly force, when appropriate, immunity from prosecution: SB 6487
 Death penalty, eliminating: SB 5639
 Defenses, based on victim gender identity or sexual orientation, limiting: SB 5956
 Defensive force, holding reasonable fear of imminent peril, when appropriate, immunity from prosecution: SB 6487
 DNA database, statewide, forensic laboratory services bureau reporting requirements: SB 6366
 DNA sample, collection at jail intake or by order, when: SB 5653
 DNA sample, collection from felony arrestees for certain crimes: SB 6366
 DNA sample, persons acquitted by reason of insanity: SB 5240
 DNA, felony violent or sex offense cases, work product preservation: ***SHB 1069, CH 221 (2015)**, SB 5253
 Domestic violence assault, arresting 16- and 17-year-olds: ***SB 5605, CH 113 (2016)**, SB 6529
 Domestic violence assault, by juvenile, offense report discretion: ***ESHB 2906, CH 136 (2016)**
 Driving under the influence, fingerprinting and photographing, who and when: SB 6198
 Homicide, justifiable as self-defense, when legal, immunity from prosecution: SB 6487
 Homicide, justifiable, by law enforcement, collecting data concerning: SB 6294
 Homicide, justifiable, use of deadly force in community policing, joint legislative task force, establishing: ***ESHB 2908, CH 200 (2016)**
 Indigent defense, determination of indigency: SB 5232
 Informants and accomplices, evidence and testimony by, requirements for: SB 5067, SB 6503
 Physical control of vehicle under the influence, fingerprinting and photographing, who and when: SB 6198
 Pretrial supervision costs, limitations on, electronic alcohol monitoring programs exemption from: SB 6134
 Process servers, legal, assault in third degree to include assault of: SB 5521
 Process servers, legal, social security numbers of, disclosure prohibitions: ESB 5523
 Reprieve, petitions for, recommendations to governor: SB 5039
 Seizure and forfeiture of property, for patronizing a prostitute: SB 5041
 Self-defense, holding reasonable fear of imminent peril, when appropriate, immunity from prosecution: SB 6487
 Sex offenses, certain, statute of limitations elimination or extension for: SB 6561
 Sex offenses, felony, prosecution at any time after commission of, allowing: SB 6561
 Sexual exploitation of children, law enforcement administrative subpoena authority use, when: SHB 2483
 Testifying, child victims testifying remotely, raising awareness of as legal alternative, including annual survey: ***SHB 1898, CH 286 (2015)**

Unmanned aircraft, nefarious drone enterprises, special allegation of, filing of: SB 5499
 Vulnerable adult protection orders, persons violating, arrest without warrant: ***SHB 1316, CH 248 (2015)**
 Vulnerable adult protection orders, persons violating, arrest without warrant by peace officer: SB 5250
 Warrant officers, authority to establish, requirements, duties: SB 5004

DEAF (See also CHILDHOOD DEAFNESS AND HEARING LOSS, CENTER FOR; DISABILITIES, PERSONS WITH)

Hearing disability parity act, equal coverage for hearing disability services and hearing aids: SB 6394

DEATH (See also ABORTION; CHILD CARE; CIVIL PROCEDURE; CRIMES; CRIMINAL PROCEDURE; EARLY LEARNING, DEPARTMENT; HUMAN REMAINS)

Death with dignity, informed decision making, revising provisions to ensure: SB 5919
 Effects of deceased, inventory by coroner or appointees, certification of list: SB 6348
 Inquests by coroner, venue and related costs payment: SB 6295
 Inquests by coroner, warrant authority of coroner, repealing: ***HB 2773, CH 186 (2016)**, SB 6262
 Investigations by coroner or ME, human remains mishandling or not reporting: EHB 2775, SB 6261
 Women, maternal mortality review panel, establishing: SB 6534
 Wrongful death, actions for, expanding beneficiaries: SB 5747

DENTISTS AND DENTISTRY (See also INSURANCE)

Assistants, taking impressions, when: ***SB 5606, CH 120 (2015)**
 Dental office support services, provisions: SB 6275
 Dental practitioners and dental hygiene practitioners, authorizing as mid-level dental professionals: SB 5465
 Dentistry, practice of, definition, modifying: SB 5621, SB 6275, SB 6318
 Dentistry, practice of, dental practice ownership and records, provisions: SB 6275
 Dentistry, practice of, functions and activities that are not: SB 6318
 Dentistry, primary place of practice of persons practicing, supplying information at time of license renewal: SB 6036
 Health professional loan repayment and scholarship program fund, funding: SB 5010, SB 5909
 Hygienists, primary place of practice, supplying information at time of license renewal: SB 6036
 Hygienists, taking impressions, when: ***SB 5606, CH 120 (2015)**
 Indian tribes, dental health aide services: SB 5159
 Licensing, initial limited license, including applicant licensed in Canada: ***SB 5606, CH 120 (2015)**
 Licensing, residency completion in lieu of examination, authorizing, when: SB 6404
 Medical assistance, dental services and supplies, prior authorization system work group: ***SHB 2498, CH 128 (2016)**
 University of Washington, Spokane dental school, provisions concerning: SB 5909
 Volunteer dentists and oral surgeons, programs using, American and state dental associations to study: SB 5465

DEVELOPMENTAL DISABILITIES, PERSONS WITH (See also DISABILITIES, PERSONS WITH; LONG-TERM CARE)

Adults with developmental disabilities, grant program for training health professionals to work with: SB 5642
 Assessments, annual, of individuals and facilities, standards for: SB 6564
 Autism and developmental delays, screening for, requirements: SB 5317
 Center-based services, defining: SHB 2767
 Community access programs, home care agency or individual provider, client option pilot program: SB 5790
 Dan Thompson memorial developmental disabilities community trust account, modifying deposits into: SB 6483
 Down syndrome, diagnosis by various providers, resource information requirements: ***HB 2403, CH 70 (2016)**, SB 6613
 Emergencies, alerting first responders when person with developmental disability at residence, procedures: SB 6465
 Emergencies, alerting first responders when person with developmental disability at scene: SHB 2287
 Emergencies, person with developmental disability at scene, 911 personnel and first responders training program: SHB 2287
 Housing and behavioral health services and facilities, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**
 Luring of person with developmental disability, adding intent to harm or to facilitate commission of crime: SB 6463
 Near fatality review system, creating, long-term care ombuds program office role: SB 6564
 Parent to parent program, goals, activities, funding, and administration of: ***HB 2394, CH 92 (2016)**, SB 6329
 Personal care services, from family member, consumer-directed medicaid program for: SB 6662
 Personal needs allowance, medicaid services, increasing for developmental disabilities services: SB 6555

Providers, residential services and support, enforcement standards: ***HB 1307, CH 39 (2015)**, SB 5674
 Raffles, enhanced, by organizations for persons with intellectual disabilities: SB 6449
 Residential habilitation centers, proceeds, deposit in developmental disabilities community trust account: SB 6483
 Residential habilitation centers, provisions: SB 5243
 Sheltered workshop or certain nonprofits, person with disability with, to be "employee" for minimum wage act: SB 6133
 Silver alert plan for missing endangered persons: SB 5264
 Special education, special education administration, training for leaders in: SB 5905
 Special education, special education state advisory council, establishing: SB 5905

DIKING AND DRAINAGE

Drainage ditches, excluding from "fish and wildlife habitat conservation areas" as critical areas: SB 6168

DISABILITIES, PERSONS WITH (See also DEAF; DEVELOPMENTAL DISABILITIES, PERSONS WITH; INSURANCE; MENTAL HEALTH; WORKERS' COMPENSATION)

Access, retrofitting existing structures for, as "substantial development," when: ***ESHB 2847, CH 193 (2016)**
 Aging and disability, joint legislative executive committee on, establishing: SB 5436
 Children from birth to age three, early intervention services: ***SB 5879, CH 57 (2016)**
 Emergencies, alerting first responders when person with disability at scene: SHB 2287
 Emergencies, person with disability at scene, 911 personnel and first responders training program: SHB 2287
 Employment, with state, agency reporting requirements: ***SHB 1636, CH 204 (2015)**, ESB 5524
 Highway workers, totally disabled, college tuition and fees exemption for surviving spouses and children of: ESHB 2804
 Housing and behavioral health services and facilities, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**
 License plates, disabled veteran fee exemption, modifying qualifications: SB 5410
 Parent to parent program, goals, activities, funding, and administration of: ***HB 2394, CH 92 (2016)**
 Savings investment, achieving a better life experience program, creating: ***ESHB 2323, CH 39 (2016)**, SB 6043, SB 6210
 Savings investment, achieving a better life experience program, work group to design: ***2SHB 2063, CH 162 (2015)**
 Sheltered workshop or certain nonprofits, person with disability with, to be "employee" for minimum wage act: SB 6133
 Silver alert plan for missing endangered persons: ***SHB 1021, CH 2 (2015)**, SB 5264
 Silver alert plan for missing senior citizens and others with mental disabilities: ***SHB 1021, CH 2 (2015)**, SB 5264
 Special education, special education administration, training for leaders in: SB 5905
 Special education, special education state advisory council, establishing: SB 5905
 Special education, transition of students to higher education, services for: SB 5679
 Students with disabilities, commission on improving outcomes for, creation and duties: SB 5946
 Students with disabilities, higher education transfer, core services for: SB 6466
 Students with disabilities, higher education transfer, work group on removing obstacles for: ESHB 2825
 Students with disabilities, restraint or isolation, limiting and prohibitions: ***SHB 1240, CH 206 (2015)**
 Students with disabilities, restraint or isolation, limiting and prohibitions and model policy: SB 5850, SB 5908
 Veterans with disabilities, and dependents of, supplemental insurance plans for, reviewing barriers to: ***SB 5974, CH 127 (2015)**
 Veterans with total disability, property tax deferral and exemption programs, income thresholds: SB 5691
 Veterans with total disability, property tax exemption program, health care coverage income deductions: SB 5186
 Veterans with total disability, property tax exemption program, surviving spouse or domestic partner exemption: SB 5127
 Veterans, discover pass, complimentary for service-connected 100% disability: SB 5137
 Voter registration, offices servicing persons with disabilities, as qualified voter registration agencies: SHB 2682, SB 6379
 Workers, with permanent disabilities, hiring, employer incentives: ***SHB 1496, CH 137 (2015)**, SB 5451
 Wrongful life or wrongful birth, actions for, prohibiting: SB 5747

DISCOVER PASS

Complimentary, spouses performing sufficient volunteer hours: SB 5205
 Complimentary, veterans with service-connected 100% disability: SB 5137
 Off-road vehicles, exempting from discover pass requirements, when: SB 5627
 Recreation sites or lands, penalty amounts for pass/permit violations, disposition of: SB 6297

Rental or shared car, pass use with, and role of rental and sharing companies: SB 6140

DISCRIMINATION (See also IMMIGRATION, IMMIGRANTS, AND IMMIGRATION STATUS; MINORITIES)

Abusive work environment, subjecting employee to, as unfair labor practice: SB 6532
 Boards and commissions, state, gender composition report and equity standards and requirements for: SB 6517
 Education system, equity impact review process work group, convening: SB 5718
 Educational opportunity gap, oversight and accountability committee recommendations: E2SHB 1541, *4SHB 1541, CH 72 (2016), SB 6192
 Employees, discrimination and retaliation against, protections: SB 5569
 Gender equity, requirements for board and commission appointments by governor: SB 6517
 Gender-segregated facilities, WAC 162-32-060, requiring repeal in entirety: SB 6443
 Motorcycle- or motorcycle club-related paraphernalia, profiling or otherwise discriminating based on, prohibiting: SB 6624
 Pregnant women, workplace accommodations for pregnancy and childbirth, when: ESHB 2307, SB 6149
 Profiling, the right to be free from discrimination based on, establishing as civil right: SB 6624
 Public works contractors, compliance with federal and state laws prohibiting discrimination: SB 5462
 Racial and ethnic impact statements regarding crime legislation, requirements: SB 5755, SB 6143, SB 6641
 Racial impact statements, for bills and resolutions, procedure for providing: SB 5752
 Reproductive health care, disparities in access to, literature review: HB 1647, SB 5574
 Restrooms and similar private facilities, gender-and-genitalia-based access restrictions, entity authority: SB 6548
 Sex-selection abortions, prohibiting, prenatal nondiscrimination act: SB 6612
 Sexual assault and similar crimes, survivors on higher education campuses, rights: SB 5518
 Sexual harassment, school district policy and employee training, modifying provisions: SB 5517
 Transgender students, model policy and procedure, requirements for school districts concerning: SB 5526
 Wages, discrimination based on sex, prohibiting: SB 6651, SB 6655
 Wages, equal pay opportunity act: ESHB 1646, SB 5630, SB 6442

DOMESTIC PARTNERSHIPS, REGISTERED (See also MILITARY)

Domestic partnership registry, termination notice references, removing: *SHB 2359, CH 202 (2016) PV, SB 6492
 Survivor benefit for partner, PERS retirement allowance payable as, conditions: HB 1036, HB 2298

DOMESTIC RELATIONS (See also CHILDREN; DEVELOPMENTAL DISABILITIES, PERSONS WITH; DOMESTIC VIOLENCE; GUARDIANSHIP; JUVENILE COURT AND JUVENILE OFFENDERS; MARRIAGE AND MARRIED PERSONS)

Child support, child support schedule work group recommendations: SHB 1037, 2SHB 1037, SB 5389
 Child support, credit toward obligations, extending to veterans benefits: HB 1260, *SB 5793, CH 124 (2015)
 Child support, foreign support orders, uniform interstate family support act to include: SB 5498
 Child support, gambling payment intercept program, establishing: SB 5388
 Child support, income withholding orders, employer funds remittance by electronic means: SB 6499
 Child support, noncompliance with order, driving while license suspended due to: *HB 1282, CH 149 (2015), SB 5247
 Child support, order compliance, licensees not in, notice to responsible parent: SB 6495
 Child support, passing payments through, when: SB 5388
 Child support, state registry, reporting hiring of independent contractors to: SB 5388
 Family and medical leave insurance, implementing: SB 5459
 Family court proceedings, appointment of guardian ad litem for a child: SB 5823
 Family engagement coordinators and related terms, in school context, definition and model: SHB 1408, *2SHB 1408, CH 79 (2016)
 Grandparents, visitation with grandchild, petitioning the court: SB 5005
 Military families, students from, education data on: SHB 1149, SB 5163
 Orders, court consultation of judicial information system before granting: *SHB 1617, CH 140 (2015), *HB 2371, CH 89 (2016), SB 6402
 Parental rights, termination of, court-ordered petition if parental response insufficient, when: SHB 1800
 Paternity, genetic testing for, termination of legal responsibilities, when: SB 5006, SB 6452
 Paternity, petition for modifying decree of, use of filing fee moneys: EHB 1729, SB 5631
 Poverty, intergenerational within families, tracking system for and commission on, establishing: ESHB 2518
 Relatives, visitation with child, petitioning the court: SB 6658

Reunification of families, parents for parents program, provisions: SB 5486
 Support, child and spousal, foreign support orders as part of uniform interstate family support act: SB 5498

DOMESTIC VIOLENCE (See also VICTIMS OF CRIMES)

Assault, domestic violence assault by juvenile, offense report discretion: ***ESHB 2906, CH 136 (2016)**
 Assault, domestic violence assault, arresting 16- and 17-year-olds: ***SB 5605, CH 113 (2016)**, SB 6529
 Assault, fourth degree involving domestic violence, modifying: EHB 1632, SHB 1632
 Community-based services and emergency shelter programs, minimum standards for statewide network: EHB 1729, SB 5631
 Crimes involving domestic violence, penalty assessment for: EHB 1729
 Housing and behavioral health services and facilities, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**
 Offender score, domestic violence involved, points for assault of a child and criminal mistreatment, modifying: EHB 1632, SHB 1632
 Offenders, felony offense, supervision by department of corrections, when: ***SB 5070, CH 290 (2015)**, SB 6531
 Protection orders, domestic violence, penalty assessment for violation of: EHB 1729
 Records, vacating certain, use in later prosecution, prohibiting, exceptions: SB 5831
 Return of child, writ of habeas corpus for, fees waiver by sheriff, when: EHB 1632, SHB 1632
 Survivors, on higher education campuses, rights: SB 5518
 Treatment for perpetrators, work group on, convening: SHB 1632

DRIVERS AND DRIVERS' LICENSES (See also IDENTIFICATION; MOTOR VEHICLES; TELECOMMUNICATIONS; TRAFFIC; TRAFFIC OFFENSES; TRAFFIC SAFETY EDUCATION)

Case record for each driver, eliminating index cross reference accident record requirement: ***ESHB 2883, CH 197 (2016)**
 Commercial transportation services providers, drivers for, requirements: ESHB 2131, SB 6444
 Examinations, questions concerning distracted driving, incorporating: SB 5656
 Fees for driver-related transactions, various, for transportation revenue: SB 5358, SB 5987
 Habitual offenders, driver improvement course for, department of licensing to develop: SB 6595
 High-risk and young driver safety education program, account, and traffic safety courses, creating: SB 5816
 Ignition interlock driver's license, impaired driving provisions, modifications: ***2E2SHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**
 Instruction permits, application and examination fee, modifying: SB 5195
 Insurance, financial responsibility, notice and documents connected with judgments: ***SHB 2405, CH 93 (2016)**, SB 5658
 Insurance, financial responsibility, requiring proof from random sample of registered vehicle owners: SB 5704
 Insurance, vehicle insurance verification program, department of licensing to develop: SB 6595
 License suspended, due to child support order noncompliance, driving when: ***HB 1282, CH 149 (2015)**, SB 5247
 Licenses and permits, verification of U.S. citizenship or lawful presence in U.S.: SB 5201, SB 6028, SB 6679
 Licenses, acceptable for federal government official purposes, application and issuance requirements and supporting provisions: SB 6678
 Licenses, application and examination fee, modifying: SB 5195
 Licenses, enhanced, fee for: ***SB 6299, CH 32 (2016)**
 Licenses, intermediate, hours of motor vehicle operation and period from permit to license: SB 6594
 Licenses, intermediate, meeting minimum supervised driving requirements, logbook verification: SHB 2417
 Licenses, intermediate, wireless communications device use by holder, prohibiting: SB 5656
 Licenses, nondomiciled commercial driver's license (CDL) for person domiciled outside state, issuance: SB 6591, SB 6678
 Licenses, suspension, due to failure to comply with criminal complaint notice: ***ESHB 2700, CH 203 (2016)**
 Motor vehicle property offenses, offender score provisions: SB 6350
 Permits, instruction, wireless communications device use by holder, prohibiting: SB 5656
 Permits, nondomiciled commercial learner's permit (CLP) for person domiciled outside state, issuance: SB 6591, SB 6678
 REAL ID act of 2005, federal, repealing RCW implementation and compliance provisions: SB 6028, SB 6678
 Teen drivers, new driver decals, requiring, pilot program: SHB 1159
 Transportation network companies, drivers for, requirements: SB 5550
 Transportation services providers, commercial, drivers for, requirements: ESHB 2131, SB 6444

Young driver risk prevention traffic safety course, requiring, when: SB 5816, SB 6594
 Young driver safety education program, account, and traffic safety courses, creating: SB 6594

DRUGS (See also ALCOHOL AND DRUG ABUSE; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Ambulance and aid services, drugs for use by, hospital pharmacy dispensing of: ***SHB 1625, CH 255 (2015)**
 Antipsychotic medications, children in foster care, second opinion review requirement: ***SHB 1879, CH 283 (2015)**
 Cannabimimetics, synthetic, listing as controlled substance: SB 5434
 Cannabinoids, cathinones, and methcathinones, synthetic, pilot program for instant identification: ESB 5673
 Cannabinoids, cathinones, and methcathinones, synthetic, prohibiting manufacture and sales: ESB 5673, SB 6136
 Cannabis, health and beauty aids, not subject to marijuana regulation: ***2E2SHB 2136, CH 4 (2015)**, SB 5493, SB 6136
 Cannabis, medical use, provisions: SB 5052, SB 6136
 Cannabis, state cannabis industry and economic development committee, establishing: SB 5858
 Cannabis, tetrahydrocannabinol concentration in cottage food product ingredients: ***HB 1622, CH 203 (2015)**
 Controlled substances, certain offenses, modifying seriousness level for sentencing purposes: SB 5836
 Controlled substances, uniform act, asset forfeiture hearings, burden of proof in certain civil hearings: SB 5751
 EPI pens/epinephrine autoinjectors, providers and purchasers: SB 5291, SB 6421
 Glucagon for diabetic hypoglycemic episodes, administration by EMTs: ***SHB 1625, CH 255 (2015)**
 Hydrocodone products, use by optometrists: SHB 1190, SB 5293
 Investigational drugs, biological products, and devices, access by terminally ill patients, when: SB 6550
 Jail, persons in, prohibiting marijuana during term of confinement: ***SHB 2900, CH 199 (2016) PV**
 Marijuana, acquisition by adults, standards and procedures for: SB 5402
 Marijuana, businesses, product traceability and operations information disclosure exemption, when: ***SHB 2584, CH 178 (2016)**, ESB 6207
 Marijuana, common carrier transportation of, rules for licensing: ***2E2SHB 2136, CH 4 (2015)**, SB 5051, SB 6136
 Marijuana, comprehensive marijuana market reform, regulation and taxation: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, consumption, informational material concerning, funding with donations: ***2E2SHB 2136, CH 4 (2015)**, SB 5401, SB 6136
 Marijuana, impaired driving provisions, modifications: ***2E2SHB 1276, CH 3 (2015) PV**
 Marijuana, in motor vehicle, traffic infractions involving: SB 5002
 Marijuana, infused products, THC concentration: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, legal possession and sharing of, including plants per domicile: SB 6083
 Marijuana, marijuana clubs, legalizing, when: SB 6375
 Marijuana, marijuana clubs, prohibition: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, medical and recreational, comprehensive marijuana reform act: SB 5519
 Marijuana, medical use, for posttraumatic stress disorder: SB 5379
 Marijuana, medical use, provisions: ***2E2SHB 2136, CH 4 (2015)**, SB 5052, SB 6136
 Marijuana, misdemeanor convictions, vacation of: SB 5461, SB 6164
 Marijuana, opening package of or consuming in public, prohibitions: ***2E2SHB 2136, CH 4 (2015)**, SB 5398, SB 6136
 Marijuana, plants, produced by licensed producer, purchase by cooperatives: ***HB 2520, CH 170 (2016)**, SB 6304
 Marijuana, possession and delivery offenses, modifying penalties, when: HB 2494, SB 6486
 Marijuana, producers and processors, personal services and promotional items for retailers: SB 6341
 Marijuana, producers and processors, restricting to non-rural and non-residential areas: SB 5130, SB 6136
 Marijuana, recreational and medical, including production and tribal marijuana tax, tribal-state agreements: ***HB 2000, CH 207 (2015)**
 Marijuana, recreational and medical, including production, tribal-state agreements: SB 5848
 Marijuana, recreational businesses, creating Washington publicly owned trust as sole depository for: SB 5971
 Marijuana, recreational businesses, excise tax and revenues, provisions: ***2E2SHB 2136, CH 4 (2015)**, SB 5417, SB 6136
 Marijuana, recreational businesses, licensing of: ***2E2SHB 2136, CH 4 (2015)**, SB 5417, SB 5572, SB 6136
 Marijuana, recreational businesses, minors entering or being served by retailers, crimes related to: HB 2522, SB 6302
 Marijuana, recreational businesses, retail outlet unsellable marijuana disposal: ***HB 2521, CH 171 (2016)**, SB 6303
 Marijuana, recreational businesses, siting of: ***2E2SHB 2136, CH 4 (2015)**, SB 5417, SB 5450, SB 6136
 Marijuana, recreational businesses, vending machines or drive through, prohibition: ***2E2SHB 2136, CH 4 (2015)**, SB 5903, SB 6136
 Marijuana, recreational, excise tax and revenues, provisions: ***2E2SHB 2136, CH 4 (2015)**, SB 5003, SB 5245, SB 6136

Marijuana, recreational, excise taxation, single point on sales: SB 5467
 Marijuana, regulation of, cannabis health and beauty aids not subject to: ***2E2SHB 2136, CH 4 (2015)**, SB 5493, SB 6136
 Marijuana, research facilities, siting of: ***2E2SHB 2136, CH 4 (2015)**, SB 5572, SB 6136
 Marijuana, research license, establishing: ***2E2SHB 2136, CH 4 (2015)**, ***SB 5121, CH 71 (2015)**
 Marijuana, research license, provisions: SB 6136, SB 6177
 Marijuana, state cannabis industry and economic development committee, establishing: SB 5858
 Marijuana, tetrahydrocannabinol concentration in cottage food product ingredients: ***HB 1622, CH 203 (2015)**
 Marijuana, tribal marijuana tax, in connection with tribal-state agreements: ***HB 2000, CH 207 (2015)**
 Microbeads, synthetic plastic, in personal care products and OTC drugs, prohibitions: SB 5431, SB 5609
 Nurses, public health, authority to dispense certain drugs, when: HB 1545
 Opioid overdoses, overdose medications to counteract, increasing access: ***ESHB 1671, CH 205 (2015)**
 Opioids, abuse-deterrent opioid analgesic drugs, as health care plan formulary drugs: SB 5695
 Pharmaceutical waste, sorting and disposal, convening work group to consider: ESHB 1845, ***ESB 5577, CH 119 (2015)**
 Prepackaged medications for emergency room patients, authorizing: SB 5460
 Prescription drug monitoring database, access for Indian tribal officials: ***HB 1637, CH 49 (2015)**, SB 5290
 Prescription drug monitoring database, clinical drug-testing laboratory access to: ESHB 1103, SB 5027
 Prescription drugs, ultrahigh-priced, manufacturers to report to health care authority: SB 6471
 Prescription, coverage maximum cost sharing per drug: SB 6320
 Prescription, dispensing drug in spite of expiration of, pharmacist authority, when: SHB 2725
 Prescription, dispensing for long-term care facility or hospice program: SB 6203
 Prescription, donation program, donor form: ***ESHB 2458, CH 43 (2016)**
 Prescription, insurance coverage limitation, exclusion, or out-of-pocket cost increase, prohibitions: SB 6209
 Prescription, legend drugs and controlled substances, naturopath prescriptive authority: SB 5815
 Prescription, medication synchronization programs, dispensing provisions: SB 5441
 Prescription, opioid analgesic abuse-deterrent drugs as health care plan formulary drugs: SB 5695
 Prescription, opioid overdose medications, increasing access: ***ESHB 1671, CH 205 (2015)**
 Prescription, prescription drug assistance foundation, authorizing assistance of underinsured individuals by: ***SHB 2021, CH 161 (2015)**
 Prescription, prescription monitoring program, use of and data from: ***SHB 2730, CH 104 (2016)**
 Prescription, provider incentive payments for prescribing, disclosure by health plan carrier: SB 5443
 Prescription, psychotropic medication, school requirement that student be on, prohibiting: SB 6543
 Prescription, schedule II nonnarcotic stimulant, for binge eating disorder: SB 6135, SB 6238
 Prescription, schedule II nonnarcotic stimulants, for diseases and conditions: SB 6238
 Prescription, state agency purchasing and reimbursement guidelines, adopting: SB 6593
 Prescription, substituting interchangeable biological product, prescribing and dispensing: ***ESB 5935, CH 242 (2015)**
 Prison inmates, prohibiting marijuana while incarcerated: ***SHB 2900, CH 199 (2016) PV**
 Psychiatric medication services, by physician assistants, when: SB 6445
 Stimulants, schedule II nonnarcotic, for binge eating disorder: SB 6135, SB 6238
 Stimulants, schedule II nonnarcotic, treating certain diseases and conditions: SB 6238
 Substance abuse, impaired osteopathic practitioner program, monitoring surcharge: ***HB 2432, CH 42 (2016)**
 Substance abuse, impaired veterinarian program, monitoring surcharge: ***HB 2432, CH 42 (2016)**

EARLY LEARNING, DEPARTMENT (See also CHILD CARE)

Agency, definition of, modifying for early learning programs purposes: ***SB 6371, CH 231 (2016)**
 Background checks, on child care workers, department access to various records for: ESHB 2621, SB 6370
 Bilingual and dual language education, early learning grant program, creating, department role: SB 5675
 Child care, integrating preschool with: ***2E2SHB 1491, CH 7 (2015)**, SB 5452
 Child care, kindergartners, in mixed group or classroom, requirement: ***ESHB 2511, CH 169 (2016)**
 Disabilities, children from birth to age three with, early intervention services, DEL as lead agency: ***SB 5879, CH 57 (2016)**
 Early achievers program, child care programs quality award and tiered reimbursement, forecasting: SB 6279
 Early achievers program, community information and involvement plan for: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192
 Early achievers program, joint select committee on, establishing: ***2E2SHB 1491, CH 7 (2015)**
 Early achievers program, modifying provisions: ***2E2SHB 1491, CH 7 (2015)**, SB 5452

Early achievers review subcommittee, early learning advisory council to convene: ***2E2SHB 1491, CH 7 (2015)**, SB 5452

Early care and education system, improving through early start act: ***2E2SHB 1491, CH 7 (2015)**, SB 5452

Early childhood education and assistance program, eligibility forecast, moving to caseload forecast council: SB 5999

Early childhood education and assistance program, modifying provisions: ***2E2SHB 1491, CH 7 (2015)**, SB 5452

Fatality and near fatality reviews, by department, procedures: ***ESHB 1126, CH 199 (2015)**

Native early child care and education, office of, creation within department: SB 5160

Preschool and early learning, funding for, prioritizing biennial state revenue growth for education: SB 5063

Working connections child care, eligibility for child protective services child care recipients, when: SHB 2716, SB 6598

Working connections child care, modifying provisions: ***2E2SHB 1491, CH 7 (2015)**, SB 5452

Working connections child care, reporting modifications: SB 5098

ECOLOGY, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; HAZARDOUS MATERIALS; HAZARDOUS WASTE; STATE AGENCIES AND DEPARTMENTS; WATER POLLUTION; WATER RIGHTS)

Agricultural activity discharges from land, violation reported by named third party, notice by department of: SB 6551

Alternative water systems or supplies, for potable water, ordinance and information requirements, department role: SHB 1793

Animal feeding operations, concentrated, discharging to groundwater, general permit issuance and program for: SB 6568

Applications and permits, requiring consistent and prompt department decision making: SB 5197

Architectural paint recovery program, creation, department to enforce: ESHB 1571, SB 5926, SB 6142

Carbon pollution market and competitiveness certificate programs, creating, department role: SB 5283, SB 6121

Chehalis basin, office of, establishing in department: ***HB 2856, CH 194 (2016)**

Chemicals, highly toxic, targeting and replacing, department role: E2SHB 1472, SB 5406, SB 6131

Clean water act, federal, timely department preliminary and revised certification decisions under: SB 6172

Clean water act, federal, watershed management action projects by watershed improvement districts, certifying under: SB 6175

Cleanup of waste sites, remedial action appeals, ensuring unaffected action continues, department role: SB 5829

Columbia Basin project, federal, exceeding number of acres irrigated, department authority to allow, when: SB 6537

Drought preparedness measures, modifying department role: E2SHB 1836

Economic justice and environmental equity advisory committee, creating, department role: SB 5283

Environmental permit applications, review of, notice to residents of highly impacted communities, when: SB 5618

Environmental statutes, various, updating for efficiency and local government flexibility: SB 6257

Flame retardants, in children's products and upholstered furniture, limiting, department role: ***ESHB 2545, CH 176 (2016)**, SB 6131

Gasoline vapor control systems, stage II, analysis of requirements, department role: SB 5330

Greenhouse gas emissions, statewide limit, requiring authorization in legislation for department rule or policy: SB 6173

Highway projects, coastal zone management act consistency determinations, deadline: SB 5855

Hydropower licensing, relicensing, and license implementation program, reports, department role: ***SHB 1130, CH 75 (2016)**

Land use actions by department, significant, empirical science use: SB 5622

Motor vehicle emissions, adoption of standards, modifying department regulatory authority: SB 5423

Noise control, updating certain statutes: SB 6257

Oil spill and hazardous materials response, emergency responder grants, department role: SB 5057

Oil transport, by railroad, contingency plans for biological oils and blends, department role: SB 6576

Oil transport, contingency plans, notice, responsibility, and response, department role: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 5834, SB 6418

Oil transport, safety of, hazardous materials emergency response reporting, department role: SHB 2575

Pharmaceutical waste, sorting and disposal, convening work group to consider, department role: ESHB 1845, ***ESB 5577, CH 119 (2015)**

Proof of water reliance, for building permit recipients, application process for, department role: SB 6584

Reservations of water for domestic use, requirements, department role: SB 5129

Rule making, department policies, requiring APA adoption, WAC codification, and legislative ratification: SB 5366

Rule making, department rules and policies, abrogation by governor or legislature: SB 5367

Skagit river, recharging basin and aiding certain well users, department feasibility study: ***ESB 6589, CH 227 (2016)**

Solid waste, disease and pest control, department regulatory role: SB 6605

Stream flows, base and minimum instream, mitigating effect of permit-exempt groundwater withdrawals on, department to evaluate: SB 5965
 Transportation projects, streamlined environmental decision making, department role: SB 5996
 Turf, synthetic turf fields, establishing advisory group, study, restrictions, and requirements, department role: SB 6540
 Wastewater, discharge permits, enhanced biological nutrient removal or other technology requirement: SB 6191
 Water infrastructure, grant program for, department role: SB 5628
 Water quality violations, modifying department quality determination and enforcement procedures: SB 5062, SB 5584
 Water resources, department power and duties, transfer to Washington water commission after its creation: SB 5801
 Wenatchee river basin, WRIA 45, water rights applications, department to act on: SB 6513

ECONOMIC AND REVENUE FORECAST COUNCIL

Expenditure limit, state, synchronizing revisions with budget requirements, council role: ***EHB 2267, CH 29 (2015)**
 Forecasts, economic and revenue, on same date during all legislative sessions, council role: SB 5064
 Forecasts, economic and revenue, to include agency savings due to lean and performance management: SB 5279

ECONOMIC DEVELOPMENT (See also COMMUNITY ECONOMIC REVITALIZATION BOARD; GROWTH MANAGEMENT; LEGISLATIVE COMMITTEE ON ECONOMIC DEVELOPMENT AND INTERNATIONAL RELATIONS; LOCAL GOVERNMENT)

Business assistance materials, including business and regulatory requirements, developing: SB 6221, SB 6669
 Cannabis, state cannabis industry and economic development committee, establishing: SB 5858
 Clean energy economy, Washington's, legislative task force on, establishing: SB 6545
 Council for the Pacific Northwest economic region, state, legislative committee on creation of, establishing: SB 6479
 Economic gardening pilot project, creating within department of commerce: ***ESB 6100, CH 212 (2016)**
 Eminent domain, using for economic development, prohibiting, when: SB 5363
 Federal funding opportunities, tracking and maximizing in Washington: ***SB 6220, CH 12 (2016) V**
 Indian tribal property, use for economic development, property tax exemption provisions: SB 5811
 Innovation and retaining and creating jobs in Washington, joint legislative task force on fostering, establishing: SB 5934
 Investment projects, businesses taxes from, deferral and investment in workforce training: SB 5112
 Manufacturing partnerships and development, department of commerce role: SB 6078
 Marijuana, state cannabis industry and economic development committee, establishing: SB 5858
 Pacific Northwest manufacturing partnership advisory committee, appointing: SB 6078
 Projects of statewide significance, for economic development: ESB 5111
 State land improvement financing area, for certain state lands sold or being sold, creating: ***HB 2842, CH 192 (2016)**, SB 6580

EDUCATION OMBUDS, OFFICE

Family engagement coordinators and related terms, definition and model, office role: SHB 1408, ***2SHB 1408, CH 79 (2016)**

EDUCATION, BOARD

Eliminating state board of education and transferring duties and functions to OSPI: SB 5967
 Year, 180-day requirement waivers, board authority: ***HB 2476, CH 99 (2016)**

EDUCATIONAL OPPORTUNITY GAP OVERSIGHT AND ACCOUNTABILITY COMMITTEE

Family engagement coordinators and related terms, definition and model, committee role: SHB 1408, ***2SHB 1408, CH 79 (2016)**
 Recommendations of committee, implementing: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

ELECTIONS (See also CAMPAIGNS; PUBLIC DISCLOSURE COMMISSION)

Advisory votes on tax legislation, removing requirement, when: SJR 8208, SJR 8212
 Advisory votes, recounts for, prohibiting: ***HB 2623, CH 204 (2016)**, SB 6339
 Advisory votes, repealing: SB 6185
 Auditors, county, election data maintaining and reporting by, standards for: ***ESHB 2852, CH 134 (2016)**
 Auditors, county, running for reelection, excluding name from certain voting materials: ***HB 1858, CH 83 (2016)**
 Ballot measures, explanatory and fiscal impact statements for: ***HB 2055, CH 171 (2015) PV**
 Ballot propositions, legislative hearings on, authorizing: SB 5661
 Ballot titles, including fiscal impact statements for certain initiative measures in: SB 5715

Ballots, candidate names on, order of: SB 5108
 Ballots, counted, daily availability of records of: ***ESHB 2852, CH 134 (2016)**
 Ballots, rejection practices, statewide survey to be conducted: ***ESHB 2852, CH 134 (2016)**
 Ballots, requiring prepaid postage and state reimbursement of county for cost: SB 5344
 Candidates, declarations of candidacy after incumbent withdraws, voter fraud protection act: SB 6618
 Candidates, for statewide office, criminal charges against or investigation of, disclosure: SB 6108
 District-based elections, authority for cities, towns, and counties to conduct: ESHB 1745, E2SHB 1745, SB 5668, SB 6129, SB 6663
 Districts, legislative and congressional, redistricting plan completion date, advancing: ***SJR 8210 (2016)**
 Districts, redistricting committees for county commissioner districts, establishing: EHB 2610, SB 6514
 Districts, redistricting, Washington voting rights act of 2015 to require, when: ESHB 1745, SB 5668
 Districts, redistricting, Washington voting rights act of 2016 to require, when: E2SHB 1745, SB 6663
 Electoral systems of political subdivisions, changing to authorized alternative system, when: ESHB 1745, E2SHB 1745, SB 5668, SB 6663
 Free and fair elections amendment, requesting that Congress call a limited convention for: HJM 4000, SJM 8015
 Measures, errors involving, various cases and procedures: ***HB 2624, CH 130 (2016)**
 Money spent on elections, undue influence of, I-735, requesting U.S. constitutional amendment to eliminate: SI 735
 Money spent on elections, undue influence of, requesting U.S. constitutional amendment to eliminate: SB 6505, SJM 8011
 Online elections, conservation district online election pilot project, establishing: SB 6600
 Primaries, presidential, provisions: SB 5978, SB 6277
 Recall petitions, signature gatherers for, entities that compensate, disclosure requirements: SB 5375
 Reconciliation reports for elections, county auditors and secretary of state duties: SHB 2435
 References to elections statutes, correcting: ***SHB 1806, CH 53 (2015)**
 Secretary of state, running for reelection, excluding name from certain voting materials: ***HB 1858, CH 83 (2016)**
 Special elections, resolution for, deadline for presenting: ***SHB 1919, CH 146 (2015)**
 Supreme court justices, election districts for elections: SB 5685, SJR 8205
 Voter fraud protection act, declarations of candidacy after incumbent withdraws: SB 6618
 Voting, polling place voting, county authority to conduct: SB 5184
 Voting, preregistration for 16- and 17-year-olds: HB 1294
 Voting, preregistration for 17-year-olds, procedures: SB 6340
 Voting, registration, automatic at qualified voter registration agencies, process: SHB 2682, SB 6379
 Voting, registration, deadline for: SHB 1428, SB 5527
 Voting, registration, landlords to provide new tenants with information: SB 5259
 Voting, registration, motor voter preregistration for 16- and 17-year olds: SB 5140
 Voting, registration, verification of qualifications, including U.S. citizenship: SB 5201
 Voting, student voter registration and voting, higher education institution plans to increase: SB 6474
 Voting, student voter registration at higher education institution, modifying deadline for: SB 6539
 Voting, Washington voting rights act of 2015, concerning equal voting opportunity for protected classes: ESHB 1745, SB 5668
 Voting, Washington voting rights act of 2016, concerning equal voting opportunity for protected classes: E2SHB 1745, SB 6663

ELECTRONIC PRODUCTS

Appliances, like-in-kind replacement, use of certified appliance repair specialty electricians: SB 5845
 Appliances, like-in-kind replacement, use of certified HVAC/refrigeration specialty electrician: SB 5845
 Cameras, body cameras used by law enforcement and/or corrections officers: ***EHB 2362, CH 163 (2016)**
 Cameras, body worn, legislative task force on law enforcement and corrections agency use of: ***EHB 2362, CH 163 (2016)**
 Efficiency standards, including battery charger systems: E2SHB 1100
 Modular electrical systems, UL-listed for commercial furniture, electrician licensing exemption for installing or maintaining: SB 6085
 Recorders, law enforcement oversight, requirements: SB 5732
 Recycling companies, representation on materials management and financing authority board: SB 6128, SB 6378
 Sensing devices, extraordinary, use by government agencies, requirements and prohibitions: ESHB 1639, SB 5714
 Webcams, unauthorized remote access, civil action for: SB 5106

EMERGENCY MANAGEMENT AND SERVICES (See also FIRE PROTECTION; HEALTH CARE; SENIOR CITIZENS; VULNERABLE ADULTS)

Ambulance and aid services, drugs for use by, hospital pharmacy dispensing of: *SHB 1625, CH 255 (2015)
 Ambulance service providers, nonprofit, volunteer of as "emergency worker" for state retirement purposes, when: SB 6026
 Ambulances, patient transport to non-hospital facilities, guidelines: *SHB 1721, CH 157 (2015)
 Call location and information, providing to law enforcement responding to emergency: SB 5158
 Developmental disability, person with, residing at address, alerting first responders regarding: SB 6465
 Disability, person with, alerting first responders when at scene: SHB 2287
 Disability, person with, training program for 911 personnel and first responders when at scene: SHB 2287
 Emergency management services, LEOFF plan 2 member providing, death or disability benefits: *SB 6263, CH 115 (2016)
 Emergency medical services and trauma care steering committee, EMT medications: *SHB 1625, CH 255 (2015)
 Emergency medical technicians, glucagon for diabetic hypoglycemic episodes: *SHB 1625, CH 255 (2015)
 Emergency medical technicians, presence at theatrical wrestling shows: HB 2388
 Emergency medical technicians, when "firefighting," occupationally related diseases list for: HB 2806, SB 6520
 Enhanced 911 system, exempting certain information from public disclosure: *ESHB 1980, CH 224 (2015) PV
 EPI pens/epinephrine autoinjectors, providers and purchasers: SB 6421
 Hazardous materials plans, submission, emergency management council role: SB 5057
 Life alert services, contact information for subscribers, providing to first responders: SB 5346
 Medical services, community assistance referral and education services programs: SB 5591
 Medical services, local government consortium provider, PERS service credit: SB 6523
 Medical services, rural amphitheater admission surcharge for: SB 5000
 Notices, public, about risks and during emergencies, to include notices for non-English-proficient persons: SB 6530
 Oil transport, contingency plans, notice, financial responsibility, and emergency response: *ESHB 1449, CH 274 (2015), SB 5087, SB 5834, SB 6418
 Oil transport, safety of, hazardous materials emergency response reporting: SHB 2575
 Risk resources, mobilizing state fire services according to state plan: *HB 1389, CH 181 (2015), SB 5181
 School districts, continuity of operations of: SB 6553
 State agencies, continuity of operations of: *HB 1047, CH 61 (2015), SB 5020
 Vehicles, authorized emergency, toll bridge charges exemption for: SB 6653

EMINENT DOMAIN

Acquiring agency, negotiations with owners, documentation requirements: SB 5809
 Economic development, use of eminent domain for, prohibiting, when: SB 5363
 Government agency of another state, prohibiting taking of private property for transfer to: SB 5189
 Public use facilities or necessary public services, limiting use of private land to: SB 5188

EMPLOYMENT AND EMPLOYEES (See also CONTRACTORS; HEALTH CARE PROFESSIONS AND PROVIDERS; LABOR; UNEMPLOYMENT COMPENSATION; WAGES AND HOURS; WORKERS' COMPENSATION)

Arrests or convictions, employers prematurely asking applicants about: SB 5608
 Background checks, criminal, of employees of private cloud service providers, proprietary information relating to, disclosure exemption: ESHB 2604
 Background checks, criminal, of private employees, proprietary information relating to, disclosure exemption: SB 6356
 Bullying in workplace, subjective employee to abusive work environment, as unfair labor practice: SB 6532
 Child support, income withholding orders, employer funds remittance by electronic means: SB 6499
 Communications, between employees concerning compensation, protecting: SB 6651, SB 6655
 Communications, between workers concerning wages and employment, protecting: ESHB 1646, SB 5630, SB 6442
 Family and medical leave insurance, implementing: SB 5459
 Health care insurance, cost-sharing for certain health care, restricting: SB 6266
 Health care, employees covered by medical assistance, employer responsibility penalty and related provisions: SB 5895
 Inventions, assignment to employer of employee's rights to, exceptions: SB 6106
 Job losses, large, in impacted areas, preferences for eligible entities, workers, and projects: SB 6478
 Leave, sick and safe, minimum standards: HB 1356, SB 5306
 Local employment laws and contracts, to apply equally to unionized and nonunionized employers, when: SB 5332

Local regulation of wages, hours, employee retention, and leave, county authority for: SB 6578
 National guard, state active duty service by member, employment rights: HB 2390, ***SB 6202, CH 12 (2016)**
 Noncompetition agreements, voiding, when: SB 6625
 Ombuds for employers interacting with L&I, creating: SB 6081
 Pregnant women, workplace accommodations for pregnancy and childbirth, when: ESHB 2307, SB 6149
 Restoration of opportunity, certificates of, comprehensive provisions: ***2ESHB 1553, CH 81 (2016)**
 Retaliation and discrimination against employees, providing protections: SB 5569
 State preemption and occupation of field of wages, hours, employee retention, and leave from employment: SB 6029
 Student loan repayment assistance, B&O tax credit for employers providing employees with: SB 6608
 Vehicles, employees', mileage reimbursement and maintenance agreements: ***HB 2356, CH 125 (2016)**, SB 6301

EMPLOYMENT SECURITY DEPARTMENT (See also UNEMPLOYMENT COMPENSATION)

Jail registry information, public interest research use of, adding department to agencies authorized for: SB 6677
 Proceedings, subpoena for department records, requiring lawyer affidavit for: SB 5126
 Taxpayer information, federal, certain applicants who will have access to, criminal history checks: SB 6252
 Training benefits program, reporting requirement, modifying: ***EHB 2883, CH 197 (2016)**

ENERGY (See also AIR QUALITY AND POLLUTION; BOILERS AND UNFIRED PRESSURE VESSELS; ELECTRONIC PRODUCTS; FUELS; HAZARDOUS WASTE; OIL AND GAS; UTILITIES; UTILITIES AND TRANSPORTATION COMMISSION)

Biomass energy, facility's incremental electricity as eligible renewable resource: ***ESB 6166 (2016) V**
 Biomass, forest derived, for energy production, extending tax credit for harvesters: SB 5700, SB 5904
 Boilers and process heaters, energy assessment, when: ***E2SHB 1095, CH 19 (2015)**
 Building construction, certified third-party green, property tax exemption: SB 5753
 Clean energy economy, Washington's, legislative task force on, establishing: SB 6545
 Clean energy education program, developing and establishing: SB 6218
 Clean energy technologies, joint center for deployment and research in earth-abundant materials, creating: ***SHB 1897, CH 20 (2015)**
 Electric generation facilities, coal displacement power, purchase of: SB 6004
 Electric generation facilities, coal-fired, department of commerce to study retirement of: ESB 5874
 Electric generation facilities, steam electric generating plant, repealing certain statutes: SB 6257
 Electric generation facilities, transition from coal-fired to natural gas-fired plants, tax exemptions for: SB 5575
 Electrical companies, carbon pollution tax on fossil fuels consumption, I-732: SI 732
 Electrical companies, carbon pollution tax on fossil fuels consumption, I-732, "2016 act" to be on ballot as alternative: SB 6381
 Electrical companies, electric vehicle supply equipment for ratepayers, user fee or other charge: SB 6176
 Electrical companies, eligible coal unit risk mitigation act, mitigation plan requirements: SB 6248
 Energy conservation payments from BPA in form of credits, B&O tax exemption, extending: SB 5700
 Energy strategy, state, to include carbon sequestration: SB 6225
 Greenhouse gas emissions, defining for energy independence act purposes: SB 5735
 Hydroelectric generation, as renewable energy resource: SB 5094
 Hydropower licensing, relicensing, and license implementation program, reports: ***SHB 1130, CH 75 (2016)**
 Nuclear energy education program, establishing and funding: SB 5093
 Nuclear energy, as qualified alternative energy resource: ESB 5091
 Nuclear energy, new or uprated generation of, state plan or rule to include: SB 6217
 Nuclear energy, principles guiding state energy policy to include: SB 5092
 Nuclear energy, small modular reactors: SB 5089, SB 5090, SB 5113, SB 5114, SB 5115, SB 6217, SB 6256
 Projects of statewide significance, for development of renewable resource: ESB 5111
 Projects of statewide significance, for environmental conservation or efficiency: ESB 5111
 Renewable energy system cost recovery program, modifications: E2SHB 2346, SB 5892, SB 6188
 Renewable resource, eligible, carbon reduction investments as, with alternative compliance methods: SB 5735
 Renewable resource, eligible, definitions and utility requirements, modifying: SB 5430, SB 5735, ***ESB 6166 (2016) V**
 Residential energy efficiency incentive pilot program, property tax exemption for eligible retrofit projects: SB 6276
 Solar energy modules, recycling: E2SHB 2346, SB 6188
 Solar energy systems, community solar programs or projects production incentive: E2SHB 2346, SB 6188
 Solar energy systems, community solar projects, PUD ownership: SB 6253

Solar energy systems, distributed: SB 5892, SB 6188

Solar energy systems, machinery and equipment sales and use tax exemptions, expiration dates: E2SHB 2346, SB 6188

Solar energy systems, trees and shrubs near, restrictions: SB 5414

Thermal energy, combined heat and power (cogeneration) systems, encouraging: *E2SHB 1095, CH 19 (2015)

Water power development, license fee, reporting and expiration: *SHB 1130, CH 75 (2016)

ENERGY FACILITY SITE EVALUATION COUNCIL

Applications for site approval, deposits and cost reimbursements, UTC role: *SB 6196, CH 10 (2016) V

Enforcement actions against facilities sited by council, modifying provisions: *SB 5310, CH 39 (2015)

Oil, crude and related products, siting and construction of pipelines for, council to study: SB 6075

Procedures, for various administrative actions, expediting: SB 6224

Small modular nuclear reactors, siting of, council to study: SB 5115

ENGINEERS AND ENGINEERING

Examination, fundamentals of engineering, waiver, when: SB 5910

ENTERPRISE SERVICES, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; BUILDING CODE COUNCIL; CAPITOL CAMPUS, STATE; STATE AGENCIES AND DEPARTMENTS)

1063 block replacement project, coordinating authorization with transportation budget: SB 5886

Contracting and state expenditure information, web sites for, department role: SB 5081

Contracting, "contracting out" assessment and contractor ethical standards, DES role: SHB 1915

Contracting, imposing fine on contractor for cause: *SHB 1447, CH 44 (2015), SB 5479

Contracting, public works contracts, contractor payroll and apprentice utilization reporting to DES, requirements: SB 6031

Information technology services, transferring to consolidated technology services agency: 2SHB 1391, SB 5315

Job order contracting requirements, applying to department, when: *SB 5203, CH 173 (2015)

Land acquisition, from nonprofit nature conservancy, funds application requirements: SB 6392

Leases, agency real estate, former northern state hospital site, maximum lease term: SB 5887

Performance management strategies, lean, curricula and pilot programs for implementation, DES role: SB 6006

Public hospital districts, job order contracts by, DES authority: *HB 2772, CH 52 (2016), SB 6213

Resident curator program for state properties, initiating: SB 5071

Risk management, office of, joint self-insurance by nonprofit corporations, office role: *SB 5119, CH 109 (2015)

Sensing devices, extraordinary, regulatory enforcement standards, work group to propose: SB 5714

Spoken language interpreter services, model for purchasing from language access providers, department role: SB 5664

Veteran-owned businesses, maximum participation in procurement contracts, DES role: SB 6034

Wildfire insurance for state, requesting certain information from carriers and reporting, DES role: SB 6632

ENVIRONMENT (See also AIR QUALITY AND POLLUTION; CLIMATE; ECOLOGY, DEPARTMENT; WATER POLLUTION)

Applications and permits, requiring consistent and prompt agency decision making: SB 5197

Clean technologies, joint center for deployment and research in earth-abundant materials, creating: *SHB 1897, CH 20 (2015)

Cultural resources and art, as components of state environmental policy: SB 6646

Environmental permit applications, review of, notice to residents of highly impacted communities, when: SB 5618

Environmental statutes, various involving department of ecology, updating: SB 6257

Hazards, exposure to, forming permanent cumulative impacts task force: SB 6121

Local project review, vested rights doctrine, preserving common law interpretation and application: ESB 5921

Projects of statewide significance, for environmental conservation or efficiency: ESB 5111

SEPA, categorical exemption for certain minor actions for urban growth area infill development: SB 5964

SEPA, categorical exemption for short plat or short subdivision approval, authorizing: SB 5964

SEPA, categorical exemption permits, DOT deadline: SB 5855

SEPA, categorical exemptions for transportation maintenance, rules update: SB 5996

SEPA, environmental reviews under, coordinating SEPA and NEPA analysis: SB 5969, SB 5996, SB 6527

SEPA, environmental reviews under, with or without NEPA review requirements, deadlines: SB 5969, SB 6527

SEPA, exemption for transportation projects categorically excluded under NEPA: SB 5994

SEPA, exemption for watershed management actions by watershed improvement district, when: SB 6175

SEPA, exemptions for certifications under certain federal acts: SB 5969, SB 6527

SEPA, regulatory agency coordination, fostering through regulatory innovation and assistance office: SB 6223, SB 6669
 SEPA, use of NEPA documents in decisions, rules update: SB 5996
 Transportation projects, streamlined environmental decision making approach: SB 5996

ESTATES, TRUSTS, AND PROBATE (See also TAXES - ESTATE TAX)

Electronic records, uniform fiduciary access to digital assets act: SB 5029
 Guardianship, incapacitated persons' right of communication and visitation, guardian role: SB 6235
 Guardianship, incapacitated persons, guardian notification of relatives: SB 6235
 Guardianship, incapacitated persons, order to prevent or limit a person's contact with, guardian requirements for: SB 6619
 Guardianship, modification or termination of, complaint procedure: SB 5607
 Orders, court consultation of judicial information system before granting: ***SHB 1617, CH 140 (2015)**, ***HB 2371, CH 89 (2016)**, SB 6402
 Power of attorney, uniform act: SB 5635
 Slayer statute, "slayer" to include certain persons acquitted by reason of insanity: ***ESB 6091, CH 211 (2016)**
 Trusts and trustees, revising various statutes: ***SB 5302, CH 115 (2015)**
 Washington directed trust act, concerning trusts, trustees, and advisors: ***SB 5302, CH 115 (2015)**

ETHICS IN GOVERNMENT (See also EXECUTIVE ETHICS BOARD; JUDICIAL CONDUCT, COMMISSION ON; LEGISLATIVE ETHICS BOARD)

Elected officials, statewide, criminal charges against or investigation of, disclosure of: SB 6108
 Investigations, by board staff, ensuring due process: SB 5771
 State employees and officers, gifts, including food and beverages, provisions: SB 5383, SB 5386
 State employees and officers, postemployment disclosure statement: SB 6258
 State officers, ethics defense trust funds, authority to establish, when: SB 5849
 State officers, official duties of, modifying definition: SB 5785
 Treasurer and employees, state, moneys for national state treasurers conference: ***HB 1547, CH 45 (2015)**, SB 5587

EXECUTIVE ETHICS BOARD (See also ETHICS IN GOVERNMENT)

Investigations, by board staff, ensuring due process: SB 5771

FARMS AND FARMING (See also AGRICULTURE; FOOD AND FOOD PRODUCTS; LIVESTOCK)

Berry growing operations, commercial, outdoor burning of pruning waste: SB 6178
 Cowboy, national day of the, recognizing as state legal holiday: SB 5540
 Dairy farms, discharging to groundwater, general permit issuance and program for: SB 6568
 Dairy farms, nutrients produced by, dairy products commission duties: ***HB 2634, CH 101 (2016)**, SB 6343
 Employees, farm internship pilot project, adding additional counties and expiration date: SB 5937
 Farm-to-school program, appropriating funds for: SB 6039
 Farmers and ranchers special license plates, creating: ***SHB 2017, CH 36 (2016)**
 Farmers markets, sales by wineries, microbreweries, or craft distilleries: SB 5353
 Farmers markets, spirits sales by distilleries and craft distilleries: SB 5353
 Farmers markets, wine and beer samples at, wineries and microbreweries offering: SB 6390
 Small farm direct marketing assistance program, appropriating funds for: SB 6039

FERRIES (See also LABOR; PUBLIC EMPLOYMENT AND EMPLOYEES)

Advisory committees, Vashon island committee, appointment of members: ***EHB 2745, CH 25 (2016)**
 Construction of ferry vessels, capital vessel replacement account, certain vehicle-related fees deposited in: SB 6373
 Construction of ferry vessels, design-build purchasing and other requirements: SB 5992
 County-owned ferry systems, deficit reimbursement agreements with: ***SB 5307, CH 230 (2015)**
 Employees, ferry, collective bargaining agreements, digital copy submission: ESB 5854
 Employees, ferry, collective bargaining to be considered as open public meetings: SB 6126
 Natural gas, liquefied, use in ferry system, requirements: SB 5426
 Passenger-only ferry service districts, creating and funding: SB 5242, SB 5358, SB 5987
 Regional transportation planning organizations, counties with ferry terminals forming: ***HB 2815, CH 27 (2016)**
 Transportation projects and activities, shoreline management act local review exemption for DOT: E2SHB 1850
 Vessels and terminals, permissible work by state forces on, monetary threshold: ***ESHB 1844, CH 282 (2015)**

FINANCE COMMITTEE, STATE (See also ADMINISTRATIVE PROCEDURE; BONDS)

Fiscal agents, state, designation, appointment, and duties of, committee role: ***HB 2741, CH 105 (2016)**, SB 6397
 Public deposit protection commission, public depositaries and deposits: ***ESB 6349, CH 152 (2016)**

FINANCIAL INSTITUTIONS (See also CHECKS AND CHECK CASHING; CREDIT UNIONS; FINANCIAL INSTITUTIONS, DEPARTMENT; LOANS; MORTGAGES AND MORTGAGE BROKERS; SECURITIES)

Banking, requesting that Congress reinstate commercial and investment functions separation: SJM 8005
 Banks, qualifying, expanding first mortgage interest B&O tax deduction for: SB 5475
 Check cashing, payor payment when payee has no account at institution, requiring without fee: SB 5612
 Depositaries and deposits, public, modifying provisions: ***ESB 6349, CH 152 (2016)**
 Financial information, disclosure: ***ESHB 1980, CH 224 (2015) PV**, SB 6020
 Fiscal agents, state, designation, appointment, and duties of: ***HB 2741, CH 105 (2016)**, SB 6397
 Investment trust, Washington, creating: SB 5553
 Linked deposit program, general rule-making authority for: SB 5255
 Linked deposit program, simplifying rule-making for: SB 5341
 Overdraft fees, continuous beyond initial fee, prohibiting: SB 5611
 Public bank, Washington state, creating for public school construction and repair: SB 6093
 Publicly owned trust, Washington, creating: SB 5971
 Student loan servicers, licensing and regulation of: SB 6610

FINANCIAL INSTITUTIONS, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; FINANCIAL INSTITUTIONS)

Credit unions, department's regulatory enforcement powers, updating: HB 1062, ***SB 5300, CH 114 (2015)**
 Crowdfunding, short-form registration statement for small securities offerings, department to adopt: SB 5683
 Debt settlement services act, registration of providers, department role: SB 5321
 Mortgage lending, residential, department regulation of: SHB 1048, SB 5299
 Securities act of Washington, technical department regulatory changes: SB 6283
 Small business retirement marketplace, role of department: SHB 2109, SB 5826
 Student loan servicers, licensing and regulation of, department role: SB 6610

FINANCIAL MANAGEMENT, OFFICE (See also PUBLIC EMPLOYMENT AND EMPLOYEES; SENTENCING GUIDELINES COMMISSION)

Bistate megaproject, action by office when not fully funded: SB 5116
 Boards and commissions, state, gender composition report for, OFM duties: SB 6517
 Chief information officer, office of, transferring duties in OFM to CTSA: 2SHB 1391, SB 5315
 Cities and towns, notice and review processes for annexations, etc., role of office: SB 5138
 Fee increases in bills, ten-year cost projections by office, removing requirement for: SB 6186
 Fiscal analysis, nonpartisan agency for, work group to consider establishing, office role: SB 5667
 Fiscal impact, dynamic fiscal impact statements, instituting, office role: SB 5915
 Fiscal notes, for legislation concerned with certain issues and fiscal impacts, office role: SB 5667
 Fiscal notes, various provisions: SB 5915
 Health care coverage, affordability and availability for Washington residents, OFM role in studying: SB 5625
 Legislative fiscal committees, reporting on state agencies' performance to, office duties: SB 5278
 Prescription drugs, state agency purchasing and reimbursement guidelines, OFM reporting duties: SB 6593
 Psychiatric hospitals, state, increasing function of, OFM role: E2SHB 2453
 Regulatory assistance, office of, renaming as office of regulatory innovation and assistance and adding duties: SB 6223
 Regulatory assistance, office of, replacing with office for regulatory innovation and assistance: SB 6669
 Responsibilities of office, nonsubstantive updates and realignments in statutes: SB 5073
 State patrol, joint transportation committee study recommendations, studying implementation, OFM role: ***E2SHB 2872, CH 28 (2016)**
 State patrol, recruiting and retaining commissioned officers, OFM role: ***E2SHB 2872, CH 28 (2016)**
 Statewide all-payer health care claims database, modifying provisions, OFM role: SB 5084
 Transportation system, state, performance oversight, OFM role: SHB 2973, ***SB 6614, CH 35 (2016)**
 Web sites for collective bargaining agreements and state facilities, office role: SB 5081
 Web sites for collective bargaining agreements, office role: SB 6126

FIRE PROTECTION (See also FIREFIGHTERS; NATURAL RESOURCES, DEPARTMENT)

- Alternative fuel source placards, provisions: SB 5271
- Burning, forest resiliency burning pilot project, DNR to conduct: ***ESHB 2928, CH 110 (2016)**
- Burning, permits for, narrowing grounds for refusing or revoking use of: SB 6511
- Burning, prescribed burn managers, certification program for, creating: SB 6502, SB 6511, SB 6632
- Burning, prescribed, for silvicultural forest land purposes, updating smoke management plan for: SB 6510, SB 6632
- Fire investigators, public employee, occupational diseases, presumptions for workers' compensation: HB 2806, SB 6520
- Fire protection contractor license fund, limiting uses of: SB 6385
- Fire protection districts, annexation by approval of voters in adjacent city or town to be annexed: SB 6451
- Fire protection districts, annexations and mergers within "reasonable proximity," and other provisions: SB 6635
- Fire protection districts, benefit charges: HB 1605, E2SHB 1605
- Fire protection districts, biennial budget authority: ***SHB 1313, CH 40 (2015)**, SB 5182
- Fire protection districts, board of fire commissioners for, authority to change electoral system for, when: ESHB 1745, E2SHB 1745, SB 5668
- Fire protection districts, employees volunteering for or employed by other district: SB 6250
- Fire protection districts, formation, alternative to petition method of: ESHB 2708, SB 6387
- Fire service mobilization plan, mobilizing risk resources in keeping with: ***HB 1389, CH 181 (2015)**, SB 5181
- Fire sprinkler systems, multipurpose residential, water-sewer district prohibitions, prohibiting: SHB 2503, SB 6284
- Firefighters, basic training and testing, delivery of: ***SHB 1382, CH 43 (2015)**, SB 5455
- Fireworks, regulation of, scope of local and state authority for: SB 5914
- Flame retardants, in children's products and upholstered furniture, limiting: E2SHB 1174, ***ESHB 2545, CH 176 (2016)**, SB 5056, SB 5684, SB 6131, SB 6440
- Forest fire suppression, 2015, budget stabilization account appropriations for: ***ESHB 2988, CH 34 (2016)**
- Forest fire suppression, budget stabilization account appropriations for costs: SB 6504
- Forest fire suppression, DNR to protect forest land and certain nonforested unimproved land: SB 6347
- Forest fire suppression, land parcel assessments for: SB 6347, SB 6502, SB 6632
- Forest fire suppression, local assets for, utilization of, DNR role: ***ESHB 2093, CH 182 (2015)**
- Forest fire suppression, local wildland fire liaison, appointment of: ***ESHB 2093, CH 182 (2015)**
- Forest fire suppression, mobilization of resources for, DNR to identify vulnerable forests and treat them: SB 6511
- Forest fire suppression, qualified wildland fire suppression volunteers, DNR responsibilities: SB 6489
- Forest fire suppression, use of fire retardants, foams, and gels, DNR to report concerning: SB 6490
- Forest fire suppression, wildfires near homes and improvements, DNR discretionary authority to act: SB 6347
- Forest fire suppression, wildland fire advisory committee, appointment of: ***ESHB 2093, CH 182 (2015)**
- Livestock owners, public lands access for livestock care during fire suppression: ***ESHB 2925, CH 109 (2016)**
- Local forest fire protection division, county authority to create a: SB 6632
- Municipal fire departments, employees volunteering for or employed by other department: SB 6250
- Oil spill and hazardous materials response, grants to support firefighting in aid of: SB 5057
- Regional fire protection service authorities, benefit charges: HB 1605, E2SHB 1605
- Regional fire protection service authorities, biennial budget authority: ***SHB 1313, CH 40 (2015)**, SB 5182
- Regional fire protection service authorities, formation and benefit charges: SB 6348
- Regional fire protection service authorities, formation, duties, benefit charge, tax levies: E2SHB 1368, HB 2321, SB 5906, SB 6204
- Regional fire protection service authorities, within boundaries of regional city, establishing: SB 5537
- Smoke detection devices, transferring certain duties from state patrol to building code council: SB 5271
- Vehicles, firefighting apparatus, length and weight limits: ***HB 1222, CH 16 (2015)**, SB 5457
- Wildfire behavior forecasting, BS degree program in, CWU to develop: SB 6502
- Wildfire professionals, management certification course for, CWU to develop: SB 6502
- Wildfires, 20-year wildfire prevention strategic plan to aid forests in poor health: SB 6511, SB 6632
- Wildfires, catastrophic, persons affected by, sales and use tax exemptions: SB 6009
- Wildfires, citizen entering land to initiate control measures, legal immunity, when: ***ESHB 2093, CH 182 (2015)**

FIREARMS (See also HUNTING; SENTENCING)

- Access to firearms, by person involuntarily committed, preventing, when: SB 5643
- Background checks, exemption for certain firearm transfers involving private security guards: SB 5579
- Background checks, exemption for certain transfers while conducting nonprofit fund-raising activities: SB 6158

Background checks, exemption for transfers involving persons in armed forces, law enforcement, and corrections, when: SB 5615

Civil rights, restoration, vacated domestic violence records, use in later prosecution, prohibiting, exceptions: SB 5831

Deadly weapon sentencing enhancements, provisions: SB 5835

Deliveries, by dealer to law enforcement officer, requirements: SB 5476, SB 5539

Felony offenses, convicted felony firearm offender registration, requiring: ***SHB 2410, CH 94 (2016)**

Juvenile offenses while armed, modifying provisions: ***ESHB 2906, CH 136 (2016)**, SB 6529

National rifle association, special license plates, creating: SB 6015

Pistols, concealed pistol license, renewal notice requirements: SB 6267

Privately owned firearms, return to owner by law enforcement agency: SB 5381

Protection orders, emergency extreme risk and extreme risk, preventing firearm possession, when: SB 6352

Protective orders, emergency extreme risk and extreme risk, preventing firearm possession, when: SB 5727

Public places, firearms in, regulation by certain local authorities: SB 6351

Rifles, short-barreled, exemption from prohibitions, when: SB 6165

Right to possess, loss by person acquitted by reason of insanity, notification: ***SHB 2405, CH 93 (2016)**, SB 5658

Safety, high school firearm safety and hunter education elective course: SB 6515

Schools, firearms at, exemptions from prohibition, when: SB 5500

Security guards, private, firearm transfers, background check exemption: SB 5579

Self-defense, holding reasonable fear of imminent peril, when appropriate, criminal and civil immunity: SB 6487

Storage of firearms, unsafe, child endangerment due to, dealer warning when selling storage and safety items: SB 5789, SB 6310

Storage of firearms, unsafe, child endangerment due to, first and second degree, when: SB 5789, SB 6310

Suicide awareness, prevention information, adding to firearms safety pamphlet: ***E2SHB 2793, CH 90 (2016) PV**, SB 6603

Suicide awareness, safe homes project to provide dealer participation tax credit: SB 6603

FIREFIGHTERS (See also FIRE PROTECTION; RETIREMENT AND PENSIONS)

Hazardous exposures, mandatory reporting for workers' compensation purposes: SHB 2805

Hiring and continuing employment, lawful permanent residents, extending eligibility to: HB 2543, SB 6319

Killed in line of duty, honoring with creation of firefighter memorial special license plates: SB 6416

Killed in line of duty, honoring with creation of firefighter memorial special license plates, adding definition for: SB 6674

Occupational disease, cancers and other occupationally related diseases, expanding list: HB 2806, SB 6520

Occupational disease, reporting requirement, work group to discuss: ***SHB 1604, CH 139 (2015)**

FISH (See also FISH AND WILDLIFE, DEPARTMENT; FISHING; RIVERS; TAXES - ENHANCED FOOD FISH)

Barriers to fish passage, removal activities, compensatory mitigation: SB 5996

Barriers to fish passage, removal, environmental legacy stewardship account funding: SB 5991

Enhanced food fish, tax on, depositing revenues in state wildlife account: SB 5531

Fish and wildlife advisory commission, advisory role of: SB 5817

Fish and wildlife habitat conservation areas, as critical areas, excluding drainage ditches from: SB 6168

Fish runs, river and sediment management demonstration projects for enhancing: SB 5347

Forage fish, surveying: SB 5166

Puget Sound, hatchery and genetic management plans, request concerning NOAA fisheries' review of: SJM 8007

Salmon, habitat project lists for funding, salmon recovery funding board reporting: ***EHB 2883, CH 197 (2016)**

Salmon, hatcheries, hatchery management department-partner agreements, partner eligibility: SB 6414

Salmon, recovery project funds, limiting funds awards for, when: SB 5551

Sand lance, provisions concerning: SB 5166

Smelt, provisions concerning: SB 5166

Spawning beds, in rivers and streams, activities that harm or disturb, prohibiting: SB 5739

Steelhead, conservation, Washington's fish collection special license plates to fund: ***SB 6200, CH 30 (2016)**

FISH AND WILDLIFE COMMISSION (See also ADMINISTRATIVE PROCEDURE; FISH; FISH AND WILDLIFE, DEPARTMENT; FISHING; HUNTING; WILDLIFE)

Cougar control pilot program, using dangerous wildlife task teams, commission role: SB 5940

Damage to livestock and crops, compensation claims, prohibiting DFW management actions until paid, commission role: SB 5712

Mammals, terrestrial, listing status for species, commission authority to change: SB 5583

Membership of commission, modifying: SB 5818

Mineral prospecting and mining advisory committee, commission to establish: SB 5705

Recreational fishing opportunity, prioritizing, commission role: SB 5844

Renaming as fish and wildlife advisory commission and transferring duties to DFW: SB 5817

Rule making, requiring APA adoption, WAC codification, and legislative ratification: SB 5372

Wolves, gray, partial delisting by commission as endangered, threatened, or sensitive species, when: SB 5938

FISH AND WILDLIFE, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; DISCOVER PASS; FISH; FISHING; HUNTING; PUBLIC LANDS; STATE AGENCIES AND DEPARTMENTS; WILDLIFE)

Administration of DFW, resource management flexibility and cost savings: 2SHB 1118

Applications and permits, requiring consistent and prompt DFW decision making: SB 5197

Cougar control pilot program, using dangerous wildlife task teams, DFW to establish: SB 5940

Damage to livestock and crops, compensation claim damage assessor costs, DFW responsibility: SB 6450

Damage to livestock and crops, compensation claims, prohibiting management actions until paid: SB 5712

Duties of DFW, transfer of fish and wildlife commission duties to DFW: SB 5817

Elk, updated North Cascade herd plan, legislative review after DFW approval: SB 6199

Enforcement officers, commissioned, interest arbitration for: SB 5763

Enforcement, technical changes to clarify laws involving: ***SB 6400, CH 64 (2016)**

Firearms safety and laws pamphlet, DFW to add suicide awareness information: ***E2SHB 2793, CH 90 (2016) PV**, SB 6603

Fish and wildlife advisory commission, renaming fish and wildlife commission as: SB 5817

Fish habitat enhancement projects, hydraulic project application fee exemption: HB 1032

Fishing line or monofilament recycling pilot program, establishment by DFW: SB 5356

Forage fish, surveying, DFW role: SB 5166

Forest fire suppression, 2015, budget stabilization account appropriations for: ***ESHB 2988, CH 34 (2016)**

Hydraulic permits and projects, application fee exemption, when: HB 1032

Hydraulic permits and projects, definition of "hydraulic project," revising: SB 6287

Hydraulic permits and projects, emergency for highway projects, DFW deadline: SB 5855

Hydraulic permits and projects, involving watershed management actions by watershed improvement districts, process: SB 6175

Hydraulic permits and projects, mineral prospecting and mining advisory committee, establishing: SB 5705

Hydraulic permits and projects, permit fee exemption for emergency permits, when: SB 5204

Hydropower licensing, relicensing, and license implementation program, DFW role: ***SHB 1130, CH 75 (2016)**

Land acquisition, from nonprofit nature conservancy, funds application requirements: SB 6392

Land acquisition, same-county DFW land sale requirement for: SB 5872

Land use actions by DFW, significant, empirical science use: SB 5622

Lands, DFW-managed, payments to counties in lieu of property taxes: SB 5750

Lands, DFW-purchased, water rights inventory and transfer: SB 5016

Licenses, commercial, fishing guide licenses when employer-purchased: ***HB 1232, CH 103 (2015)**

Licenses, food or game fish or chartering guides, requirements and violations, DFW role: SB 5824

Licenses, hunting, for state and national guard members at no cost, when: ***ESHB 1351, CH 78 (2016)**

Licenses, recreational, certain fees for, lowering: SB 6112

Licenses, recreational, requiring for smelt: SB 5166

Licenses, state "resident" for purposes of, reducing required residency period: HB 2526

Mineral prospecting, motorized, effects on native fish and habitat, studying, DFW role: SB 6630

Mineral prospecting, recreational motorized, licensing of, DFW role: SB 6630

Permits, group fishing permit for at-risk youth programs: ***SB 5881, CH 98 (2015)**

Permits, migratory bird hunting, modifying fee and funding migratory game bird program with: SB 6308

Permits, migratory birds, using revenues to fund nonwaterfowl migratory bird projects: SB 5380

Recreational fishing opportunity, prioritizing, DFW role: SB 5844

Rule making and policies, DFW, abrogation by governor or legislature: SB 5372

Rule making and policies, DFW, APA adoption, WAC codification, and legislative ratification: SB 5372

Salmon, hatcheries, hatchery management department-partner agreements, partner eligibility: SB 6414

Spawning beds, in rivers and streams, activities that harm or disturb, prohibition, DFW role: SB 5739
 Stamp, annual migratory bird, design provisions: SB 5380
 Wolves, conservation and management plan, DFW to amend: SHB 2107, SB 5960, SB 5962
 Wolves, DFW managing of wolf-livestock interactions with lethal means, when: SB 5963
 Wolves, recovery of, studying impact on wild ungulate populations, DFW role: SHB 1676

FISHING (See also FISH; FISH AND WILDLIFE, DEPARTMENT; RIVERS; TAXES - ENHANCED FOOD FISH)

At-risk youth, programs for, group fishing permit for: ***SB 5881, CH 98 (2015)**
 Columbia river recreational salmon and steelhead endorsement program, changing pilot stamp program to: ***SB 6274, CH 223 (2016)**
 Columbia river salmon and steelhead recreational anglers board, project proposal submission process: ***SB 6274, CH 223 (2016)**
 Commercial licenses, anadromous surcharge and crewmember license, creating: SB 5531, SB 5632
 Commercial licenses, fishing guide licenses, when employer-purchased: ***HB 1232, CH 103 (2015)**
 Commercial, secondary fish receiver's failure to account for commercial harvest: ***SB 6401, CH 21 (2016) V**
 Fish and wildlife advisory commission, advisory role of: SB 5817
 Fishing line or monofilament recycling pilot program, establishment: SB 5356
 Guides, food or game fish or chartering, licensing requirements and violations: SB 5824
 Guides, unlawfully engaging in fishing guide activity: ***SB 5464, CH 90 (2015)**
 Licenses, state "resident" for purposes of, reducing required residency period: HB 2526
 Recreational fishing opportunity, prioritizing to expand sports fishing tourism industry: SB 5844
 Recreational fishing, unlawful, clarifying definition of "wild salmon": ***SB 6400, CH 64 (2016)**
 Recreational license, smelt, requirement: SB 5166
 Recreational licenses, certain fees for, increasing: SB 5632
 Recreational licenses, certain fees for, lowering: SB 6112
 Shellfish, unlawful trafficking in second degree: ***HB 1641, CH 141 (2015)**
 Shellfishing licenses, biotoxin testing and monitoring surcharge, increasing, when: ***HB 1620, CH 254 (2015)**, SB 5716
 Steelhead, conservation, Washington's fish collection special license plates to fund: ***SB 6200, CH 30 (2016)**

FLOOD CONTROL

Applications and permits, requiring consistent and prompt agency decision making: SB 5197
 Chehalis basin, establishing office of and creating account: ***HB 2856, CH 194 (2016)**
 Flood control zone districts, levies imposed by, exempting from certain property tax levy limitations: ***HB 1940, CH 170 (2015) PV**, SB 5799
 Flood control zone districts, supervisor per diem compensation: ***SHB 1088, CH 165 (2015)**
 Infrastructure projects, for flood control, grant program: SB 5628
 Rivers, river and sediment management demonstration projects, multi-agency effort to construct: SB 5347

FOOD AND FOOD PRODUCTS (See also AGRICULTURE; ALCOHOLIC BEVERAGES)

Allergen information, posting at public schools: SHB 1562
 Cottage food operations, adding certain candies to list of foods: ***HB 1622, CH 203 (2015)**
 Cottage food operations, maximum sales limit for permit: ***SB 5603, CH 196 (2015)**
 Cottage food operations, tetrahydrocannabinol concentration in product ingredients: ***HB 1622, CH 203 (2015)**
 Cultural foods, Asian rice-based noodles and Korean rice cakes, time-temperature standards: ***SB 6398, CH 20 (2016) V**
 Food and food ingredients, sales tax exemption for, to include food to be cooked by consumer: SB 5861
 Food policy forum, Washington, establishing: ESHB 1685
 Food processing, B&O tax preferences, extending expiration dates: SB 5698
 Food safety and animal health program, certain fee increases: ***ESHB 2128, CH 27 (2015)**
 Food system, state, study of, to include goal for expansion of capacity: ESHB 1685
 Milk, dairy inspection program assessment on, expiration date: ***SB 5015, CH 5 (2015)**
 Milk, processing of, certain fee increases: ***ESHB 2128, CH 27 (2015)**
 Processing, certain fee increases: ***ESHB 2128, CH 27 (2015)**
 Schools, food procurement by, farm-to-school program, appropriating funds for: SB 6039

FOREST LAND (See also FIRE PROTECTION; FOREST PRACTICES AND PRODUCTS)

Federal forest lands, counties with, discontinuing basic education allocation reduction in: SB 6292
 Public forest land, estimate of availability for timber harvesting, revising deadline for: SB 6438

Resiliency burning, forest resiliency burning pilot project, DNR to conduct: ***ESHB 2928, CH 110 (2016)**
 Tribal cultural resources, protection in context of forest land practices: SB 6362
 Washington forests in poor health condition, 20-year wildfire prevention strategic plan to aid: SB 6511, SB 6632
 Working forest conservation easement program, establishing: SB 6121
 Working forests and local mills support program, implementing: SB 6121

FOREST PRACTICES AND PRODUCTS (See also FIRE PROTECTION; FOREST PRODUCTS COMMISSION)

Cross-laminated timber products, structures for manufacturing, tax exemptions in connection with: SB 6025
 Log transportation businesses, public utility tax credit, when: SB 6121
 Log transportation businesses, reduced public utility tax rate for: SB 5257
 Sawmills and planing mills, B&O tax credit, when: SB 6121
 Silviculture, prescribed forest land burning for, updating smoke management plan to regulate: SB 6510, SB 6632
 Slopes, potentially unstable, regulating forest practices to decrease risk from: SB 6280
 State tree special license plates, creating: SHB 1430
 Thinning, to aid forest health and fire prevention: SB 6511
 Timber harvest excise tax agreements, with Confederated Tribes of the Colville Reservation: SB 5472
 Tribal cultural resources, protection in context of forest land practices: SB 6362
 Working forests and local mills support program, implementing: SB 6121

FOREST PRACTICES BOARD

Slopes, potentially unstable, rule changes to decrease risk from, board authority: SB 6280

FOREST PRODUCTS COMMISSION

Assessments, exception to legislative simple majority approval requirement, repealing: SB 6186

FOSTER CARE

Antipsychotic medications, children in foster care, second opinion review requirement: ***SHB 1879, CH 283 (2015)**
 Child-placing agencies, streamlining foster care parent application process for: SB 6229
 Dependency proceedings, foster parents, right to be heard and reporting by: ***ESHB 2591, CH 180 (2016)**
 Educational coordination program for foster youth, modifying: 2SHB 1999, ***4SHB 1999, CH 71 (2016)**
 Educational outcomes, foster youth in K-12 and higher education, improvement strategies: 2SHB 1999, ***4SHB 1999, CH 71 (2016)**
 Extended foster care services, modifying provisions: 2SHB 1735, SB 5740
 Homeless youth in crisis residential centers or HOPE centers, records disclosure for foster care purposes: ESHB 2834
 Homeless youth prevention and protection act of 2015, implementation, modifications for: ESHB 2834
 Long-term foster care, as permanency planning hearing goal, required findings and procedures: ***SB 5692, CH 270 (2015)**
 Managed health and behavioral health care, integrated, for foster children receiving medical assistance: ***SHB 1879, CH 283 (2015)**
 Parents, foster care parent application process, streamlining for child-placing agencies: SB 6229
 Permanency planning hearings, certain good cause exceptions, removing expiration of: ***HB 2140, CH 257 (2015)**
 Supplemental education transition program for foster youth, modifying: 2SHB 1999, ***4SHB 1999, CH 71 (2016)**

FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD

Projects, board removal from funds allocation consideration: ***HB 2599, CH 23 (2016)**, SB 6428

FUELS (See also HEATING; OIL AND GAS; POLLUTION LIABILITY INSURANCE AGENCY; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - BORDER AREA MOTOR VEHICLE FUEL AND SPECIAL FUEL; TAXES - MOTOR VEHICLE FUEL TAX; TAXES - SPECIAL FUEL TAX)

Alternative fuel commercial use vehicles, tax credits: ***SHB 2884, CH 29 (2016)**
 Alternative fuel commercial use vehicles, tax exemptions and credits: SB 5325
 Alternative fuel motorcycles, sales and use tax exemptions: SB 5357
 Alternative fuel source placard provisions. modifying: SB 5271
 Alternative fuel vehicles, sales and use tax exemption, extending: SB 5333, SB 5445
 Alternative fuel vehicles, sales and use tax exemptions: ***2ESHB 2778, CH 32 (2016)**
 Alternative fuel vehicles, sales and use tax incentives: SB 5358

Biodiesel and E85 motor fuel, tax incentives, extending expiration dates: SB 5700
 Biodiesel, state agencies using, reporting requirement for, eliminating: ***EHB 2883, CH 197 (2016)**
 Biofuel, tax incentives, extending expiration dates: SB 5700
 Fossil fuel carbon pollution tax, imposing: SB 6306
 Fossil fuels carbon pollution tax, I-732: SI 732
 Fossil fuels carbon pollution tax, I-732, "2016 act" to be on ballot as alternative: SB 6381
 Fuel mix calculation and reporting, by electric utilities, requirements for information for customers: SB 6533
 Gasoline vapor control systems, stage II, analysis of requirements: SB 5330
 Methanol, manufactured in part from natural gas, machinery and equipment tax exemptions for, eliminating: SB 6650
 Natural gas engines, in combined heat and power systems, emission limits and permits: ***E2SHB 1095, CH 19 (2015)**
 Natural gas, compressed or liquefied, manufactured by municipality for municipal vehicles, B&O tax exemption: SHB 1966
 Natural gas, liquefied, use in ferry system, requirements: SB 5426
 Natural gas, renewable, production and distribution by public utility districts: ***ESB 5424, CH 31 (2015)**
 Natural gas, renewable, production by public utility districts: EHB 1998
 Petroleum, underground storage tanks, establishing revolving loan and grant program: ***SHB 2357, CH 161 (2016)**, SB 6187
 Taxes, motor vehicle fuel tax, additional and cumulative tax rate: SB 5987
 Taxes, motor vehicle fuel tax, increasing nonhighway fuel tax refunds: SB 5987

GAMBLING

Child support, gambling payment intercept program, establishing: SB 5388
 Fantasy sports contests, classifying as contests of skill: SB 5284, SB 6333
 Gambling devices or components, possession by business without license, when, requirements: SB 5800
 Gambling information transmissions, prohibitions, excluding networking services providers from, when: SB 6566
 Raffles, enhanced, by organizations for persons with intellectual disabilities: SB 6449

GAMBLING COMMISSION

Gambling devices or components, possession by business without license, registration with commission for: SB 5800

GEOLOGY AND GEOLOGISTS (See also ROCKS AND MINERALS)

Rare earth elements, recycling processes and alternative earth-abundant materials, JCDREAM efforts concerning: ***SHB 1897, CH 20 (2015)**
 State geologist, geological hazards assessment, requirements: ***SB 5088, CH 12 (2015)**

GOVERNOR (See also BUDGETS; MEDALS)

Agency rule making, abrogation of rules by executive order: SB 5365, SB 5367, SB 5372
 Behavioral health innovation fund, governor's, creating, use of funds in: E2SHB 2453
 Budget proposal, legislative evaluation using zero-based budget review of: SB 6423
 Clemency and pardons board, reprieve petition recommendations to governor: SB 5039
 Corrections ombuds advisory council, governor to convene to support office of ombuds: SB 6154
 Corrections ombuds, office of, creating in office of governor: SB 5505
 Emergency, state of, budget stabilization account fire suppression costs appropriations: SB 6504
 Gender equity, requirements for board and commission appointments by governor: SB 6517
 Gift of life award, presentation by governor to organ donors: ***SB 5532, CH 8 (2015)**
 Health disparities, governor's interagency coordinating council on, examining reproductive health care access: HB 1647, SB 5574
 Health disparities, governor's interagency coordinating council on, forming permanent cumulative impacts task force: SB 6121
 Marijuana, recreational and medical, including production and tribal marijuana tax, tribal-state agreements, role of governor: ***HB 2000, CH 207 (2015)**
 Marijuana, recreational and medical, including production, tribal-state agreements, role of governor: SB 5848
 Marine resources advisory council, delaying expiration: ***SB 6633, CH 27 (2016) V**
 Outdoor recreation opportunities, senior policy advisor for, governor to maintain: SB 5843
 Performance management, office of, creating in office of governor: SB 5737
 Psychiatric hospitals, state, increasing function of, governor's office role: E2SHB 2453
 State of state message, joint legislative session for: ***HCR 4400 (2015)**, ***HCR 4414 (2016)**

Vendor rates, for behavioral rehabilitation services, governor's advisory committee on, creating: SB 5852

GROWTH MANAGEMENT (See also COMMUNITY FACILITIES DISTRICTS; LAND USE PLANNING AND DEVELOPMENT)

Agricultural land, conversion from agriculture activities, prohibiting: SB 5169, SB 5170
 Agricultural lands, long-term commercial significance, local or state agency-owned, use: SB 5013
 Comprehensive plans, impact fee collection delays, impact on certain improvements and strategies: ***ESB 5923, CH 241 (2015)**
 Fish and wildlife habitat conservation areas, excluding drainage ditches from: SB 6168
 Growth management act, partial planning under, extending end date for certain counties to adopt resolution for: SB 5985
 Hearings board, permit exempt wells regulation, limiting authority to hear petitions challenging: SB 5061
 Highway projects, continuing of construction during appeal of issued permit: SB 5855
 Highway projects, state transportation corridor, various local permits, etc., DOT exemption: SB 5994
 Planning policies, countywide, review and evaluation of, modifying provisions: SB 5604
 Private property rights, protecting from United Nations Agenda 21 policies: SB 5191
 Public water systems, group A, growth management proposals notice requirements to include: ***SB 5238, CH 25 (2015)**
 Railroads, freight rail dependent uses on land near, authorizing: SB 6334
 Review and evaluation programs, land capacity analysis and relevant lands definitions: SB 6420
 Schools, as essential public facilities: SB 6426
 Schools, siting inside and outside urban growth areas, creating legislative task force on school siting to consider: ESHB 1420
 Schools, siting outside urban growth areas, authority for cities and counties, when: SB 6426
 Sewer systems, as urban services, sanitary and alternative system and existing on-site septic system options: SB 6611
 Watershed improvement districts, city or county to allow watershed management actions by, when: SB 6175

GUARDIANSHIP (See also MENTAL HEALTH; VULNERABLE ADULTS)

Guardian ad litem, dependency proceedings, background information record disclosure: ***ESHB 1980, CH 224 (2015) PV, SB 6020**
 Guardian ad litem, family court proceedings, appointment of guardian for a child: SB 5823
 Guardian ad litem, personal information, public records disclosure exemption: SHB 2300
 Guardianship courthouse facilitator programs, county authority to create: ***SB 5647, CH 295 (2015)**
 Incapacitated adults, alleged theft or financial exploitation by guardian, investigation and action: SB 5945
 Incapacitated person's property or services, theft by a guardian, creating crime of: SB 5945
 Incapacitated persons, guardian notification of relatives: SB 6235
 Incapacitated persons, order to prevent or limit a person's contact with, guardian requirements for: SB 6619
 Incapacitated persons, right of communication and visitation, guardian role: SB 6235
 Modification or termination of guardianship, complaint procedure: SB 5607
 Personal information disclosure, provisions: ***HB 1554, CH 47 (2015)**, SB 5396
 Public guardianship, office of, adding supported decision-making assistance services to primary function: HB 1839, SB 5786

HAZARDOUS MATERIALS (See also HAZARDOUS WASTE; TAXES - HAZARDOUS SUBSTANCE TAX)

Cadmium, in children's jewelry, standards for: SB 5021, SB 6042
 Chemical action plans and alternatives assessments: E2SHB 1472, SB 5406, SB 6131
 Chemicals, highly toxic, targeting and replacing through chemical action plans: E2SHB 1472, SB 5406, SB 6131
 Exposures, firefighters and investigators, occupationally related diseases, expanding list: HB 2806, SB 6520
 Exposures, firefighters, mandatory reporting for workers' compensation purposes: SHB 2805
 Flame retardants, in children's products and upholstered furniture, limiting: E2SHB 1174, ***ESHB 2545, CH 176 (2016)**, SB 5056, SB 5684, SB 6131, SB 6440
 Hazardous materials plans, submission, emergency management council role: SB 5057
 Hazardous materials transportation, emergency response, updating certain report concerning: SHB 2575
 Oil transport, by railroad, contingency plans for biological oils and blends: SB 6576
 Oil transport, contingency plans, notice, financial responsibility, and emergency response: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 5834, SB 6418
 Oil transport, private railroad crossings upgrades, cost allocation for: SB 6119
 Oil transport, private railroad crossings, provisions concerning: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 6119

Oil transport, safety of, hazardous materials emergency response reporting: SHB 2575
 Oil transport, spill prevention and response activities, including symposium on: SB 5057
 Sediments, dredged contaminated, disposing of or reusing safely: SB 6436
 Trains, transporting hazardous materials, crew requirements: SB 5697
 Turf, synthetic turf fields, establishing advisory group, study, restrictions, and requirements: SB 6540

HAZARDOUS WASTE

Chemical action plans, department of ecology role: SB 6131
 Chemical action plans, selecting substances for: SB 5056, SB 6131
 Cleanup of waste sites, prioritizing to offset hazardous substance tax revenue decline: SB 6570
 Cleanup of waste sites, remedial action appeals, ensuring unaffected action continues, when: SB 5829
 Ecology, department of, environmental statutes involving, updating various: SB 6257
 Mercury-containing lights, environmental handling charge, B&O tax exemption: ***SHB 1619, CH 185 (2015)**, SB 5563
 Nuclear waste repository, federal, requesting that Congress permanently site and develop: SJM 8000
 Paint, architectural, producers to participate in paint stewardship plan: ESHB 1571, SB 5926, SB 6142
 Pharmaceutical waste, sorting and disposal, convening work group to consider: ESHB 1845, ***ESB 5577, CH 119 (2015)**
 Sediments, dredged contaminated, disposing of or reusing safely: SB 6436

HEALTH AND SAFETY, PUBLIC (See also ABORTION; AIR QUALITY AND POLLUTION; ALCOHOL AND DRUG ABUSE; DEVELOPMENTAL DISABILITIES, PERSONS WITH; DISABILITIES, PERSONS WITH; HAZARDOUS MATERIALS; HAZARDOUS WASTE; HEALTH CARE; HEALTH DEPARTMENTS, LOCAL; HEALTH, DEPARTMENT; HEATING; OIL AND GAS; PEST CONTROL AND PESTICIDES; TOBACCO AND TOBACCO PRODUCTS)

Allergen information, posting at public schools: SHB 1562
 Alzheimer's or dementia, silver alert plan for missing persons with mental disabilities: ***SHB 1021, CH 2 (2015)**, SB 5264
 Autism and developmental delays, screening for, requirements: SB 5317
 Basketball hoops, retractable, inspection requirements and safety and health standards for: SB 6386
 Binge eating disorder, treatment with schedule II nonnarcotic stimulant, when: SB 6135, SB 6238
 Bleeding disorders, bleeding disorder collaborative for care, establishing: SHB 1667
 Blood donation, blood-collecting or distributing establishments, online registry and registration of: ***SHB 2580, CH 47 (2016)**
 Cancer, cancer research (or CARE) fund, establishing as private account: HB 2679
 Cancer, cancer research endowment authority and program, creating: SB 6096
 Cancer, cancer research endowment authority, merging with life sciences discovery fund authority: HB 2679
 Cancer, fund to fight cancer authority, as well as scientific committees, creating: SB 5808
 Cancer, fund to fight cancer, establishing: SB 6101
 Cardiac arrest, sudden, information for students and others concerning: SB 5083
 Contraception, health plan coverage for: HB 1647, SB 5026, SB 5574, SB 6493
 Contraception, long-acting reversible, medicaid health plan coverage payment rate for: SB 5806
 Contraception, long-acting reversible, medicaid reimbursement rates, appropriations for increasing: SB 6144
 Contraception, oral and patches, pharmacists prescribing and dispensing: SB 6467
 Contraception, pharmacists initiating or modifying drug therapy, sticker or sign to identify, developing: ***2SHB 2681, CH 132 (2016)**
 Contraceptive drugs, medicaid/medical assistance coverage for, 12-month dispensing of: SHB 2465, SB 6369
 Death with dignity, informed decision making, revising provisions to ensure: SB 5919
 Depression, screening of children through medical assistance: SB 6494
 Diabetes, multi-agency goals and benchmarks and agency plans: ***SB 5689, CH 56 (2016)**
 Down syndrome, diagnosis by various providers, resource information requirements: ***HB 2403, CH 70 (2016)**, SB 6613
 EPI pens/epinephrine autoinjectors, providers and purchasers: SB 5291, SB 6421
 Fireworks, regulation of, scope of local authority for: SB 5914
 Flame retardants, in children's products and upholstered furniture, limiting: E2SHB 1174, ***ESHB 2545, CH 176 (2016)**, SB 5056, SB 5684, SB 6131, SB 6440
 Genital mutilation, female, class B felony: SB 6563
 Good samaritans, infectious disease testing for, when: SB 5726
 Health care information, provider or facility disclosure to family, friends, or certain other persons, when: SB 6565

Health disparities, governor's interagency coordinating council on, examining reproductive health care access: HB 1647, SB 5574

Health disparities, governor's interagency coordinating council on, forming permanent cumulative impacts task force: SB 6121

Health districts, banking of funds, requirements: ***SB 5458, CH 3 (2016) V**

HIV, routine screening, voluntary: SB 5728

Housing, healthy improvements, low-income weatherization plus health initiative: ***HB 1720, CH 50 (2015)**

Immunization, childhood, information for expecting parents: ***SB 5143, CH 141 (2016)**

Immunization, human papillomavirus (HPV), reporting to legislature concerning: SB 6562

Impairments, persons with physical or medical, use of HOV lanes by taxicabs wheelchair accessible for: SB 6627

Life alert services, contact information for subscribers, providing to first responders: SB 5346

Lyme disease, long-term antibiotic therapy for, health professional prescribing or dispensing: SB 5448

Maternal mortality review panel, establishing: SB 6534

Newborn children, safe surrender at health care facilities, information concerning, compiling: SB 6586

Notices, public, about risks and during emergencies, to include notices for non-English-proficient persons: SB 6530

Nuisance abatements, assessments for, city and town authority, requirements: ***SHB 2519, CH 100 (2016)**, SB 5694

Opioid overdose medications, to counteract opioid overdoses, increasing access: ***ESHB 1671, CH 205 (2015)**

Paint, architectural, producers to participate in paint stewardship plan: ESHB 1571, SB 5926, SB 6142

Shellfish, biotoxin testing and monitoring shellfishing license surcharge, increasing: ***HB 1620, CH 254 (2015)**, SB 5716

Sleep, students, increasing by starting school one hour later: SB 6429

Slopes, potentially unstable, regulating forest practices to decrease risk from: SB 6280

Solid waste, disease and pest control via waste and facility regulation: SB 6605

Suicide assessment and treatment for health care providers, training program standards: ***ESHB 1424, CH 249 (2015)**

Terminally ill patients, access to investigational drugs, biological products, and devices, when: SB 6550

Testing for infectious diseases, free for good samaritans, when: SB 5726

Tobacco and vapor products, measures to prevent youth access to: E2SHB 1645, SB 5477, SB 5494, SB 5573, SB 6157, SB 6328

Turf, synthetic turf fields, establishing advisory group, study, restrictions, and requirements: SB 6540

Vapor and tobacco products, measures to prevent youth access to: E2SHB 1645, SB 5477, SB 5494, SB 5573, SB 6157, SB 6328

HEALTH CARE (See also ABORTION; DENTISTS AND DENTISTRY; HEALTH AND SAFETY, PUBLIC; HEALTH CARE PROFESSIONS AND PROVIDERS; HEALTH, DEPARTMENT; HOSPITALS; INSURANCE; WOMEN; WORKERS' COMPENSATION)

Ambulatory surgical facilities, regulatory provisions: SB 5778, SB 6446

Ambulatory surgical facilities, transfer agreements with extended stay recovery centers: SB 5453

Applied behavior analysis, creating state applied behavior analysis advisory committee: SB 5488

Autism and developmental delays, screening for, requirements: SB 5317

Binge eating disorder, treatment with schedule II nonnarcotic stimulant, when: SB 6135, SB 6238

Biological products, interchangeable, prescribing and dispensing: ***ESB 5935, CH 242 (2015)**

Bleeding disorders, bleeding disorder collaborative for care, establishing: SHB 1667

Blood donation, blood-collecting or distributing establishments, online registry and registration of: ***SHB 2580, CH 47 (2016)**

Cancer, fund to fight cancer, establishing: SB 6101

Cannabis, health and beauty aids, not subject to marijuana regulation: ***2E2SHB 2136, CH 4 (2015)**, SB 5493, SB 6136

Cannabis, medical use, provisions: SB 5052, SB 6136

Cannabis, state cannabis industry and economic development committee, establishing: SB 5858

Cardiac arrest, sudden, prevention program for school district coaches: SB 5083

Children, homeless, health care informed consent from school personnel: ***3SHB 1682, CH 157 (2016)**, SHB 2396

Community health centers, use of certain funds for health security trust: SB 5741

Contact lens manufacturers and distributors, price agreements limiting retailer and customer options, prohibiting: SB 5489

Costs, task force on high patient out-of-pocket costs, creating: SHB 2871

Costs, task force on patient out-of-pocket costs, creating: SB 6569

Diabetes, multi-agency goals and benchmarks and agency plans: ***SB 5689, CH 56 (2016)**

East Asian medicine, point injection therapy: ***SHB 2448, CH 97 (2016)**, SB 5161, SB 6389
 Emergency room patients, prepackaged medications for, authorizing: SB 5460
 EPI pens/epinephrine autoinjectors, providers and purchasers: SB 5291, SB 6421
 Extended stay recovery centers, comprehensive provisions: SB 5453
 Eye drops, for treating glaucoma, early refill of prescription: SB 5268
 Eye surgery, laser-assisted in-situ keratomileusis (LASIK) surgery, post-surgical infections, reporting of: SB 5454
 Facilities, certain grant-funded hospital psychiatric bed projects, certificate of need exemption: ***EHB 2212, CH 22 (2015)**, SB 6086
 Facilities, definition, modifying to expand nursing assistant practice settings: ***SHB 1727, CH 158 (2015)**
 Facilities, employees, meal and rest breaks and mandatory overtime, which employees: HB 1732
 Facilities, health care providers at, prohibiting facility limiting of care by: SB 5770
 Facilities, hospital safety net assessment, expiration of, delaying: ***2EHB 2151, CH 5 (2015)**, SB 6045
 Facilities, hospital services coverage continuity when contract with carrier is being terminated: SB 5648
 Facilities, non-hospital, patient transport by ambulance, guidelines: ***SHB 1721, CH 157 (2015)**
 Facilities, reducing unnecessary emergency services use through certain programs: SB 5591
 Facilities, safe surrender of newborns at, information concerning, DSHS to compile: SB 6586
 Glaucoma, eye drops for treating, early refill of prescription: SB 5268
 Health disparities, governor's interagency coordinating council on, examining reproductive health care access: HB 1647, SB 5574
 Health disparities, governor's interagency coordinating council on, forming permanent cumulative impacts task force: SB 6121
 Health security trust, creating: SB 5132, SB 5741
 Hearing disability services and hearing aids, equal coverage for: SB 6394
 Heart disease, critical congenital heart disease, mandatory screening of newborns: ***SHB 1285, CH 37 (2015)**
 HIV, routine screening, voluntary: SB 5728
 Hospice care programs, prescription drug dispensing by pharmacy for: SB 6203
 Infectious diseases, testing for, free for good samaritans, when: SB 5726
 Information, provider or facility disclosure to family, friends, or certain other persons, when: SB 6565
 Information, release by insurers: ***SB 5011, CH 289 (2015)**
 Jails, persons in, communication about health services and medications for, work group to study: SHB 2501
 Life alert services, contact information for subscribers, providing to first responders: SB 5346
 Lyme disease, long-term antibiotic therapy for, health professional prescribing or dispensing: SB 5448
 Mammograms, communicating breast density to patients: SB 5040, SB 6146
 Marijuana, comprehensive marijuana market reform, regulation and taxation: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, medical and recreational, comprehensive marijuana reform act: SB 5519
 Marijuana, medical use, for posttraumatic stress disorder: SB 5379
 Marijuana, medical use, provisions: ***2E2SHB 2136, CH 4 (2015)**, SB 5052, SB 6136
 Marijuana, medical use, research license, establishing: ***2E2SHB 2136, CH 4 (2015)**, ***SB 5121, CH 71 (2015)**
 Marijuana, medical use, research license, provisions: SB 6136, SB 6177
 Marijuana, medical, including production and tribal marijuana tax, tribal-state agreements: ***HB 2000, CH 207 (2015)**
 Marijuana, medical, including production, tribal-state agreements: SB 5848, SB 6136
 Marijuana, state cannabis industry and economic development committee, establishing: SB 5858
 Opioid overdose medications, to counteract opioid overdoses, increasing access: ***ESHB 1671, CH 205 (2015)**
 Primary health care, task force on aligning with behavioral health: ***E3SHB 1713, CH 29 (2016)**, SB 6544
 Radiology benefit managers, registration of: ***SHB 1183, CH 166 (2015)**
 Radiology benefit managers, repealing chapter concerning: SB 6447
 Robert Bree collaborative, meetings subject to open public meetings act: ***SB 5144, CH 21 (2015)**
 Special health care needs, children with, parent to parent program expansion: ***HB 2394, CH 92 (2016)**
 Telemedicine, as reimbursable service: SB 5175
 Telemedicine, board of, creating: SB 5986
 Telemedicine, collaborative for advancement of, creating: SB 6519
 Terminally ill patients, access to investigational drugs, biological products, and devices, when: SB 6550
 Transplants, organ donors, presenting gift of life award to, when: ***SB 5532, CH 8 (2015)**
 Visual screening in schools, to include distance and near: HB 1865, ***SB 6245, CH 219 (2016)**

HEALTH CARE AUTHORITY (See also PUBLIC ASSISTANCE)

- Antipsychotic medications, children in foster care, second opinion review requirement, authority role: ***SHB 1879, CH 283 (2015)**
- Behavioral health services, task force on aligning with primary health care: ***E3SHB 1713, CH 29 (2016)**, SB 6544
- Bleeding disorders, bleeding disorder collaborative for care, establishing, authority role: SHB 1667
- Depression, screening of children and provider payment through medical assistance: SB 6494
- Diabetes, agency goals, benchmarks, and plans, authority role: ***SB 5689, CH 56 (2016)**
- Employer responsibility penalty, when employees covered by medical assistance, authority role and related provisions: SB 5895
- Health benefit exchange, as qualified voter registration agency: SHB 2682, SB 6379
- Health benefit exchange, enrollment and demographic data for plans, requirements: SB 5626
- Health benefit exchange, grace period, reimbursing providers and facilities during: SB 5340
- Health benefit exchange, grace periods, premium delinquency, and notice and outreach: ***2ESB 6089, CH 33 (2015)**
- Health benefit exchange, individual plan premium funds aggregation, prohibiting aggregation or delegation of: SB 5142
- Health benefit exchange, nonmedicaid persons enrolling, forecasting: SB 6279
- Health benefit exchange, prescription drug coverage under plans offered through: ***SHB 2021, CH 161 (2015)**
- Health benefit exchange, special enrollment period, qualifying event verification during: ***2ESB 6089, CH 33 (2015)**
- Health benefit exchange, spending reduction and strategic improvement plans: ***2ESB 6089, CH 33 (2015)**
- Health benefit exchange, stand-alone dental family plans, issuer tax and user fee: ***HB 2768, CH 133 (2016)**
- Health benefit exchange, suspending: SB 5132
- Health care, employer-provided portable health care accounts, applying for federal waiver for, authority role: SB 6488
- Health care, expanding coverage and reducing costs, federal waiver to permit, authority to apply for: SHB 1967
- Health security trust, abolishing authority and transferring its duties and functions to: SB 5741
- Health security trust, authority role in creation of: SB 5132
- Health technology clinical committee, membership: SB 5145
- Interpreters, spoken language services, purchasing from language access providers: SB 5664
- Medicaid and PEBB, statewide all-payer health care claims database, submitting data to: SB 5084
- Medicaid, autism and developmental delays screening, authority to require: SB 5317
- Medicaid, consumer-directed program, family member providing long-term or developmental disability care: SB 6662
- Medicaid, contraceptive drugs, 12-month dispensing of: SHB 2465, SB 6369
- Medicaid, emergency ground transportation services providers, supplemental payment program for: ***HB 2007, CH 147 (2015)**, SB 5840
- Medicaid, equal coverage for hearing disability services and hearing aids: SB 6394
- Medicaid, long-acting reversible contraceptive methods, appropriations for increasing reimbursement rates: SB 6144
- Medicaid, long-acting reversible contraceptive methods, payment rate for: SB 5806
- Medicaid, managed care, accountability measures and wellness examination requirements: SB 5147
- Medicaid, managed care, payments to nonparticipating providers: ***HB 1652, CH 256 (2015)**, SB 5590
- Medicaid, medicaid fraud false claims act, reauthorizing: ESHB 1067, SB 5287, ***SB 6156, CH 147 (2016)**
- Medicaid, personal needs allowance, increasing for long-term care, developmental disabilities, and mental health services: SB 6555
- Medicaid, purchasing, standards of and accreditation by national committee for quality assurance: SB 5146
- Medicaid, reimbursement to primary care providers under, applying medicare payment rate floor to: SB 6272
- Medicaid, rural health clinics and federally qualified health centers, enhancement payments reconciliation deadline: SB 5758
- Medicaid, seeking for special commitment center health care costs reimbursement: ***SB 5693, CH 271 (2015)**
- Medicaid, telemedicine through store and forward technology, reimbursement: SB 5175
- Medicaid, telemedicine, homes as reimbursable originating sites: SB 6519
- Medical assistance, adult workers covered by, various provisions: SB 5895
- Medical assistance, benefits suspension when incarcerated: SB 6430
- Medical assistance, foster children receiving, integrated managed health and behavioral health care for, authority role: ***SHB 1879, CH 283 (2015)**
- Prescription drugs, state agency purchasing and reimbursement guidelines adoption, to include authority: SB 6593
- Prescription drugs, ultrahigh-priced, manufacturers to report to authority: SB 6471
- Public employee benefits, cost-sharing for certain health care, restricting: SB 6266
- Public employee benefits, eligibility provisions, revising various: ***SB 5466, CH 116 (2015)**

Public employee benefits, prescription medication synchronization programs, dispensing provisions: SB 5441
 Public employee benefits, purchase through PEBB by certain counties: SB 5731
 Public employee benefits, purchase through PEBB by political subdivisions: ESHB 1740, ***SB 6475, CH 67 (2016)**
 Public employee benefits, telemedicine, homes as reimbursable originating sites: SB 6519
 School employees' benefits board, creating within authority: SB 5976, SB 6109

HEALTH CARE OVERSIGHT, JOINT SELECT COMMITTEE ON

Health security trust, committee role in funding of: SB 5132

HEALTH CARE PROFESSIONS AND PROVIDERS (See also COUNSELORS AND COUNSELING; DENTISTS AND DENTISTRY; DRUGS; EMERGENCY MANAGEMENT AND SERVICES; HEALTH CARE; PSYCHIATRY AND PSYCHIATRISTS; VETERINARIANS)

Applied behavior analysis, practice of, licensing and regulation: SB 5488
 Assistants, medical, medication administration by, defining "administer": ***HB 2350, CH 124 (2016)**
 Background checks, fingerprint-based, of licensees and applicants: SB 5720
 Behavior analysis, applied, practice by behavior analysts, assistants, and technicians: SB 5488
 Blood samples, collection for certain traffic offenses, authorized professionals: ***2ESHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**
 Blood samples, collection of, consent requirement: SB 5066
 Cardiovascular invasive specialists, with health care facilities, meal and rest breaks and mandatory overtime, when: HB 1732
 Chemical dependency professionals, mental health and chemical dependency dual licensure: SB 6485
 Compensation of providers, filing and public disclosure: ***HB 2332, CH 122 (2016)**, SB 6167
 Credentialing applications, uniform electronic process database submission: ***2SHB 2335, CH 123 (2016)**
 Credentialing information, submission and availability: SB 6336
 Cultural competency, continuing education training, provisions: SB 5151
 Developmental disabilities, adults with, grant program for training medical professionals to work with: SB 5642
 Diagnostic radiologic technologists, with health care facilities, meal and rest breaks and mandatory overtime, when: HB 1732
 Down syndrome, diagnosis by various providers, resource information requirements: ***HB 2403, CH 70 (2016)**, SB 6613
 East Asian medicine practitioners, advisory committee, creation of: ***SHB 1045, CH 60 (2015)**, SB 5162
 East Asian medicine practitioners, emergency procedures: ***SHB 1045, CH 60 (2015)**, SB 5162
 East Asian medicine, point injection therapy: ***SHB 2448, CH 97 (2016)**, SB 5161, SB 6389
 Emergency providers, EPI pen purchase and use: SB 6421
 Emergency providers, for local government consortium, PERS service credit: SB 6523
 Emergency room practitioners, prepackaged medications for patients, authorizing: SB 5460
 Facilities, health care providers at, prohibiting facility limiting of care by: SB 5770
 Family medicine education advisory board, creating: ***E2SHB 1485, CH 252 (2015)**, SB 5680
 Family medicine residencies, in shortage areas, hospital and clinic incentive to increase: ***E2SHB 1485, CH 252 (2015)**, SB 5680
 Family medicine residency program, funding slots with hospital safety net assessment: ***2EHB 2151, CH 5 (2015)**
 Family medicine residency training grant program, creating: SB 5939
 Forensic phlebotomists, credentialing of: SB 5066
 Genital mutilation, female, performing to constitute unprofessional conduct: SB 6563
 Health care employees, collective bargaining agreements, digital copy submission: ESB 5854
 Health professional loan repayment and scholarship program fund, funding: SB 5010, SB 5909
 Health professional loan repayment and scholarship program, notifications concerning: ***E2SHB 1485, CH 252 (2015)**
 Incentive payments for prescribing, disclosure by health plan carrier: SB 5443
 Information, health care, provider or facility disclosure to family, friends, or certain other persons, when: SB 6565
 Interstate medical licensure compact commission, creation and role of: SHB 2452, SB 6228
 Lay caregivers, hospital patient discharge plan and aftercare role: SB 6327
 Licensing, through interstate medical licensure compact, expedited licensure and coordinated information system: SHB 2452, SB 6228
 Liens, medical, authority for use and requirements: ***SHB 1503, CH 201 (2015)**
 Lyme disease, long-term antibiotic therapy for, health professional prescribing or dispensing: SB 5448
 Massage therapy, animal and human, changing "practitioner" to "therapist": ***SHB 2425, CH 41 (2016)**, SB 6181

Massage therapy, licensure, therapist or practitioner prior education: ***HB 2781, CH 53 (2016)**, SB 6399
 Massage therapy, unlicensed practice, penalties for permitting: ***SHB 1252, CH 18 (2015)**, SB 5582
 Medical education, family practice education advisory board, establishing: SB 5909
 Medical schools, foreign, medical quality assurance commission approval of: SHB 1874, SB 5773
 Medical students, practicing medicine as a volunteer, when: SHB 1369
 Medication administration, by medical assistants, defining "administer": ***HB 2350, CH 124 (2016)**
 Midwives, primary place of practice, supplying information at time of license renewal: SB 6036
 Naturopaths, legend drugs and controlled substances, prescriptive authority: SB 5815
 Nurses, ARNPs, authority to sign and attest to documentation: ***HB 1259, CH 104 (2015)**, SB 5682
 Nurses, licensed, authority in school setting to practice without nonnurse supervisor: SHB 1790, SB 5765
 Nurses, LPNs and RNs with health care facilities, meal and rest breaks and mandatory overtime, when: HB 1732
 Nurses, nurse educator pay it forward program, provisions: SB 5335
 Nurses, primary place of practice, supplying information at time of license renewal: SB 6036
 Nurses, providers for criminal offenders and institutionalized patients, PSERS membership, when: SHB 1718, SB 5703
 Nurses, psychiatric advanced registered nurse practitioners, increasing use at state hospitals: SB 6656
 Nurses, public health, authority to dispense certain drugs, when: HB 1545
 Nurses, registered, hospital staffing limits, procedures, and plans: SB 5672
 Nurses, sexual assault nurse examiners, availability of, studying: ***SHB 2711, CH 50 (2016)**
 Nurses, sexual assault nurse examiners, using certain funds for training of: ***2SHB 2530, CH 173 (2016)**
 Nursing assistants, certified, with health care facilities, meal and rest breaks and mandatory overtime, when: HB 1732
 Nursing assistants, practice settings, expanding: ***SHB 1727, CH 158 (2015)**
 Nursing students, practicing registered or advanced registered nursing as volunteer, when: SHB 1369
 Occupational therapists, optometrist referral of medical case to: ***SHB 1010, CH 10 (2015)**, SB 5034
 Optometrists, referring medical case to occupational therapist: ***SHB 1010, CH 10 (2015)**, SB 5034
 Optometrists, use of hydrocodone products by: SHB 1190, SB 5293
 Osteopathic physician assistants, license renewal, current practice information: ***E2SHB 1485, CH 252 (2015)**
 Osteopaths and physician assistants, impaired practitioner program, monitoring surcharge: ***HB 2432, CH 42 (2016)**
 Osteopaths, board of osteopathic medicine and surgery, members of: SB 5558
 Osteopaths, LASIK surgery, post-surgical infections, reporting of: SB 5454
 Osteopaths, license renewal, current practice information requirements for: ***E2SHB 1485, CH 252 (2015)**
 Physical therapists, dry needling, exclusion from scope of practice: HB 1042
 Physical therapists, dry needling, license endorsement for: SB 6374
 Physician assistants, license renewal, current practice information requirements for: ***E2SHB 1485, CH 252 (2015)**, SB 5772
 Physician assistants, primary place of practice, supplying information at time of license renewal: SB 6036
 Physician assistants, treatment order petitions and medication services role: SB 6445
 Physicians, LASIK surgery, post-surgical infections, reporting of: SB 5454
 Physicians, license renewal, current practice information requirements for: ***E2SHB 1485, CH 252 (2015)**, SB 5772
 Physicians, primary place of practice, supplying information at time of license renewal: SB 6036
 Physicians, residency programs, medical education system to allocate funds for new or expanded: SB 5909
 Physicians, residents and residency programs and licensing in special cases: SHB 1874, SB 5773
 Primary care, services provided under medicaid by, applying medicare payment rate floor to: SB 6272
 Reflexology, unlicensed practice, penalties for permitting: ***SHB 1252, CH 18 (2015)**, SB 5582
 Respiratory care practitioners, with health care facilities, meal and rest breaks and mandatory overtime, when: HB 1732
 Scope of practice, expansion by a disciplining authority, staying of decision: HB 1339
 Sexual misconduct by health professional, alleged, training for victim interviewers: ***HB 1779, CH 159 (2015)**
 Store and forward services, physicians providing, hospital privileges for: SB 6519
 Suicide assessment and treatment for providers, training program minimum standards: ***ESHB 1424, CH 249 (2015)**
 Surgical technologists, registration and education requirements: SB 5049
 Surgical technologists, with health care facilities, meal and rest breaks and mandatory overtime, when: HB 1732
 Telemedicine services, physicians providing, hospital privileges for: SB 5175
 Telemedicine, board of, creating: SB 5986
 University of Washington, Spokane medical school, provisions concerning: SB 5909
 Unprofessional conduct, remediation plans: SHB 1135, SB 5754
 Vision care providers, participating provider agreements with insurers, requirements: SB 5474

Vision care providers, vision materials and services, including contracts with providers, health carrier requirements:
 ESHB 1762
 Washington State University, establishing school of medicine at: *SHB 1559, CH 6 (2015), SB 5487

HEALTH DEPARTMENTS, LOCAL

Nurses, public health, authority to dispense certain drugs, when: HB 1545

HEALTH, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; HEALTH CARE PROFESSIONS AND PROVIDERS; HEALTH DEPARTMENTS, LOCAL)

Ambulances, patient transport to non-hospital facilities, work group, DOH role: *SHB 1721, CH 157 (2015)
 Ambulatory surgical facilities, regulatory provisions, department role: SB 5778, SB 6446
 Applications and permits, requiring consistent and prompt department decision making: SB 5197
 Applied behavior analysis, creating state applied behavior analysis advisory committee, department role: SB 5488
 Blood donation, blood-collecting or distributing establishments, registry and registration of, department role: *SHB 2580, CH 47 (2016)
 Certificates of need, granting of application, appeals process and adjudicative proceedings: SB 5149
 Dental quality assurance commission, dental licensing, residency completion in lieu of examination: SB 6404
 Diabetes, agency goals, benchmarks, and plans, department role: *SB 5689, CH 56 (2016)
 Disability, person with, training program for 911 personnel and first responders when at scene, department role: SHB 2287
 Disciplining authorities, expansion of a scope of practice by, secretary authority to stay: HB 1339
 Down syndrome, resource information for parents, department to develop: *HB 2403, CH 70 (2016), SB 6613
 Environmental permit applications, review of, notice to residents of highly impacted communities, department role: SB 5618
 Extended stay recovery centers, comprehensive provisions, department role: SB 5453
 Family medicine residency programs, performance audit and evaluation of, department to perform: SB 5680
 Flame retardants, in children's products and upholstered furniture, limiting, department role: *ESHB 2545, CH 176 (2016), SB 6440
 Flame retardants, in children's products and upholstered furniture, stakeholder advisory committees, department to create: *ESHB 2545, CH 176 (2016)
 Health care costs, task force on high patient out-of-pocket costs, department to create: SHB 2871
 Health care costs, task force on patient out-of-pocket costs, department to create: SB 6569
 Hospital pharmacy licenses, to include hospital's practitioner offices and multipractitioner clinics, department regulatory role: SB 6558
 Hospitals, survey and audit process, evaluations compilation report, eliminating: *EHB 2883, CH 197 (2016)
 Immunization, human papillomavirus (HPV), department to report to legislature concerning: SB 6562
 Interstate medical licensure compact commission, creation and role of: SHB 2452, SB 6228
 Massage, board of, therapist or practitioner licensure, recognizing prior education: *HB 2781, CH 53 (2016), SB 6399
 Medical quality assurance commission, authority and requirements: SHB 1874, SB 5773
 Osteopathic medicine and surgery, board, members of: SB 5558
 Pesticide applications, notice, reporting, and fines for violations, department role: SB 6507
 Pharmacy quality assurance commission, customer suicide awareness materials: *E2SHB 2793, CH 90 (2016) PV, SB 6603
 Pharmacy quality assurance commission, hospital pharmacy license holders' practitioner offices and clinics, regulation of: SB 6558
 Pharmacy quality assurance commission, interchangeable biological products information, providing: *ESB 5935, CH 242 (2015)
 Pharmacy quality assurance commission, long-term care or hospice drugs: SB 6203
 Pharmacy quality assurance commission, oral contraception and patches, commission role: SB 6467
 Pharmacy quality assurance commission, pharmacists initiating or modifying contraception drug therapy, identifying, PQAC role: *2SHB 2681, CH 132 (2016)
 Pharmacy quality assurance commission, referring to commission rather than board in certain statutes: SB 5751
 Public water systems, financial assistance activities, transferring to department: *2ESB 5251, CH 111 (2016)
 Suicide assessment and treatment for providers, training program, department role: *ESHB 1424, CH 249 (2015)
 Suicide awareness strategies, firearms dealer participation tax credit, department role: SB 6603
 Telemedicine, board of, creating, department role: SB 5986

HEALTH, STATE BOARD OF

Asian rice-based noodles and Korean rice cakes, time-temperature standards for, board role: ***SB 6398, CH 20 (2016) V**

HEATING

Solid fuel burning devices, installation and use during temporary outages: ***ESHB 2785, CH 187 (2016)**

HIGHER EDUCATION COMMITTEE, JOINT

Higher education cost drivers, committee to study: SB 5133

HIGHER EDUCATION FACILITIES AUTHORITY

Investment authority and options of authority: SHB 2936, ***ESB 6349, CH 152 (2016)**

HOLIDAYS AND OBSERVANCES

Cesar Chavez day, recognizing March thirty-first as: HB 1560, SB 5565

Cowboy, national day of the, recognizing as state legal holiday: SB 5540

Human trafficking awareness day, establishing: ***SB 6376, CH 9 (2016)**

Kindergarteners, month of, September to be: SB 6516

HOMELESS PERSONS

Homeless client management information system (HMIS), personally identifying information in, requirements: SB 5898

Homelessness in Washington, causes and characteristics, statewide study of: SB 6671

Homelessness prevention, assistance, and housing efforts, reviewing: SB 6671

Housing and behavioral health services and facilities, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**

Housing and other support, assistance, and services, using certain funds in certain accounts for: SB 6647

Housing, homeless housing strategic plan and county homeless housing plans, modifying requirements: SB 6671

Housing, local homeless housing and assistance document-recording surcharge, collection agency recouping of, when: SB 5536

Housing, local homeless housing and assistance, document-recording surcharge for: SB 5193, SB 6330

Housing, local homeless housing and assistance, document-recording surcharges for, county use of: SB 6671

Indigent defense in court proceedings, determination of indigency: SB 5232

Religious organizations, hosting of homeless by, limits imposed by local government, prohibiting: HB 2929

Religious organizations, hosting of homeless by, limits imposed by local government, restricting or prohibiting: 2EHB 2086, SB 5900

Religious organizations, hosting of homeless by, public health and safety agreements, local government action regarding: 2EHB 2086

Students, "unaccompanied homeless," defining for certain reporting purposes: E2SHB 1682, SB 5065

Students, homeless student stability and opportunity gap act, including grant programs: SB 6298

Students, homeless, aiding with grant programs, liaisons, and other measures: E2SHB 1682, ***3SHB 1682, CH 157 (2016)**, SB 5065

Students, homeless, health care informed consent from school personnel: ***3SHB 1682, CH 157 (2016)**, SHB 2396

Students, waiving local graduation requirements for homeless youth, when: SHB 1855

Youth, consent for personally identifying information collection, when: ESHB 2834

Youth, homeless youth act, prevention and protection measures: 2SHB 1436, SB 5404

Youth, homeless youth prevention act, prevention measures: SB 5932

Youth, homeless youth prevention and protection act of 2015, implementation, modifications for: ESHB 2834

Youth, office of homeless youth prevention programs, creating: SB 5932

Youth, office of homeless youth programs, creating: 2SHB 1436, SB 5404

Youth, Washington state homeless youth alert database, establishing: SB 5932

HOMES AND HOUSING (See also LANDLORD AND TENANT; LOW-INCOME PERSONS; MANUFACTURED HOUSING AND MOBILE HOMES; SEWAGE AND SEWERS; TAXES - LODGING TAX; TAXES - PROPERTY TAX)

Affordable housing, county local option sales and use tax for: ***ESHB 2263, CH 24 (2015)**

Affordable housing, creating affordable housing for all program, county task forces, and plans: SB 6422

Affordable housing, disposing tax foreclosed property to city for: ESHB 2647, SB 5244, SB 6337

Affordable housing, in affordable housing incentive zone, property tax partial exemption: SB 6311

Affordable housing, very low-income, local government property tax exemption program for: SB 6239
 Assistance, persons receiving, prohibiting landlord discrimination or refusal to rent, when: HB 1565, SB 5378
 Bonds, private activity allocation for housing: SHB 2585, SB 6342, SB 6682
 Construction defect claims, construction professional inspection of defect, requiring, when: SB 5961
 Department of housing, creation of and transfer of department of commerce housing duties to: SB 6518
 Electric vehicles, infrastructure, in multifamily residences: SB 5446
 Fire sprinkler systems, multipurpose residential, water-sewer district prohibitions, prohibiting: SHB 2503, SB 6284
 Floating homes and on-water residences, sale by real estate broker: ***HB 1309, CH 133 (2015)**
 Homeless housing strategic plan and county homeless housing plans, modifying requirements: SB 6671
 Homeless, housing assistance for, using certain funds in certain accounts for: SB 6647
 Homeless, local homeless housing and assistance document-recording surcharge, collection agency recouping of, when: SB 5536
 Homeless, local homeless housing and assistance, document-recording surcharge for: SB 5193, SB 6330
 Homeless, local homeless housing and assistance, document-recording surcharges for, county use of: SB 6671
 Homelessness prevention, assistance, and housing efforts, reviewing: SB 6671
 Homeowners' associations, financial statement audits, threshold for: SB 5860
 Homeowners' associations, office of homeowners' association ombuds, establishing: SB 6212
 Homeowners' associations, ratification of budgets, voting requirements: SB 5236
 Homeowners' associations, special assessment uses and hiring of reserve study professionals: SB 6616
 Low-income homeownership development, by nonprofit, property tax exemption: SB 6211
 Residential buildings, single-family, minimum dimensions of habitable spaces: EHB 1123
 Residential dwelling or timeshare, credit for lodging tax against sales tax on sales of lodging in, eliminating: SB 6672
 Residential energy efficiency incentive pilot program, property tax exemption for eligible retrofit projects: SB 6276
 Security systems, residential installations, without license, when: SB 5282
 Timeshare or residential dwelling, credit for lodging tax against sales tax on sales of lodging in, eliminating: SB 6672
 Transitional housing operating and rent program, provisions: SB 6671
 Workforce housing, affordable near transit station, lodging tax use for loans or grants: ***SHB 1223, CH 102 (2015)**, SB 5208
 Youth, homeless, independent youth housing programs: 2SHB 1436, SB 5404

HORSE RACING COMMISSION

Horse racing commission operating account, to be nonappropriated: ***HB 2320, CH 160 (2016)**, SB 6285

HOSPITALS (See also MENTAL HEALTH)

Ambulance and aid services, drugs for use by, hospital pharmacy dispensing of: ***SHB 1625, CH 255 (2015)**
 Ambulatory surgical facilities, transfer agreements with extended stay recovery centers: SB 5453
 Certificates of need, exemption for certain grant-funded psychiatric bed projects: ***EHB 2212, CH 22 (2015)**, SB 6086
 Certificates of need, granting of application, appeals process and adjudicative proceedings: SB 5149
 Charity care, defining "reasonable effort" for purposes of: SB 6269
 Critical access hospitals payment and licensure, rural health pilot participants resuming: ***ESHB 2450, CH 31 (2016)**
 Custody, persons in, health care at hospitals, accompanying and payment of hospital for: SB 5593
 Custody, persons in, health care at hospitals, payment of hospital for: SB 6023, SB 6322
 Discharge plans for patients, requirements and lay caregiver role: SB 6327
 Emergency room patients, prepackaged medications for, authorizing: SB 5460
 Emergency services, reducing unnecessary use through certain programs: SB 5591
 Employees, meal and rest breaks and mandatory overtime, which employees: HB 1732
 Information, health care, provider or facility disclosure to family, friends, or certain other persons, when: SB 6565
 Liens, medical, authority for use and requirements: ***SHB 1503, CH 201 (2015)**
 Newborn children, safe surrender at health care facilities, information concerning, compiling: SB 6586
 Newborns, critical congenital heart disease screening, mandatory: ***SHB 1285, CH 37 (2015)**
 Nurses, registered, hospital staffing limits, procedures, and plans: SB 5672
 Observation status, patient in, notification requirements: ESHB 1186
 Pharmacy licenses, including hospital's practitioner offices and multipractitioner clinics, authorizing and regulating: SB 6558
 Public hospital districts, contracting certain percentage of district activities to another entity, requiring public vote: SB 6037

Public hospital districts, contracting with another entity to create new entity and adding board members, requiring public vote: SB 6038

Public hospital districts, delegating core legislative powers to another decision-making body, requiring vote by board: SB 6312

Public hospital districts, job order contracts by: ***HB 2772, CH 52 (2016)**, SB 6213

Public hospital districts, material and work contracts, bidding procedures: ***HB 2771, CH 51 (2016)**, SB 6214

Public hospital districts, No. 1 of King county, agreement with UW Medicine, voter ratification: SB 6021

Public hospital districts, property tax levies for, conditions and restrictions, when: SB 6008

Safety net assessment, expiration of, delaying: ***2EHB 2151, CH 5 (2015)**, SB 6045

Store and forward services, physicians providing, hospital privileges for: SB 6519

Telemedicine services, physicians providing, hospital privileges for: SB 5175

HUMAN REMAINS (See also DEATH)

Cemeteries, historic cemetery preservation capital grant program, creating: ***HB 2637, CH 102 (2016)**

Remains, mishandling or failing to report to coroner or ME, prohibitions: SB 6261

Remains, mishandling or not reporting to coroner, ME, or law enforcement: EHB 2775

Sale or commercial display, prohibiting: SB 5891

HUMAN RIGHTS COMMISSION (See also DISCRIMINATION; LABOR; SEXUAL ORIENTATION AND GENDER IDENTITY)

Gender-segregated facilities, WAC 162-32-060, requiring repeal and no further commission rule making on subject: SB 6443

Restrooms and similar private facilities, gender-and-genitalia-based access restrictions, entity authority: SB 6548

HUNTING (See also WILDLIFE)

Birds, migratory, annual stamp design, provisions: SB 5380

Birds, migratory, hunting permit, modifying fee and funding migratory game bird program with: SB 6308

Birds, migratory, sale of hunting permits to fund nonwaterfowl migratory bird projects: SB 5380

Cougar control pilot program, using dangerous wildlife task teams, establishing: SB 5940

Enforcement, technical changes to clarify laws involving: ***SB 6400, CH 64 (2016)**

Fish and wildlife advisory commission, advisory role of: SB 5817

Hunter education and firearm safety high school elective course, development: SB 6515

Hunter education training program, receipts from national rifle association special license plates to help fund: SB 6015

Licenses, for state and national guard members at no cost, when: ***ESHB 1351, CH 78 (2016)**

Licenses, master hunter and damage deer and elk licenses, creating: SB 5632

Licenses, state "resident" for purposes of, reducing required residency period: HB 2526

Unlawfully collecting wildlife parts from another's property, misdemeanor: ***HB 1627, CH 154 (2015)**

IDENTIFICATION

Biometric identifiers, attaining and using for commercial purposes and disclosing, requirements, prohibitions, and actions: 2ESHB 1094

Financial fraud and identity theft crimes investigation and prosecution program: ***HB 1090, CH 65 (2015)**, SB 5058

Identicards, acceptable for federal government official purposes, application and issuance requirements and supporting provisions: SB 6678

Identicards, enhanced, fee for: ***SB 6299, CH 32 (2016)**

Identicards, for certain incarcerated offenders, when: E2SHB 1320, SB 5173

Identicards, verification of U.S. citizenship or lawful presence in U.S.: SB 5201, SB 6028, SB 6679

REAL ID act of 2005, federal, repealing RCW implementation and compliance provisions: SB 6028, SB 6678

IMMIGRATION, IMMIGRANTS, AND IMMIGRATION STATUS (See also DISCRIMINATION; MINORITIES)

Crime victim certification steering committee, office of crime victims advocacy to convene: SHB 2895

Deferred action status, approved, identification issued by states accepting as proof of lawful presence, to be invalid in Washington: SB 6679

Noncitizen criminal activity victims, U and T nonimmigrant status certifications, processing by state or local certifying agency: SHB 2895

Nonimmigrant visas, U and T, course of study on legal protections for immigrant crime victims and on: SHB 2895

INDETERMINATE SENTENCE REVIEW BOARD

Early release, petition for, notice, records, and video recording requirements: SB 6242

INDIANS (See also HUMAN REMAINS)

Child, abused, out-of-home emergency placement, background check request by tribe: ***HB 2694, CH 49 (2016)**, SB 6391

Dental health aide services for Indians: SB 5159

Early care and education system, improving via early start act, tribe involvement: ***2E2SHB 1491, CH 7 (2015)**

Fuel tax agreements with tribes, governor authority to enter into, repealing: SB 5830

Fuel tax agreements, authorizing, when: SHB 1631

Fuel taxes, collection of, when: SB 6193

Investment authority and options of public entities, modifying provisions: SHB 2936, ***ESB 6349, CH 152 (2016)**, SB 6596

Law enforcement agencies, tribal, state parks civil infractions enforcement, when: ***SHB 2765, CH 185 (2016)**

Marijuana, recreational and medical, including production and tribal marijuana tax, tribal-state agreements: ***HB 2000, CH 207 (2015)**

Marijuana, recreational and medical, including production, tribal-state agreements: SB 5848

Marijuana, tribal marijuana tax, in connection with tribal-state agreements: ***HB 2000, CH 207 (2015)**

Motor vehicles, sale to enrolled tribal member, documentation for exemption: ESHB 2783, SB 6427

Native early child care and education, office of, creation: SB 5160

Prescription drug monitoring database, access for tribal officials: ***HB 1637, CH 49 (2015)**, SB 5290

Property, used by tribe for economic development, property tax exemption provisions: SB 5811

School names, using Redskins as school or athletic team name, prohibiting: SB 6190

Telecommunications services, advanced, providing to reservations: SB 5157

Timber harvest excise tax, agreement between Confederated Tribes of the Colville Reservation and governor: SB 5472

Transportation projects, environmental review and permitting, involvement of tribes: SB 5996

Tribal courts, solemnizing of marriages by judges: HB 1113

Tribal cultural resources, protection in context of forest land practices: SB 6362

Tribal history and culture, teaching in common schools, requirements: SHB 1511, SB 5433

Tribal history and culture, using Since Time Immemorial curriculum in teacher preparation programs: SB 6189

Vapor products, sales and use and vapor products taxes, exemptions for Indian retailers, when: SB 5573

Vapor products, tax on, governor tax agreement with Puyallup Tribe of Indians: SB 5573

Vapor products, tax on, state-tribal contracts concerning: SB 5573

INDUSTRIAL INSURANCE APPEALS, BOARD

Employer fines and civil penalties, appeals of L&I orders or decisions imposing, board role: SB 5507

Voluntary settlement agreements, parties to an allowed claim, approval by board: SB 5516

Voluntary settlement agreements, parties to an allowed claim, approvals by board, studying: SB 5516

INITIATIVE AND REFERENDUM

Ballot titles, for initiative to the people imposing tax or fee, requirements: SB 6174

Basic education funding enhancements, submitting to the people: SB 6088

Citizens' initiative review pilot program and oversight committee, establishing: SB 5535

Fiscal impact statements for certain initiative measures, inclusion in ballot title: SB 5715

Incidental committees, including nonprofit organizations, contribution disclosure requirements: ESB 5153

Initiative 1351, class size reduction and employee staffing formula changes enacted via, deferring: ***EHB 2266, CH 38 (2015)**

Initiative 732, carbon pollution tax on fossil fuels consumption: SI 732

Initiative 732, carbon pollution tax on fossil fuels consumption, "2016 act" to be on ballot as alternative: SB 6381

Initiative 735, urging U.S. constitutional amendment reversing corporations-as-persons and spending-of-money-as-free-speech court decisions: SI 735

Initiatives, constitutional amendment to reject when not complying with balanced budget requirements: SJR 8201

Initiatives, filing deadline, modifying: SB 5920, SB 5943

Living wage, new rates and tax relief and exemption for certain businesses, submitting to the people: SB 6029

Signature gatherers, entities that compensate, disclosure requirements: SB 5375

Signatures, electronic, on initiative and referendum petitions: SB 6139

Washington waters act, concerning water infrastructure grant program, submitting to the people: SB 5628

INSURANCE (See also HEALTH CARE AUTHORITY; POLLUTION LIABILITY INSURANCE AGENCY; PUBLIC ASSISTANCE)

Benefits, noncontractual goods and wares as inducements to insureds, modifying regulation of: ESHB 1761, SB 5743
 Contracts, benefits when customer dissatisfied, allowing: ***EHB 1578, CH 121 (2016)**
 Dental, carrier rate and form filing for standalone plans: SHB 1053, SB 5023
 Dental, dental only plan, coverage for emergency dental conditions, when: ***SHB 1002, CH 9 (2015)**
 Dental, existing condition coverage exclusions, prohibiting: SB 6648
 Dental, stand-alone plans, filing and regulatory review uniformity: SB 6536
 Disabilities, veterans with and dependents of, supplemental insurance plans for, reviewing barriers to: ***SB 5974, CH 127 (2015)**
 Disability insurance, association plans, continuation during affordable care act implementation, when: SB 5595
 Disability insurance, grief counseling and other noninsurance benefits option: HB 1659, ***SB 5581, CH 143 (2016)**
 Disability insurance, group for veterans, CHAMPVA-related definitions: ***SB 6405, CH 65 (2016)**
 Disability insurance, palliative care services through home health and hospice benefits, when: SB 5165
 Domestic insurers, acquisition of, insurer making offer to acquire control, restrictions: SB 6323
 Drivers, financial responsibility, notice and documents connected with judgments: ***SHB 2405, CH 93 (2016)**, SB 5658
 Drivers, financial responsibility, requiring proof from random sample of registered vehicle owners: SB 5704
 Electronic means, notices and documents delivered by, when: ***ESB 5471, CH 263 (2015)**
 Family and medical leave insurance, implementing: SB 5459
 Health benefit exchange, as qualified voter registration agency: SHB 2682, SB 6379
 Health benefit exchange, enrollment and demographic data for plans, requirements: SB 5626
 Health benefit exchange, grace period, reimbursing providers and facilities during: SB 5340
 Health benefit exchange, grace periods, premium delinquency, and notice and outreach: ***2ESB 6089, CH 33 (2015)**
 Health benefit exchange, individual plan premium funds aggregation, prohibiting aggregation or delegation of: SB 5142
 Health benefit exchange, nonmedicaid persons enrolling, forecasting: SB 6279
 Health benefit exchange, prescription drug coverage under plans offered through: ***SHB 2021, CH 161 (2015)**
 Health benefit exchange, special enrollment period, qualifying event verification during: ***2ESB 6089, CH 33 (2015)**
 Health benefit exchange, spending reduction and strategic improvement plans: ***2ESB 6089, CH 33 (2015)**
 Health benefit exchange, stand-alone dental family plans, issuer tax and user fee: ***HB 2768, CH 133 (2016)**
 Health benefit exchange, suspending: SB 5132
 Health care, abuse-deterrent opioid analgesic drugs as plan formulary drugs: SB 5695
 Health care, association plans, continuation during affordable care act implementation, when: SB 5595
 Health care, carrier network changes, provider notification: SB 5150
 Health care, carrier rate and form filing for certain plans: SHB 1053, SB 5023
 Health care, continuity of coverage and care, task force on, establishing: SB 5625
 Health care, cost-sharing for certain health care, restricting: SB 6266
 Health care, coverage for all state residents by 2020: SB 5305
 Health care, coverage for contraception, sterilization, and associated services, requirements: HB 1647, SB 5574
 Health care, employee birth control and reproductive health care coverage: SB 5026, SB 6493
 Health care, employees covered by medical assistance, employer responsibility penalty and related provisions: SB 5895
 Health care, employer-provided portable health care accounts, state to apply for federal waiver for: SB 6488
 Health care, expanding coverage and reducing costs, federal waiver to permit, applying for: SHB 1967
 Health care, for veterans with disabilities, supplemental insurance plans, reviewing barriers to: ***SB 5974, CH 127 (2015)**
 Health care, grace period, providing care during, provider choice: HB 1626
 Health care, group health benefit plans, filing and regulatory review uniformity: SB 6536
 Health care, health security trust, creating: SB 5132, SB 5741
 Health care, hearing disability services and hearing aids, equal coverage for: SB 6394
 Health care, high patient out-of-pocket costs, task force on, creating: SHB 2871
 Health care, hospital patient in observation status, notification for insurance purposes: ESHB 1186
 Health care, hospital services coverage continuity when contract with carrier is being terminated: SB 5648
 Health care, independent review organizations, annual report submission, transmission, and posting: SHB 1956
 Health care, independent review organizations, transfer of regulatory authority: ***HB 2326, CH 139 (2016)**
 Health care, information, release by insurers: ***SB 5011, CH 289 (2015)**

Health care, insurer holding company act to include service contractors and HMOs: **HB 1065, *SB 5717, CH 122 (2015)**

Health care, medicare, seeking for special commitment center health care costs reimbursement: ***SB 5693, CH 271 (2015)**

Health care, palliative care services through home health and hospice benefits, when: SB 5165

Health care, participating provider agreements with vision care providers, requirements: SB 5474

Health care, patient out-of-pocket costs, task force on, creating: SB 6569

Health care, payments by second-party payment process, qualified health plan issuer acceptance of: ***EHB 1890, CH 284 (2015)**, SB 5798

Health care, prescription drug benefit coverage limitation, exclusion, or out-of-pocket cost increase, prohibitions: SB 6209

Health care, prescription drug coverage, maximum cost sharing per drug: SB 6320

Health care, prescription medication synchronization programs, dispensing provisions: SB 5441

Health care, prior authorization and provider tiers, requirements: ***E2SHB 1471, CH 251 (2015)**

Health care, prior authorization standards, requirements: SB 5560

Health care, provider compensation, filing and public disclosure: ***HB 2332, CH 122 (2016)**, SB 6167

Health care, provider credentialing applications, submission to uniform electronic process database: ***2SHB 2335, CH 123 (2016)**

Health care, provider credentialing information, submission and availability: SB 6336

Health care, provider prescription incentive payments, disclosure by health plan carrier: SB 5443

Health care, purchase of coverage through PEBB by certain counties: SB 5731

Health care, purchase of coverage through PEBB by political subdivisions: ESHB 1740, ***SB 6475, CH 67 (2016)**

Health care, radiology benefit managers, registration of: ***SHB 1183, CH 166 (2015)**

Health care, school employees' benefits board, creating: SB 5976, SB 6109

Health care, service contractors and HMOs, maximum capital and reserves accumulation by: SB 6024

Health care, services performed by pharmacists, prohibiting health plan denial of benefits, when: SB 5557

Health care, stand-alone vision plans, filing and regulatory review uniformity: SB 6536

Health care, state agency prescription drug purchasing and reimbursement guidelines, adopting: SB 6593

Health care, statewide all-payer health care claims database, modifying provisions: SB 5084

Health care, telemedicine as reimbursable service, health plan and hospital compliance requirements: SB 5175

Health care, telemedicine, homes as reimbursable originating sites: SB 6519

Health care, termination of pregnancy, coverage for, requirements: HB 1647, SB 5574

Health care, third-party administrators, new chapter: SB 6447

Health care, vision materials and services, including contracts with providers, health carrier requirements: ESHB 1762

Health care, Washington state health insurance pool, funding during pool enrollment freeze, work group to examine: 2ESHB 2340

Health care, Washington state health insurance pool, modifying eligibility: 2ESHB 2340, SB 6271

Health maintenance organizations, association plans, continuation during affordable care act implementation, when: SB 5595

Health maintenance organizations, maximum capital and reserves accumulation by: SB 6024

Holding companies, amending insurer holding company act: HB 1065, ***SB 5717, CH 122 (2015)**

Investments of insurers, including concentration of risky assets: SB 6022

Life insurance, reserve requirements, modernizing: ***SB 5180, CH 142 (2016)**

Longshore and harbor workers' insurance assigned risk plan, provisions: SB 5722

Motor vehicle service contract providers, certain regulatory requirements: ESHB 2355, SB 6309

Motor vehicles, commercial transportation services providers, coverage requirements: ESHB 2131, SB 6444

Motor vehicles, employee personal use agreements service contracts exemption: ***HB 2356, CH 125 (2016)**, SB 6301

Motor vehicles, insurance verification program, department of licensing to develop: SB 6595

Motor vehicles, transportation network companies, coverage requirements: SB 5550

Mutual insurers, redomesticating to another state, prohibiting, alternative: SB 5838

Protection product guarantee providers, registration and regulation provisions: ESHB 2355, SB 6309

Reinsurance, credit for, when non-U.S. insurer or reinsurer is insolvent: ***HB 1077, CH 63 (2015)**

Risk management and solvency assessment act: ***HB 1172, CH 17 (2015)**

School employees, school employees' benefits board, creating: SB 5976, SB 6109

Self-insurance, joint, by nonprofit corporations for property and liability risks: ***SB 5119, CH 109 (2015)**

Service contract providers, registration and regulation provisions: ESHB 2355, SB 6309

Surplus line insurance, modifying provisions: ***HB 1308, CH 132 (2015)**, SB 5725

Wildfire insurance for state, requesting certain information from carriers and reporting: SB 6632

INSURANCE COMMISSIONER (See also ADMINISTRATIVE PROCEDURE; INSURANCE)

Disabilities, veterans with and dependents of, supplemental insurance plans for, commission to review barriers to: ***SB 5974, CH 127 (2015)**

Drivers, financial responsibility, requiring proof from random sample of registered vehicle owners, commissioner role: SB 5704

Hearings, involving office, administrative law judges to preside: SB 5103

Independent review organizations, for health plan benefit determination reviews, annual reporting requirements: SHB 1956

Independent review organizations, health care disputes, commissioner's role: ***HB 2326, CH 139 (2016)**

Industrial insurance, private competition for, commissioner role: SB 5420

Pharmacy benefit managers, commissioner registration and regulation of: SB 5857

Plans, group health and stand-alone dental or vision, regulatory uniformity: SB 6536

INVESTMENT BOARD, STATE (See also ADMINISTRATIVE PROCEDURE)

Disabilities, persons with, achieving a better life experience program, creating, board role: ***ESHB 2323, CH 39 (2016)**, SB 6043, SB 6210

Disabilities, persons with, achieving a better life experience program, work group to design, board role: ***2SHB 2063, CH 162 (2015)**

Investment authority and options of public entities, board role: SHB 2936, ***ESB 6349, CH 152 (2016)**, SB 6596

Washington college savings program, individual account moneys investment, board role: SB 6601

JAILS (See also CRIMINAL OFFENDERS; CRIMINAL PROCEDURE)

Competency restoration, county jails as alternative locations for: E2SHB 2060, SB 5177

Confinement, during term of, prohibiting marijuana, alcohol, or cell phone: ***SHB 2900, CH 199 (2016) PV**

Custody, persons in, health care at hospitals, accompanying and payment of hospital for: SB 5593

DNA sample, collection at jail intake or by order, when: SB 5653

DNA sample, collection from felony arrestees for certain crimes, with sample expungement right: SB 6366

Health care, persons in jails, communication about services and medications for, work group to study: SHB 2501

Medical assistance, benefits suspension when incarcerated: SB 6430

Registry information, public interest research use of, adding employment security department to agencies authorized for: SB 6677

JOINT MEMORIALS

Amendment convention of the states, for constitutional limits on federal government, requesting that Congress call: SJM 8016

Aquatic invasive species, dreissenids (quagga and zebra mussels) prevention, requesting action by Congress: ***SJM 8013 (2015)**

Banking, requesting that Congress reinstate commercial and investment functions separation: SJM 8005

Border crossing, extraterritorial jurisdiction for U.S. over preclearance officers in Canada, requesting Congress grant: SJM 8018, SJM 8020, SJM 8021

Child sexual abuse by school personnel and peers, requesting action: SJM 8006

Election campaign contributions, requesting that Congress exercise constitutional authority to regulate: SJM 8002

Elections and government policy, undue influence of money on, requesting U.S. constitutional amendment to eliminate: SJM 8011

Free and fair elections constitutional amendment, requesting that Congress call a limited convention for: HJM 4000, SJM 8015

Harbor maintenance tax, federal, requesting that Congress reform: SJM 8017

Hatchery and genetic management plans, Puget Sound, request concerning NOAA fisheries' review of: SJM 8007

International trade policy reforms, requesting that the president and Congress seek: SJM 8003

Internet openness, requesting that Congress protect and promote: SJM 8004

Keystone XL pipeline, requesting that the president and Congress take action to approve: SJM 8010

Memorials, resolutions, and bills from 2015 first special session, returning to house of origin: ***HCR 4407 (2015)**

Memorials, resolutions, and bills from 2015 regular session, returning to house of origin: ***HCR 4404 (2015)**

Memorials, resolutions, and bills from 2015 second special session, returning to house of origin: ***HCR 4409 (2015)**

Memorials, resolutions, and bills from 2015 third special session, returning to house of origin: ***HCR 4411 (2015)**
 Memorials, resolutions, and bills from 2016 first special session, returning to house of origin: ***HCR 4418 (2016)**
 Memorials, resolutions, and bills from 2016 regular session, returning to house of origin: ***HCR 4416 (2016)**
 Memorials, resolutions, and bills, reintroduction for 2015 first special session: ***HCR 4406 (2015)**
 Memorials, resolutions, and bills, reintroduction for 2015 second special session: ***SCR 8403 (2015)**
 Memorials, resolutions, and bills, reintroduction for 2015 third special session: ***SCR 8404 (2015)**
 Memorials, resolutions, and bills, reintroduction for 2016 first special session: ***SCR 8407 (2016)**
 Memorials, resolutions, and bills, reintroduction for 2016 regular session: ***HCR 4413 (2016)**
 National guard Stryker brigade, calling for a brigade on the west coast: ***SJM 8008 (2015)**
 Nuclear waste repository, federal, requesting that Congress permanently site and develop: SJM 8000
 Ports, state, requesting aid to resolve Pacific maritime association and longshore and warehouse union negotiations: SJM 8009
 Postal service, United States, requesting that Congress require the USPS to restore service standards: SJM 8022
 Stanwood railway station, requesting naming as Mary Margaret Haugen Station: SJM 8023
 State route 509, requesting that transportation commission rename as Philip Martin Lelli memorial highway: ***SJM 8019 (2016)**
 State route 99, requesting SR 99 be named William P. Stewart memorial highway: ***HJM 4010 (2016)**, SJM 8014
 Trade promotion legislation, requesting that Congress oppose in certain cases: SJM 8001
 US highway 100, requesting designation as the North Olympic Peninsula Medal of Honor memorial highway: ***SJM 8012 (2015)**

JOINT RESOLUTIONS

Balanced budget, constitutional amendments to require: SJR 8213
 Capital gains tax, constitutional amendment to limit dollar amount upon which imposed or measured: SJR 8206
 Credit of the state, prohibition on loaning of, constitutional amendment to broadly construe: SJR 8217
 Districts, legislative and congressional, redistricting plan completion date, constitutional amendment to advance: ***SJR 8210 (2016)**
 Income tax, constitutional amendment changing state taxation structure and limitations to allow and support: SJR 8207
 Income tax, constitutional amendment to allow: SJR 8202, SJR 8214
 Infrastructure, public, state debt guarantee for, constitutional amendment to allow: 2ESJR 8204
 Initiatives, constitutional amendment to reject when not complying with balanced budget requirements: SJR 8201
 Property tax valuation, constitutional amendment to set base years for: SJR 8203
 Resolutions, memorials, and bills from 2015 first special session, returning to house of origin: ***HCR 4407 (2015)**
 Resolutions, memorials, and bills from 2015 regular session, returning to house of origin: ***HCR 4404 (2015)**
 Resolutions, memorials, and bills from 2015 second special session, returning to house of origin: ***HCR 4409 (2015)**
 Resolutions, memorials, and bills from 2015 third special session, returning to house of origin: ***HCR 4411 (2015)**
 Resolutions, memorials, and bills from 2016 first special session, returning to house of origin: ***HCR 4418 (2016)**
 Resolutions, memorials, and bills from 2016 regular session, returning to house of origin: ***HCR 4416 (2016)**
 Resolutions, memorials, and bills, reintroduction for 2015 first special session: ***HCR 4406 (2015)**
 Resolutions, memorials, and bills, reintroduction for 2015 second special session: ***SCR 8403 (2015)**
 Resolutions, memorials, and bills, reintroduction for 2015 third special session: ***SCR 8404 (2015)**
 Resolutions, memorials, and bills, reintroduction for 2016 first special session: ***SCR 8407 (2016)**
 Resolutions, memorials, and bills, reintroduction for 2016 regular session: ***HCR 4413 (2016)**
 Supreme court justices, constitutional amendment to create election districts for elections for: SJR 8205
 Tax increase actions, voter approval or certain exceptions for ratification, constitutional amendment requiring: SJR 8215
 Tax increase legislation, constitutional amendment to require two-thirds majority for approval: SJR 8200, SJR 8208, SJR 8209, SJR 8211, SJR 8212, SJR 8216
 Tax increases and fee increases, constitutional amendment concerning: SJR 8200, SJR 8211, SJR 8216
 Tax increases, fee increases, and advisory votes, constitutional amendment concerning: SJR 8208, SJR 8212

JUDGES (See also CIVIL PROCEDURE; COURTS; CRIMINAL PROCEDURE)

Disciplining of judge, for failure to self-disqualify, when: SB 6255
 District court, Skagit County, increasing judges: ***HB 1061, CH 25 (2015)**, SB 5174
 Elected officials, state, authorized leave of absence when charged with felony, PERS service credit: SB 6123
 Elected officials, state, voluntary salary reduction: SB 6127
 Financial affairs reporting, statement of financial affairs, requirements: HB 1397, SB 5308

Marriages, solemnizing by tribal court judges: HB 1113
 Officers, state, official duties of, modifying definition: SB 5785
 Retirement, Washington elected officials retirement savings plan, creating: SB 5980
 Superior courts, association of the superior court judges of the state of Washington, modifying name of: ***HB 2587, CH 179 (2016)**, SB 6538
 Supreme court justices, election districts for elections: SB 5685, SJR 8205

JUDGMENTS

Common interest, Washington uniform common interest ownership act: SB 5263
 Garnishment of wages, modifying "disposable earnings" definition: SB 5194
 Legal financial obligations, various provisions: E2SHB 1390, SB 5713, SB 6642

JUDICIAL CONDUCT, COMMISSION ON (See also ETHICS IN GOVERNMENT)

Disciplining of judge, for failure to self-disqualify, when, commission role: SB 6255
 Investigations, by commission staff, ensuring due process: SB 5771

JUVENILE COURT AND JUVENILE OFFENDERS (See also COURTS; FOSTER CARE; GUARDIANSHIP)

Adult court exclusive jurisdiction, elimination of, requiring decline hearing, provisions: SB 5652
 Adult criminal court, sentencing of youth for crimes committed as minors in, adding mitigating circumstances for: SB 6524
 Animal cruelty, in first degree, option to deny deferred disposition: ***ESHB 2906, CH 136 (2016)**, SB 6529
 Assault, domestic violence assault by juvenile, offense report discretion: ***ESHB 2906, CH 136 (2016)**
 Assault, domestic violence assault, arresting 16- and 17-year-olds: ***SB 5605, CH 113 (2016)**, SB 6529
 Chemical dependency, mental health, and/or co-occurring disorder treatment disposition alternative, creating: ***ESHB 2746, CH 106 (2016)**
 Correctional facility, juvenile, eastern Washington county consortium population requirement for, lowering: HB 2930
 Dependency proceedings, foster parents, right to be heard and reporting by: ***ESHB 2591, CH 180 (2016)**
 Dependency proceedings, guardian ad litem background information record disclosure: ***ESHB 1980, CH 224 (2015) PV**, SB 6020
 Dependency proceedings, issuance of summons, by whom: ***SHB 2405, CH 93 (2016)**, SB 5658
 Dependency proceedings, petitions, probation officer role, exception for DSHS: SB 6383
 Dependency proceedings, sales and use tax for therapeutic courts for: ***SB 5107, CH 291 (2015)**
 Dependency system, family peer mentoring from parents for parents program: SB 5486
 Detention facilities, booking juveniles arrested for domestic assault into: ***SB 5605, CH 113 (2016)**
 Detention facilities, strip searches, reasonable suspicion requirement: SB 5256
 Detention facilities, youth in for violating court orders, tracking: ***2SHB 2449, CH 205 (2016) PV**
 Detention rooms or houses, county authority for, raising population threshold: SB 6372
 Firearms, juvenile offenses while armed, modifying provisions: ***ESHB 2906, CH 136 (2016)**, SB 6529
 Foster care services, extended, youth dependent in at 18 with medical condition, dependency proceedings: 2SHB 1735, SB 5740
 Homeless youth, programs and services, as part of homeless youth act: 2SHB 1436, SB 5404
 Homeless youth, programs and services, certain records disclosure and information collection, when: ESHB 2834
 Jurisdiction, transfer for adult prosecution, discretionary decline hearing, lowering age limit for: SB 6365
 Juvenile justice, Washington state partnership council on, creating: SB 6557
 Legal financial obligations and fees, eliminating various: SB 5564
 Marijuana, misdemeanor convictions, vacation of: SB 6164
 Mental health, chemical dependency, and/or co-occurring disorder treatment disposition alternative, creating: ***ESHB 2746, CH 106 (2016)**
 Motor vehicle, taking without permission, first degree, juvenile offender sentencing: SB 6529
 Offenders, case records, release to office of civil legal aid: HB 1129
 Offenders, medium security basic training camp program, optional establishment by DSHS: ***HB 2217, CH 23 (2015)**
 Offenders, official juvenile court file, revising definition: ***SHB 2405, CH 93 (2016)**
 Offenders, records, access for state office of civil legal aid: ***ESB 5262, CH 262 (2015)**
 Offenders, rehabilitation and reintegration of, statutory modifications to aid: ***ESHB 2906, CH 136 (2016)**, SB 6529
 Offenders, terms completed before 21, rehabilitative and reentry services for: ***HB 1674, CH 156 (2015)**, SB 5663
 Offenses committed before age 18, various provisions, technical corrections to: ***SHB 1319, CH 134 (2015)**, SB 5839

Orders, court consultation of judicial information system before granting: ***SHB 1617, CH 140 (2015), *HB 2371, CH 89 (2016)**, SB 6402

Parental rights, termination of, court-ordered petition if parental response insufficient, when: SHB 1800

Parents for parents program, requirements, funding, evaluation: SB 5486

Permanency planning hearings, certain good cause exceptions, removing expiration of: ***HB 2140, CH 257 (2015)**

Permanency planning hearings, long-term foster care as goal, required findings and procedures: ***SB 5692, CH 270 (2015)**

Restitution, sealing of records and community service in lieu of, provisions: SB 5564

Restorative justice programs, referrals to: SHB 1505

Truancy, Becca task force recommendations, including court-ordered assessments: SB 5745

Truancy, community truancy boards: ***2SHB 2449, CH 205 (2016) PV**, SB 6497

Truancy, records, in judicial information system, provisions: SB 5658

Truancy, substance abuse assessment or mental health evaluation: ***2SHB 2449, CH 205 (2016) PV**

Truancy, truant student in contempt of court order, detention when, eliminating: SB 5651

Voyeurism, second degree, juvenile offender diversion option, when: HB 2970

LABOR (See also AGRICULTURE; DISCRIMINATION; EMPLOYMENT AND EMPLOYEES; LABOR AND INDUSTRIES, DEPARTMENT; PUBLIC EMPLOYMENT AND EMPLOYEES; UNEMPLOYMENT COMPENSATION; WAGES AND HOURS; WORKERS' COMPENSATION)

Arrests or convictions, employers prematurely asking applicants about: SB 5608

Athletes, junior ice hockey team members in certain leagues, excluding from "employee" for certain purposes, when:

***ESB 5893, CH 299 (2015)**

Basketball hoops, retractable, inspection requirements and safety and health standards for: SB 6386

Cesar Chavez day, recognizing March thirty-first as: HB 1560, SB 5565

Communications, between employees concerning compensation, protecting: SB 6651, SB 6655

Communications, between workers concerning wages and employment, protecting: ESHB 1646, SB 5630, SB 6442

Educational employees, during strike or stoppage, prohibiting compensation or sick leave or health benefits use: SB 6116

Employee reproductive choice act, reproductive health care coverage and unfair practices: SB 5026, SB 6493

Family and medical leave insurance, implementing: SB 5459

Farm internship pilot project, adding additional counties and expiration date: SB 5937

Health, industrial safety and health, L&I compliance inspection citation penalty, waiving, when: SB 6659

Human trafficking, definitions: SHB 1651, 2SHB 1651, ***SB 5342, CH 4 (2016)**, SB 6526

Human trafficking, for labor services, posting information in public restrooms: SB 5883

Human trafficking, labor services and sex trade, establishing human trafficking awareness day: ***SB 6376, CH 9 (2016)**

Human trafficking, labor services and sex trade, noncitizen victims of, processing of certain certification forms: SHB 2895

Human trafficking, labor services and sex trade, Washington state clearinghouse on human trafficking, creating: SB 5884

Human trafficking, state laws, criminal justice personnel training program on: SB 5933

Human trafficking, state task force against trafficking of persons, reestablishing: SB 5884

Intellectual property rights, assignment by state university staff and faculty, exceptions and prohibitions: SB 6107

Inventions, assignment to employer of employee's rights to, exceptions: SB 6106

Local employment laws and contracts, to apply equally to unionized and nonunionized employers, when: SB 5332

Local regulation of wages, hours, employee retention, and leave, county authority for: SB 6578

Noncompetition agreements, voiding, when: SB 6625

Ports, state, requesting aid to resolve Pacific maritime association and longshore and warehouse union negotiations: SJM 8009

Pregnant women, workplace accommodations for pregnancy and childbirth, when: ESHB 2307, SB 6149

Retaliation and discrimination against employees, providing protections: SB 5569

Safety and health, industrial, L&I compliance inspection citation penalty, waiving, when: SB 6659

State preemption and occupation of field of wages, hours, employee retention, and leave from employment: SB 6029

Unfair labor practices, ordering of interest arbitration: HB 1230

Unfair labor practices, subjecting employee to abusive work environment as: SB 6532

Unions, public employee collective bargaining, deauthorizing union security provisions: SB 5045

Unions, public sector, public disclosure of finances: ESB 5226

Unions, religious objector rights, nonassociation provisions, modifying: SB 5552

Unions, security provisions, prohibiting when workers only public for bargaining: SB 5671

Worker and community right to know fund, revising statutory provisions: ***HB 2444, CH 168 (2016)**, SB 6231

LABOR AND INDUSTRIES, DEPARTMENT (See also CONTRACTORS; PUBLIC WORKS; WORKERS' COMPENSATION)

Basketball hoops, retractable, safety and health standards for, L&I role: SB 6386
 Catastrophically injured workers, care for, pilot program concerning, department role: SB 5418
 Conversion vending units, advisory committee concerning, L&I to convene: ***SHB 2443, CH 167 (2016)**, SB 6496
 Conversion vending units, L&I requirements, applicability and exemptions: ***SHB 2443, CH 167 (2016)**, SB 6496
 Disabilities, permanent, hiring persons with, employer incentives, L&I to study: ***SHB 1496, CH 137 (2015)**, SB 5451
 Firefighters, hazardous exposures, reporting requirement, L&I rule making for: SHB 2805
 Firefighters, occupational disease, reporting requirement, L&I to convene work group: ***SHB 1604, CH 139 (2015)**
 Interpreters, spoken language services, purchasing from language access providers: SB 5664
 Ombuds for employers interacting with L&I, creating within department of commerce: SB 6081
 Pesticide applications, notice requirements, fines for violations, L&I role: SB 6507
 Safety and health, industrial, L&I compliance inspection citation penalty, waiving, when: SB 6659
 Taxpayer information, federal, certain applicants who will have access to, criminal history checks: SB 6252
 Vocational rehabilitation, subcommittee recommendations, making permanent, L&I role: ***SHB 1496, CH 137 (2015)**, SB 5451
 Workers' compensation, appeals of employer fines and civil penalties, penalizing L&I, when: SB 5507
 Workers' compensation, benefit accuracy working group, department to convene: ***ESB 5510, CH 178 (2015)**
 Workers' compensation, third-party recovery, reimbursement of L&I from, when: SB 5508
 Workers' compensation, voluntary settlement agreements and return to work provisions, studying, department role: SB 5516

LAKES AND RESERVOIRS

Aquatic invasive species, dreissenids (quagga and zebra mussels) prevention, requesting action by Congress: ***SJM 8013 (2015)**
 Lake water quality districts, including in definition of "special district": SB 5522

LAND USE PLANNING AND DEVELOPMENT (See also COLUMBIA RIVER GORGE COMMISSION; GROWTH MANAGEMENT; REAL ESTATE AND REAL PROPERTY)

Land use actions by certain state agencies, significant, empirical science use: SB 5622
 Local project review, vested rights doctrine, preserving common law interpretation and application: ESB 5921
 Railroads, freight rail dependent uses on land near, authorizing: SB 6334

LANDLORD AND TENANT (See also MANUFACTURED HOUSING AND MOBILE HOMES)

Deposits, refund payment and retention statement, deadline and delivery: ***ESB 6413, CH 66 (2016)**
 Eviction records, as part of consumer report, prohibiting, when: SB 5376
 Gangs, criminal street gang activity at rental properties, law enforcement notice to landlord: SB 5894
 Human trafficking, at rental properties, law enforcement notice to landlord: SB 5894
 Landlords, local modifications requirements and real estate excise tax revenue: ***EHB 2971, CH 138 (2016)**
 Landlords, requirements imposed on, information posting provisions: ***EHB 2971, CH 138 (2016)**
 Monetary judgments, entering against defendant under landlord-tenant acts, when possible: SB 5220
 Screening of tenants, comprehensive reusable tenant screening reports: ***ESB 6413, CH 66 (2016)**
 Screening of tenants, comprehensive tenant screening reports: SHB 1257, SB 5123
 Tenant's property, placed upon nearest public property, disposition: SB 5221
 Tenants, by sufferance, request for removal by law enforcement, when: SB 5894
 Tenants, deceased, landlord disposition of property in leased premises: SB 5538
 Tenants, landlord discrimination or refusal to rent, prohibiting, when: HB 1565, SB 5378
 Tenants, new, landlord to provide with voter registration information: SB 5259
 Tenants, rent increase or unit use change, relocation time and assistance: SB 5377
 Tenants, rent increases, increasing notice requirement for relocation time: SB 6592
 Termination, of month-to-month tenancies, increasing written notice time period requirement: SB 6441
 Unlawful detainer, conditions for guilt when at-will tenancy: SB 5218
 Unlawful detainer, definition, modifying: SB 5219
 Unlawful detainer, order to limit dissemination of, requirements: ***ESB 6413, CH 66 (2016)**

LAW ENFORCEMENT AND LAW ENFORCEMENT OFFICERS (See also CRIMINAL JUSTICE TRAINING COMMISSION; CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; JAILS; SHERIFFS AND POLICE CHIEFS, WASHINGTON ASSOCIATION OF)

Accident reports, surcharge for record requests to fund justice information data exchange: SB 6084
 Animals, cruelty to, authority of officers to act in cases of: ***SHB 2644, CH 181 (2016)**
 Cameras, body worn, legislative task force on law enforcement and corrections agency use of: ***EHB 2362, CH 163 (2016)**
 Cell site simulator devices, use without a warrant, prohibiting, exception: ***ESHB 1440, CH 222 (2015)**
 City police departments, court marshals of, adding to uniformed personnel for collective bargaining: SHB 2849, SB 6417
 Community policing services, western state hospital to contract for: SB 5261
 Criminal justice employees, residence of, GPS data indicating, public disclosure exemption: ***SB 5482, CH 91 (2015)**
 Criminal offender supervision, peace officers assisting department of corrections: SB 5783, ***SB 6459, CH 234 (2016)**
 Crisis intervention training for new officers, requirements: SB 5311
 Custody, persons in, health care at hospitals, accompanying and payment of hospital for: SB 5593
 Deadly force, policing and the use of, task force on, convening: SB 6621
 Deadly force, use in community policing, joint legislative task force, establishing: ***ESHB 2908, CH 200 (2016)**
 Deadly force, use of by law enforcement, data reporting requirements: SB 6294
 Developmental disability, person with, residing at address, alerting officers regarding: SB 6465
 Disability, person with, alerting first responders when at scene: SHB 2287
 Disability, person with, training program for first responders when at scene: SHB 2287
 Emergencies, providing call location and information to law enforcement: SB 5158
 Firearms, dealer deliveries to officers, requirements: SB 5476, SB 5539
 Firearms, privately owned, return to owner by law enforcement agency: SB 5381
 Firearms, transfers involving officers, background check exemption, when: SB 5615
 Fish and wildlife enforcement officers, commissioned, interest arbitration for: SB 5763
 Forensic phlebotomists, when law enforcement officers, venipuncture training program for: SB 5066
 Gangs, criminal street gang activity at rental properties, law enforcement response: SB 5894
 Gangs, gang data bases, exemption from disclosure: ***ESHB 1980, CH 224 (2015) PV**, SB 6020
 Hiring and continuing employment, lawful permanent residents, extending eligibility to, when: HB 2543, SB 6319
 Homicide, justifiable, by law enforcement, data reporting requirements: SB 6294
 Homicide, justifiable, use of deadly force in community policing, joint legislative task force, establishing: ***ESHB 2908, CH 200 (2016)**
 Human trafficking, at rental properties, law enforcement response: SB 5894
 Human trafficking, state laws, criminal justice personnel training program on: SB 5933
 Impeachment, officers susceptible to, disciplinary or adverse actions against, prohibited, when: HB 1512, SB 5589
 Indian tribal officials, access to prescription drug monitoring database: ***HB 1637, CH 49 (2015)**, SB 5290
 Investigative law enforcement officer, as deceased victim's representative at sentencing hearing: SB 6099
 Juvenile, 16 or 17, assaulting family or household member, arresting: ***SB 5605, CH 113 (2016)**, SB 6529
 Liquor control board enforcement officers, provisions: SB 5399
 Liquor enforcement officers, authority in relation to state, county, and municipal officers: SB 6305
 Officers, traffic infractions issued by, considering during performance reviews, prohibiting: HB 2399
 Peace officers, criminal offender supervision, assisting department of corrections: SB 5783, ***SB 6459, CH 234 (2016)**
 Recorders, law enforcement oversight, requirements: SB 5732
 Recordings, video or sound, access by individuals interacting with officers: ***EHB 2362, CH 163 (2016)**
 Recordings, video or sound, by law enforcement officers using body camera: ***EHB 2362, CH 163 (2016)**
 Retired officers, firearms possession on school facilities, permitting, when: SB 5500
 Sensing devices, extraordinary, use by law enforcement, requirements and prohibitions: ESHB 1639, SB 5714
 Sexual assault, examination kits for, law enforcement handling of: ***SHB 1068, CH 247 (2015)**, SB 5225
 Sexual assault, examination kits, examining kits not submitted and reinvestigating cases, grant program: SB 6484
 Sexual assault, examination kits, sexual assault kit program and account, creating: ***2SHB 2530, CH 173 (2016)**, SB 6484
 Sexual assault, examination kits, statewide kit tracking system, creating: ***2SHB 2530, CH 173 (2016)**, SB 6484
 Sexual assault, examinations and untested kits, review of best practice models: ***SHB 1068, CH 247 (2015)**
 Sheriff's offices, civil service commissions for, chief examiners of, requirements: ***EHB 1752, CH 82 (2016)**

Sheriff's offices, court marshals of, adding to uniformed personnel for collective bargaining: HB 1987, SB 5239, ***ESB 6092, CH 6 (2015)**

Sheriffs and police chiefs, Washington association of, mental health agency referrals after suicide attempt report, model policy: ***2SHB 1448, CH 158 (2016)**

Sheriffs, financial affairs statement, requirements: HB 1397, SB 5308

State patrol, cannabinoids, cathinones, and methcathinones, synthetic, pilot program for instant identification: ESB 5673

State patrol, felony firearm offenses conviction database, provisions: ***SHB 2410, CH 94 (2016)**

State patrol, fire training academy, delivery of basic training and testing: ***SHB 1382, CH 43 (2015)**, SB 5455

State patrol, first responder alert program for persons with developmental disabilities, administering: SB 6465

State patrol, hiring of newly trained troopers, payback system for organizations for: SB 6331

State patrol, identification and criminal history section, fingerprint background checks: SB 5720

State patrol, officer salaries and benefits, competitive: SB 5304, SB 6331, SB 6547

State patrol, one-time pay increase for troopers, sergeants, lieutenants, and captains: ***E2SHB 2872, CH 28 (2016)**

State patrol, outreach and marketing strategic plan for recruitment, developing: ***E2SHB 2872, CH 28 (2016)**, SB 6547

State patrol, recruiting and retaining commissioned officers: ***E2SHB 2872, CH 28 (2016)**

State patrol, routine traffic enforcement, eliminating reporting requirement: ***EHB 2883, CH 197 (2016)**

State patrol, task force on missing and exploited children, terminating advisory board for: ***SB 5270, CH 208 (2016)**

State patrol, trooper and sergeant salaries, competitive: ***E2SHB 2872, CH 28 (2016)**

State patrol, wireless telecommunications provider contact information database, maintaining: SB 5158

Students, warrantless search exception for school resource officers and local police school liaison officers: SB 6230

Suicide, reports of threatened or attempted, law enforcement agency procedures: ESHB 1448, ***2SHB 1448, CH 158 (2016)**, SB 5781

Suicide, reports of threatened or attempted, referrals by agencies: ***2SHB 1448, CH 158 (2016)**

Tribal enforcement agencies, state parks civil infractions enforcement, when: ***SHB 2765, CH 185 (2016)**

Vulnerable adult protection orders, persons violating, arrest without warrant: ***SHB 1316, CH 248 (2015)**

Vulnerable adult protection orders, persons violating, arrest without warrant by peace officer: SB 5250

Warrant officers, in police departments, authority to establish, requirements, duties: SB 5004

LEGISLATIVE AUDIT AND REVIEW COMMITTEE, JOINT

Corrections, department of, classified staff, binding interest arbitration for, committee to review: SB 6126

Data, office of privacy and data protection, creating, JLARC review of: ***SHB 2875, CH 195 (2016)**

Family medicine residency training grant program, committee to audit: SB 5939

Federal funding programs, requiring changes in state statutes, committee to report concerning, when: SB 5594

Homeless youth, unaccompanied, state-funded programs for, JLARC review of, goals: SB 5932

Impact fees, for single-family residential construction permits, deferred collection, JLARC review of requirements for: ***ESB 5923, CH 241 (2015)**

K-12 classroom teachers, maternity and paternity leave for, studying: SB 6431

Mental health care, service models for students, JLARC inventory of: ***E2SHB 2439, CH 96 (2016)**, SB 6432

Pilotage commissioners, board of, performance audit of, committee to conduct: SB 6124

Reentry council, Washington statewide, JLARC performance audit of: ***2SHB 2791, CH 188 (2016)**

Spending programs, new statutory state, requiring periodic review by committee: ESB 5944

University of Washington alternative process for medical facilities contract-awarding, JLARC evaluation of: ESB 6617

Wages, public agency pay schedules, review of for pay disparities, JLARC to conduct: SB 6651, SB 6655

LEGISLATIVE ETHICS BOARD (See also ETHICS IN GOVERNMENT; LEGISLATURE)

Food and beverage gifts, provisions: SB 5383

Investigations, by board staff, ensuring due process: SB 5771

LEGISLATIVE EVALUATION AND ACCOUNTABILITY PROGRAM COMMITTEE

Web sites for state expenditures and contracting information, committee role: SB 5081

LEGISLATURE (See also BUDGETS; ECONOMIC AND REVENUE FORECAST COUNCIL; ELECTIONS; ETHICS IN GOVERNMENT; HEALTH CARE OVERSIGHT, JOINT SELECT COMMITTEE ON; HOUSE RESOLUTIONS; INITIATIVE AND REFERENDUM; LEGISLATIVE AUDIT AND REVIEW COMMITTEE, JOINT; LEGISLATIVE COMMITTEE ON ECONOMIC DEVELOPMENT AND INTERNATIONAL RELATIONS; LEGISLATIVE ETHICS BOARD; SENATE RESOLUTIONS)

Administrative rules review committee, joint, appointments to: ***EHB 2253, CH 11 (2015)**

Administrative rules review committee, joint, petitions to: ***EHB 2253, CH 11 (2015)**, SB 5274, SB 5364
 Administrative rules review committee, joint, proposed rules, suspending rule making: SB 5274
 Agencies, state, yearly report to legislature concerning quality management, accountability, and performance systems: SB 6424
 Agency rule making and policies, fish and wildlife, legislative ratification and abrogation: SB 5372
 Agency rule making, ecology policies, legislative ratification: SB 5366
 Agency rule making, legislative abrogation of rules: SB 5365, SB 5367, SB 5372
 Agency rule making, legislative ratification: SB 5368
 Aging and disability, joint legislative executive committee on, establishing: SB 5436
 Ballot propositions, hearings on, authorizing: SB 5661
 Bills and other legislation, cutoff dates: ***SCR 8400 (2015)**, ***SCR 8406 (2016)**
 Bills, fee increases in, simple majority for approval, when: SJR 8200, SJR 8208, SJR 8211, SJR 8212, SJR 8216
 Bills, fee increases in, ten-year cost projections by office of financial management, removing requirement for: SB 6186
 Bills, memorials, and resolutions from 2015 first special session, returning to house of origin: ***HCR 4407 (2015)**
 Bills, memorials, and resolutions from 2015 regular session, returning to house of origin: ***HCR 4404 (2015)**
 Bills, memorials, and resolutions from 2015 second special session, returning to house of origin: ***HCR 4409 (2015)**
 Bills, memorials, and resolutions from 2015 third special session, returning to house of origin: ***HCR 4411 (2015)**
 Bills, memorials, and resolutions from 2016 first special session, returning to house of origin: ***HCR 4418 (2016)**
 Bills, memorials, and resolutions from 2016 regular session, returning to house of origin: ***HCR 4416 (2016)**
 Bills, memorials, and resolutions, reintroduction for 2015 first special session: ***HCR 4406 (2015)**
 Bills, memorials, and resolutions, reintroduction for 2015 second special session: ***SCR 8403 (2015)**
 Bills, memorials, and resolutions, reintroduction for 2015 third special session: ***SCR 8404 (2015)**
 Bills, memorials, and resolutions, reintroduction for 2016 first special session: ***SCR 8407 (2016)**
 Bills, memorials, and resolutions, reintroduction for 2016 regular session: ***HCR 4413 (2016)**
 Candidates, for statewide office, criminal charges against or investigation of, disclosure: SB 6108
 Contributions, to legislator, when any biennial budget not adopted during regular session: SB 6137
 Council for the Pacific Northwest economic region, state, legislative committee on creation of, establishing: SB 6479
 Cutoff dates: ***SCR 8400 (2015)**, ***SCR 8406 (2016)**
 Deceased former members, joint session to honor: ***SCR 8401 (2015)**
 Education funding task force, reporting recommendations to legislature: ESHB 2366, SB 6195
 Education, K-12 appropriations, basic education funding to be determined in omnibus appropriations act: SB 6079
 Elected officials, creating Washington elected officials retirement savings plan: SB 5980
 Elected officials, financial affairs reporting, suspending or modifying, for whom, when: HB 1397, SB 5308, SB 5309
 Elected officials, state, authorized leave of absence when charged with felony, PERS service credit: SB 6123
 Elected officials, state, voluntary salary reduction: SB 6127
 Elected officials, statewide, criminal charges against or investigation of, disclosure of: SB 6108
 Elk, updated North Cascade herd plan, legislative review after DFW approval: SB 6199
 Employment relations, joint committee on, role in collective bargaining agreement financial feasibility determinations: SB 6126
 Evaluation of the legislature, Washington state commission on, establishing: SCR 8402
 Federal lands in state, transfer of, establishing legislative task force to study: SB 5405
 Fee increases, simple majority vote, prohibiting approval in omnibus appropriations act: SB 6604
 Fiscal analysis, nonpartisan agency for, work group to consider establishing on behalf of legislature: SB 5667
 Fiscal committees, reporting on state agencies' performance to, OFM duties: SB 5278
 Fiscal impact, dynamic fiscal impact statements, instituting: SB 5915
 Fiscal notes, for legislation concerned with certain issues and fiscal impacts: SB 5667
 Fiscal notes, various provisions: SB 5915
 Forecasts, economic and revenue, on same date during all legislative sessions: SB 5064
 Gifts, including food and beverages, requirements, prohibitions, reporting: SB 5383, SB 5386
 Haugen, Mary Margaret, former representative and senator, requesting Stanwood railway station be named Mary Margaret Haugen Station: SJM 8023
 Hospitals, state, select committee on quality improvement in, establishing: E2SHB 2453
 Increases, tax increase actions, voter approval or certain exceptions for ratification, requiring: SJR 8215
 Joint rules, adoption: ***HCR 4402 (2015)**
 Joint session, medal of merit and medal of valor recipients, honoring: ***HCR 4403 (2015)**

Joint session, state of state message: ***HCR 4400 (2015), *HCR 4414 (2016)**
 Laws, unnecessary administrative and codified, legislative removal and repeal procedures: SB 6380
 Legislation, 2015, technical corrections as part of tax and licensing law improvements: SB 6438
 Legislation, pending, processes for prerecorded video and written testimony: SB 5267
 Legislators, postemployment disclosure statement: SB 6258
 Lobbyists, gifts from, requirements, prohibitions, reporting: SB 5383, SB 5386
 Officers, state, ethics defense trust funds, authority to establish, when: SB 5849
 Officers, state, official duties of, modifying definition: SB 5785
 Pension policy, select committee on, state patrol recruitment and retention study recommendations, role in implementation: ***E2SHB 2872, CH 28 (2016)**
 Ports, Washington's largest, joint select committee on, establishing: ESB 6631, SB 6681
 Racial and ethnic impact statements regarding crime legislation, requirements: SB 5755, SB 6143, SB 6641
 Racial impact statements, for bills and resolutions, procedure for providing: SB 5752
 Regional transportation planning organizations, legislative members, voting and nonvoting: SB 5200
 Session, 2015 first special, adjourning SINE DIE: ***HCR 4408 (2015)**
 Session, 2015 regular, adjourning SINE DIE: ***HCR 4405 (2015)**
 Session, 2015 second special, adjourning SINE DIE: ***HCR 4410 (2015)**
 Session, 2015 third special, adjourning SINE DIE: ***HCR 4412 (2015)**
 Session, 2016 first special, adjourning SINE DIE: ***HCR 4419 (2016)**
 Session, 2016 regular, adjourning SINE DIE: ***HCR 4417 (2016)**
 Task force for rail transportation in Washington state, establishing: SB 6506
 Task force on law enforcement and corrections agency use of body worn cameras, establishing: ***EHB 2362, CH 163 (2016)**
 Task force on school siting, creating: ESHB 1420
 Task force on sexual assault examinations and untested examination kits, role of: ***SHB 1068, CH 247 (2015)**
 Task force on state and local regulations that affect small businesses with fifty or fewer employees, establishing: SB 6033
 Task force on state building code council's administration and operations, establishing: SHB 2841, SB 6525
 Task force on Washington's clean energy economy, establishing: SB 6545
 Task force, joint legislative-executive overtime oversight task force, creating: ***E2SHB 1725, CH 30 (2016)**
 Task force, joint, on fostering innovation and retaining and creating jobs in Washington, establishing: SB 5934
 Task force, joint, on industrial insurance privatization, establishing: SB 6579
 Task force, joint, on injured workers' independent medical exams, establishing: SB 6597
 Task force, joint, on juvenile sentencing reform, recommendations of, implementing: SB 5652
 Task force, joint, on private competition for industrial insurance, establishing: SB 5420
 Task force, joint, on use of deadly force in community policing, establishing: ***ESHB 2908, CH 200 (2016)**
 Tax increase legislation, simple majority approval for one-year effective period or two-thirds majority for approval: SB 6604
 Tax increase legislation, two-thirds majority for approval: SJR 8200, SJR 8208, SJR 8209, SJR 8211, SJR 8212, SJR 8216
 Tax increases and fee increases, constitutional amendment concerning: SJR 8200, SJR 8211, SJR 8216
 Tax increases, fee increases, and advisory votes, constitutional amendment concerning: SJR 8208, SJR 8212
 Transportation committee, joint, interstate 405 express toll lanes, studying: SB 6675
 Transportation committee, joint, state patrol recruitment and retention study, implementing recommendations of: ***E2SHB 2872, CH 28 (2016)**
 Transportation committee, joint, studying issuance of drivers' licenses to persons unable to prove lawful presence in U.S.: SB 6679
 Water supply during drought, joint legislative committee on, modifying provisions: E2SHB 1836
 Working group, on Washington assessment of student learning, recommendations of, review: SB 6040

LIBRARIES

Firearms in libraries, local jurisdiction regulation of: SB 6351
 Fund-raising activity, library contest of chance prizes, use tax exemption: ***ESB 6013, CH 32 (2015)**
 Rural county library districts, trustee appointment and librarian selection processes, in certain counties: SB 6018
 Rural county library districts, trustee appointment processes, in certain counties: SB 6313

LICENSING, DEPARTMENT (See also BOATS AND BOATING; DRIVERS AND DRIVERS' LICENSES; IDENTIFICATION; MOTOR VEHICLES; PROFESSIONAL ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR; REAL ESTATE AND REAL PROPERTY; SPORTS)

- Child support orders, licensees not in compliance with, notice to responsible parent by DSHS: SB 6495
- Drivers, case record for each, eliminating index cross reference accident record requirement: ***EHB 2883, CH 197 (2016)**
- Drivers, habitual offenders, improvement course for, department to develop: SB 6595
- Drivers, vehicle insurance verification program, department to develop: SB 6595
- Firearms, concealed pistol license, renewal notice requirements: SB 6267
- License plates, fees and purchasing, department role: SB 5429
- Nondomiciled commercial learner's permit or commercial driver's license, issuance to person domiciled outside state: SB 6591, SB 6678
- REAL ID act of 2005, federal, issuance of driver's license or identocard acceptable for federal government official purposes: SB 6678
- Security guards, private, licensing of, fingerprint background checks: SB 5592
- Uniform commercial code, office rule filings, surcharge for: ***HB 1090, CH 65 (2015)**, SB 5058
- Uniform commercial code, security interest, when not created by transaction in form of lease: ***SB 5032, CH 107 (2015)**
- Vessels, owner information, disclosure, when: ***EHB 1409, CH 80 (2016)**, SB 5397
- Vessels, permits for nonresident persons who are not individuals, including sales and use tax exemption eligibility: SB 5878
- Vessels, reports of sale, department duties after filing of: ***EHB 2190, CH 148 (2015)**
- Voter registration, department as qualified agency for: SHB 2682, SB 6379

LIFE SCIENCES DISCOVERY FUND AUTHORITY

- Cancer research, funding, authority role, including scientific review and advisory committee(s): SB 6101
- Life sciences and cancer research, center of excellence for, merging authority with cancer research endowment authority to create: HB 2679
- Marijuana research, by research licensees, authority role: ***2E2SHB 2136, CH 4 (2015)**, ***SB 5121, CH 71 (2015)**, SB 6136
- Marijuana research, by research licensees, discontinuing authority role: SB 6177
- Membership, increasing, and including nominations from certain cancer care and research institutions: SB 6101

LIGHTING

- Mercury-containing lights, environmental handling charge, B&O tax exemption: ***SHB 1619, CH 185 (2015)**, SB 5563

LIMITED LIABILITY COMPANIES (See also PARTNERSHIPS)

- Limited liability company act, repealing and replacing existing sections: SB 5030
- Limited liability company act, revisions: ***SB 5387, CH 176 (2015)**
- Marijuana, recreational, excise taxes, limited liability entity failure to remit: ***2E2SHB 2136, CH 4 (2015)**, SB 5003, SB 5467, SB 6136
- Review of company document by secretary of state, face and cover sheets: ***SHB 2359, CH 202 (2016) PV**, SB 6492
- Uniform business organizations code--general provisions, creating: ***SB 5387, CH 176 (2015)**
- Vessels, permits for nonresident limited liability companies, including sales and use tax exemption eligibility: SB 5878

LIQUOR AND CANNABIS BOARD (See also LIQUOR CONTROL BOARD)

- Enforcement officers, liquor, authority in relation to state, county, and municipal officers: SB 6305
- Farmers markets, wine and beer samples at, wineries and microbreweries offering: SB 6390
- Licensees, card of identification, various provisions: SB 6470
- Licensees, technical changes, various: SB 6470
- Licensees, various, purchase of liquor, repealing provision: SB 6470
- Licenses, beer and/or wine specialty shop license, wine retailer reseller endorsement to, creating: ***SHB 2831, CH 190 (2016)**
- Licenses, special occasion, not-for-profit organizations, wine sales for on-premises consumption: SB 6470
- Licenses, special occasion-licensed event, winery's own wine for off-premises consumption, retail sales endorsement: SB 6470
- Marijuana, product traceability information submitted to board, disclosure exemption, when: ***SHB 2584, CH 178 (2016)**, ESB 6207

Marijuana, recreational businesses, unsellable marijuana disposal, board role: ***HB 2521, CH 171 (2016)**, SB 6303
 Marijuana, research license, scientific reviewer to review applications, board role: SB 6177
 Permits, special, private collection of wine or spirits, sale of: SB 6470
 Permits, special, tasting and selling brewery's own beer at private event: ***HB 2605, CH 129 (2016)**, SB 6346
 Vapor products, comprehensive regulation of, board role: SB 6328
 Vapor products, comprehensive regulation of, including tax to be imposed, board role: E2SHB 1645
 Vapor products, labeling and advertising requirements, board rule-making for: E2SHB 1645

LIQUOR CONTROL BOARD (See also ADMINISTRATIVE PROCEDURE; ALCOHOLIC BEVERAGES; LIQUOR AND CANNABIS BOARD)

Enforcement officers of board, provisions: SB 5399
 Farmers markets, spirits sales by distilleries and craft distilleries, endorsement for: SB 5353
 Licenses, craft distilleries, sales at farmers markets: SB 5353
 Licenses, distilleries and craft distilleries, endorsement for wine and beer sales by: SB 5353
 Licenses, distilleries and craft distilleries, shipping own spirits to residents: SB 5353
 Licenses, distilleries and craft distilleries, various sales of beer, wine, and spirits by: SB 5353
 Licenses, grocery store licensees, endorsement for on-tap cider and beer sales, conditions: SB 5280
 Licenses, microbreweries, sales at farmers markets: SB 5353
 Licenses, microbreweries, various sales of beer, wine, and spirits by: SB 5353
 Licenses, nonretail, liquor handling and transporting by employees between 18 and 21, when: ***ESB 5504, CH 33 (2015)**
 Licenses, special occasion, wine sales for on-premises consumption: SB 5155
 Licenses, spirits retail, beer and/or wine specialty shops with, industry member personal services offered to: SHB 2342
 Licenses, spirits retail, license issuance fee provisions: ***E2SHB 1807, CH 186 (2015)**, SB 5660
 Licenses, spirits retail, nonprofit organizations, exemption from issuance fee and certain sales taxes: SB 5353
 Licenses, temporary additional fee on all, exceptions: ***ESHB 1965, CH 26 (2015)**, SB 5400
 Licenses, tobacco products retailer, endorsement for cigar lounge or retail tobacconist shop: SB 5917
 Licenses, wineries, sales at farmers markets: SB 5353
 Licenses, wineries, various sales of beer, wine, and spirits by: SB 5353
 Liquor and cannabis board, Washington state, renaming board as: ***2E2SHB 2136, CH 4 (2015)**, SB 5052, SB 6136
 Marijuana, common carrier transportation of, rules for licensing: ***2E2SHB 2136, CH 4 (2015)**, SB 5051, SB 6136
 Marijuana, comprehensive marijuana market reform, regulation and taxation: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, consumption, informational material concerning, board role in funding with donations: ***2E2SHB 2136, CH 4 (2015)**, SB 5401, SB 6136
 Marijuana, delivery and distribution licenses, creating: SB 5572
 Marijuana, medical and recreational, comprehensive marijuana reform act, board role: SB 5519
 Marijuana, recreational businesses, licensing of: ***2E2SHB 2136, CH 4 (2015)**, SB 5417, SB 5572, SB 6136
 Marijuana, recreational businesses, vending machines or drive through, licensure prohibition: ***2E2SHB 2136, CH 4 (2015)**, SB 5903, SB 6136
 Marijuana, recreational, excise taxes, limited liability entity failure to remit to board: ***2E2SHB 2136, CH 4 (2015)**, SB 5003, SB 5467, SB 6136
 Permit, special, alcohol tasting by certain post-secondary students: ***HB 1004, CH 59 (2015)**, SB 5001
 Permit, special, wine manufacturer private tasting and selling event: SB 5596
 Permits, special occasion or banquet, sales of beer, wine, and spirits: SB 5353
 Permits, temporary additional fee on all, exceptions: ***ESHB 1965, CH 26 (2015)**, SB 5400
 Vapor products, comprehensive regulation of, including tax to be imposed, board role: SB 5573
 Vapor products, labeling and advertising requirements, board rule-making for: SB 5477

LIVESTOCK (See also FARMS AND FARMING; HORSES; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Abuse of animals, offender registration and animal abuse registry: SB 6234
 Animal feeding operations, concentrated, discharging to groundwater, general permit issuance and program for: SB 6568
 Assessment by beef commission, modifying provisions: SB 6638
 Cowboy, national day of the, recognizing as state legal holiday: SB 5540
 Cruelty to livestock, modifying relevant provisions: SB 5501
 Fire suppression on public lands, livestock owner access for livestock care: ***ESHB 2925, CH 109 (2016)**
 Hemp, as commercial animal feed component, study of: ***HB 1268, CH 106 (2015)**

Impounded livestock, placement and sale of, priority alternative for: SHB 2500
 Movement of livestock, reporting system, establishing: SB 5733
 Wildlife damage to livestock, compensation claim damage assessor costs, DFW responsibility: SB 6450
 Wildlife damage to livestock, compensation claims, prohibiting DFW management actions until paid: SB 5712
 Wolf interactions with livestock, managing with lethal means, when: SB 5963

LOANS (See also MORTGAGES AND MORTGAGE BROKERS)

Small loans, borrowing, borrower twelve-month limit, raising: SB 5613
 Small loans, eliminating payday loans and creating small consumer installment loan: SB 5899

LOCAL GOVERNMENT (See also ELECTIONS; EMINENT DOMAIN; GROWTH MANAGEMENT; OPEN PUBLIC MEETINGS; PUBLIC LANDS; PUBLIC WORKS; RECORDS; SPECIAL AND SPECIAL PURPOSE DISTRICTS)

Architectural services, contracts for joint agency utilization of: SB 5348
 Audits, financial, by licensed CPA firm rather than state auditor: ESHB 2148
 Bridges, local government-owned structurally deficient, expedited permitting and contracting: *SHB 1851, CH 144 (2015)
 Buildings, critical governmental facilities, combined heat and power for energy savings: *E2SHB 1095, CH 19 (2015)
 Cell site simulator device, use by government, restrictions: *ESHB 1440, CH 222 (2015)
 Creative districts, state-certified, designation and certification of: SHB 2583
 Disaster areas, designated, area creation and financing with bonds and local sales and use tax: SB 6316
 Elected officials, creating Washington elected officials retirement savings plan: SB 5980
 Electronic submissions and signatures, agency options for establishing method: *SHB 2427, CH 95 (2016), SB 6315
 Employment laws and contracts, local, to apply equally to unionized and nonunionized employers, when: SB 5332
 Engineering services, contracts for joint agency utilization of: SB 5348
 Environmental statutes, various involving department of ecology, updating for local government flexibility: SB 6257
 Firearms in public places, regulation by certain local authorities: SB 6351
 Fiscal agents, state, appointment by local governments: *HB 2741, CH 105 (2016), SB 6397
 Highway projects, written shoreline exemptions, government entity deadline: SB 5855
 Homeless, hosting by religious organization, limits imposed by local government, prohibiting: HB 2929
 Homeless, hosting by religious organization, limits imposed by local government, restricting or prohibiting: 2EHB 2086, SB 5900
 Homeless, hosting by religious organization, public health and safety agreements, local government action regarding: 2EHB 2086
 Housing, affordable, very low-income, local government property tax exemption program for: SB 6239
 Indebtedness, instruments of, issuance of duplicate by local government officer: SB 5767
 Information technology infrastructure and security, governing body executive sessions concerning: HB 1561
 Infrastructure project areas, local, provisions: EHB 1513
 Infrastructure, essential public, bonds to fund, provisions: 2ESB 5624
 Infrastructure, public, state debt guarantee for, constitutional amendment to allow: 2ESJR 8204
 Infrastructure, Washington investment trust, creating for funding of: SB 5553
 Infrastructure, Washington publicly owned trust, creating for funding of: SB 5971
 Investment authority and options of local governments, modifying provisions: SHB 2936, *ESB 6349, CH 152 (2016), SB 6596
 Local revitalization financing, demonstration projects, bond issuance exemption, when: *SB 5249, CH 112 (2015)
 Local revitalization financing, infrastructure project awards, provisions: SB 5109
 Notices, public, about risks and during emergencies, to include notices for non-English-proficient persons: SB 6530
 Officials, public, signature attestation by secretary of state: *SB 6491, CH 23 (2016) V
 Procurement by public agencies, from nonprofit agencies for the blind: *HB 2398, CH 40 (2016)
 Public disclosure, government entities to pay fee to public disclosure commission: SB 5867
 Public works assistance account, local government loan repayment amounts to, forgiving, when: SB 6508
 Sensing devices, extraordinary, use by government agencies, requirements and prohibitions: ESHB 1639, SB 5714
 Vapor products, political subdivision regulation of, when: E2SHB 1645
 Warrants for payment, duplicate, issuance by local government officer: SB 5767

LONG-TERM CARE (See also DEVELOPMENTAL DISABILITIES, PERSONS WITH; LONG-TERM CARE OMBUDS, OFFICE OF STATE; PUBLIC EMPLOYMENT AND EMPLOYEES)

- Adult family homes, DSHS orders in actions against providers, licensee right to apply for stay of: SB 5877
- Adult family homes, licensing and fees: ***SHB 1132, CH 66 (2015)**, SB 5796
- Adult family homes, provider collective bargaining, "feasible financially for the state" for purposes of agreements: SB 6126
- Adult family homes, provider collective bargaining, unit representatives periodic certification elections: SB 6410
- Assisted living facilities, provision of continuing nursing services by: SB 5028
- Assisted living facilities, with medicaid contract, overpayment of B&O taxes refund period, extending, when: SB 6599
- Continuing care retirement communities, registration and operating: ***2SHB 2726, CH 183 (2016)**
- Home and community-based long-term care services, payment rate methodology and medicaid access incentive payment: SB 5802
- Nursing facility medicaid payment system, case mix classification methodology, modifying: SB 6335
- Nursing facility medicaid payment system, increased staffing standards for, studying impact of: SB 6010
- Nursing facility medicaid payment system, new rate-establishing system, adoption: ***SHB 1274, CH 2 (2015)**, SB 5152
- Nursing facility medicaid payment system, quality care and quality workforce, multiple strategies: SB 6010
- Nursing facility medicaid payment system, rate-establishing system, modifying: ***SHB 2678, CH 131 (2016)**, SB 6240
- Nursing homes, case mix classification methodology, modifying: SB 6335
- Nursing homes, staffing standards and payment methodology: ***SHB 1274, CH 2 (2015)**, ***SHB 2678, CH 131 (2016)**, SB 6240
- Nursing homes, with medicaid contract, overpayment of B&O taxes refund period, extending, when: SB 6599
- Personal care services, from family member, consumer-directed medicaid program for: SB 6662
- Personal needs allowance, medicaid services, increasing for long-term care: SB 6555
- Preparing for long-term care, feasibility study and actuarial modeling of options for: SB 5258
- Prescription drugs, pharmacy dispensing for certain facilities: SB 6203
- Providers, collective bargaining to be considered as open public meetings: SB 6126
- Providers, collective bargaining, "feasible financially for the state" for purposes of agreements: SB 6098, SB 6126
- Providers, collective bargaining, excluding retirement benefits as subject of, when: SB 5515
- Providers, hours per week, number paid for and assignment by consumer: SHB 1725, ***E2SHB 1725, CH 30 (2016)**, SB 5709
- Providers, joint legislative-executive overtime oversight task force, creating: ***E2SHB 1725, CH 30 (2016)**
- Providers, when public employees for collective bargaining, retirement plan restrictions and ineligibility for PERS: SB 6126
- Workers, training and certification exemptions for, removing expiration dates: ***HB 1531, CH 152 (2015)**, SB 5599

LONG-TERM CARE OMBUDS, OFFICE OF STATE

- Developmental disabilities, persons with, creating near fatality review system, ombuds program role: SB 6564

LOTTERY, STATE

- Raffle tickets, statewide, to benefit traffic congestion relief efforts, requirements: SB 5973
- Revenues, deposited in certain accounts, distribution: SB 5681
- Revenues, forecasts by economic and revenue forecast council, independent forecast for same revenues: SB 5681
- Unclaimed lottery prize balance, when over certain amount, transfer to opportunity pathways account: SB 5681

LOW-INCOME PERSONS (See also HOMELESS PERSONS; HOMES AND HOUSING)

- Affordable housing, county local option sales and use tax for: ***ESHB 2263, CH 24 (2015)**
- Affordable housing, very low-income, local government property tax exemption program for: SB 6239
- Community learning center program, low-income communities, targeting: SB 5814
- Expanded learning opportunities council, membership, to include low-income communities: SB 5721
- Homeownership development, low-income by nonprofit, property tax exemption: SB 6211
- Housing assistance program, funds for promoting homeownership for low-income households: SB 5655
- Housing, creating affordable housing for all program, county task forces, and plans: SB 6422
- Housing, low-income weatherization program, weatherization plus health initiative: ***HB 1720, CH 50 (2015)**
- Residential energy efficiency incentive pilot program, property tax exemption for eligible retrofit projects: SB 6276
- Students, low-income, housing assistance program funds for certain projects to aid: ***EHB 1633, CH 155 (2015)**, SB 5578

Tenants, rent increase or unit use change, relocation time and assistance: SB 5377

MANUFACTURED HOUSING AND MOBILE HOMES

Communities, landlord's actual utility costs, defining: SB 6546

Location restrictions, prohibiting in certain cases, when: SB 5869

Manufactured homes, title and registration certificates, tenant to maintain: SB 5217

Manufactured homes, title certificates, withholding issuance, when: SB 6153

Manufactured housing and mobile homes, deposit of non-fine moneys into dedicated account: EHB 1465, SB 5598

Mobile home parks, closed or converted, tenant relocation assistance eligibility: SB 6461

Monetary judgments, entering against defendant under landlord-tenant acts, when possible: SB 5220

Rental agreements, renewal of, requirements: SB 5216

MANUFACTURING AND TECHNOLOGY (See also COMPUTERS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Castings, for industrial applications, wax and ceramic materials for molds for, permanent sales tax exemption: SB 5702

Chemicals, highly toxic, targeting and replacing, manufacturer requirements: E2SHB 1472, SB 5406, SB 6131

Clean technologies, joint center for deployment and research in earth-abundant materials, creating: ***SHB 1897, CH 20 (2015)**

Composite manufacturing and wholesaling, B&O tax credit for: SB 5701

Contact lens manufacturers, price agreements limiting retailer and customer options, prohibiting: SB 5489

Cross-laminated timber products, structures for manufacturing, tax exemptions in connection with: SB 6025

Flame retardants, in children's products and upholstered furniture, limiting: E2SHB 1174, ***ESHB 2545, CH 176 (2016)**, SB 5056, SB 5684, SB 6131, SB 6440

High-technology businesses, research and development and certain manufacturing, tax credit and deferrals: SB 5665, SB 6355

Industrial or manufacturing facility new construction, in targeted urban areas, property tax exemption: ***ESB 5761, CH 9 (2015)**

Intellectual property rights, assignment by state university students, staff, and faculty, exceptions and prohibitions: SB 6107

Inventions, assignment to employer of employee's rights to, exceptions: SB 6106

Jewelry, children's, cadmium standards for: SB 5021, SB 6042

Manufacturing partnerships and development, department of commerce role: SB 6078

Methanol, manufactured in part from natural gas, machinery and equipment tax exemptions for, eliminating: SB 6650

Microbeads, synthetic plastic, prohibiting manufacture of personal care products containing: SB 5431, SB 5609

Motor vehicle manufacturers, emission standards, falsely certifying vehicles as meeting: SB 6419

Pacific Northwest manufacturing partnership advisory committee, appointing: SB 6078

Paint, architectural, producers to participate in paint stewardship plan: ESHB 1571, SB 5926, SB 6142

Prescription drugs, ultrahigh-priced, manufacturers to report to health care authority: SB 6471

Schools, technology sales to and use in public schools, sales and use tax exemption: SB 5907

Sensing devices, extraordinary, use by government agencies, requirements and prohibitions: ESHB 1639, SB 5714

Solar energy modules, recycling, role of manufacturers: E2SHB 2346, SB 6188

Steel slag, exemption from waste reduction provisions, when: ***EHB 2400, CH 165 (2016)**

STEM college degrees, awarding percentage of state need grants to students pursuing: SB 6512

STEM experiences, creating and expanding instructional worksite learning pilot project: SB 6453

Unmanned aerial vehicles, dangerous drone operations near correctional facilities, prohibiting: SB 6437

Unmanned aerial vehicles, procedures and prohibitions: SB 6437

Unmanned aircraft, nefarious drone enterprises, special allegation of: SB 5499

Unmanned aircraft, prohibitions: ESHB 1093

MARRIAGE AND MARRIED PERSONS (See also DOMESTIC PARTNERSHIPS, REGISTERED; MILITARY)

Civil marriage, commissioner of, designating in each county: SB 5385

Dissolution, legal separation, or validity of marriage declaration, petitions for, use of filing fees: EHB 1729, SB 5631

Licenses, issuance of, additional fee: SB 5631

Solemnizing of marriage by tribal court judges, authority: HB 1113

Surname changes, criminal and sex offender procedures: HB 1034

MARTIAL ARTS

Taxation, excise preferences for instruction, training, and events, when: SHB 2334, SB 6184

MATERIALS MANAGEMENT AND FINANCING AUTHORITY

Board membership, to include electronic product recycling company representatives: SB 6128, SB 6378

Procurement of goods and services, authority to follow state agency requirements: SB 6378

MEDALS

Honor, medal of, designation of U.S. 100 as North Olympic Peninsula Medal of Honor memorial highway: ***SJM 8012 (2015)**

Merit, medal of, joint legislative session to honor recipients of: ***HCR 4403 (2015)**

Valor, medal of, awarding to group of persons: ***SB 5035, CH 4 (2015)**

Valor, medal of, joint legislative session to honor recipients of: ***HCR 4403 (2015)**

MENTAL HEALTH (See also COUNSELORS AND COUNSELING; PSYCHIATRY AND PSYCHIATRISTS; SCHOOLS AND SCHOOL DISTRICTS; SEX OFFENSES AND OFFENDERS)

Antipsychotic medications, children in foster care, second opinion review requirement: ***SHB 1879, CH 283 (2015)**

Aversion therapies, performing on patients under 18, prohibitions: SB 5870

Beds, certain grant-funded hospital projects for adding, certificate of need exemption: ***EHB 2212, CH 22 (2015)**, SB 6086

Beds, in evaluation and treatment facilities, data for understanding need, reporting to provide: SB 5644, SB 5645

Behavioral health and medical services, via managed care in regional service area, certain reimbursements, when: SB 5924

Behavioral health organizations, B&O tax deduction for certain amounts received, extending expiration: SB 6477

Behavioral health organizations, charging BHO's for days of care at state hospitals to incentivize alternatives: SB 6656

Behavioral health services, providing, training for leveraging federal funds: SB 6430

Behavioral health services, task force on aligning with primary health care: ***E3SHB 1713, CH 29 (2016)**, SB 6544

Behavioral health treatment services and facilities, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**

Behavioral rehabilitation services, within child welfare services, reimbursement rates for: SB 5852

Chemical dependency professionals, mental health and chemical dependency dual licensure: SB 6485

Children, children's mental health work group, establishing: ***E2SHB 2439, CH 96 (2016)**, SB 6494

Children, depression screening and provider payment through medical assistance: SB 6494

Commitment, involuntary, alternatives to care at state hospitals: SB 6656

Commitment, involuntary, certain grant-funded hospital psychiatric bed projects, certificate of need exemption: ***EHB 2212, CH 22 (2015)**, SB 6086

Commitment, involuntary, court review of detention decisions by mental health professional: EHB 1258, SB 5269

Commitment, involuntary, detention criteria met with no bed available, reporting requirement: SB 5644, SB 5645

Commitment, involuntary, detention standards, modifying: SB 5687

Commitment, involuntary, emergency assessments and detentions, revising timing of: SHB 1536

Commitment, involuntary, family or guardian detention petition, filing: ***HB 2808, CH 107 (2016)**

Commitment, involuntary, integrating mental health and substance use disorder treatment: ESHB 1713, ***E3SHB 1713, CH 29 (2016)**

Commitment, involuntary, less-restrictive alternative and assisted outpatient options: ***E2SHB 1450, CH 250 (2015)**

Commitment, involuntary, less-restrictive alternative treatment order petitions: SB 6445

Commitment, involuntary, less-restrictive alternative treatment orders, procedures: ***SHB 2541, CH 45 (2016)**

Commitment, involuntary, preventing firearms access by detained person, when: SB 5643

Commitment, involuntary, psychiatric boarding, provisions concerning: SB 5644, SB 5645

Commitment, involuntary, regional support network overuse of state hospital beds, reimbursements to DSHS: SB 5779

Community mental health system, administration, integrating local substance use disorder programs with: 2SHB 1916

Competency to stand trial, evaluations and/or restoration, provisions: E2SHB 2060, SB 5177, SB 5403, SB 5889

Criminal offenders, community placement or supervision, mental status evaluations: ***SB 5101, CH 80 (2015)**

Criminally insane, transfer to secure facility, reports concerning: ***HB 1599, CH 253 (2015)**, SB 5266

Criminally insane, transfer to secure facility, reports concerning, advancing an effective date affecting HB 1599: SB 6118

Crisis responders, designated, with chemical dependency and mental health functions: **ESHB 1713, *E3SHB 1713, CH 29 (2016)**

Evaluation and treatment centers, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**

Forensic mental health services, office of, establishing within DSHS: SB 5792

Higher education, mental health and suicide prevention task force: ***SHB 1138, CH 67 (2015)**

Homeless, mental illness and/or chemical dependency treatment for, using certain account funds for: SB 6647

Hospitals, former northern state hospital site, maximum lease term for: SB 5887

Hospitals, nursing care for institutionalized patients, PSERS membership for providers, when: SHB 1718, SB 5703

Hospitals, state, incentivizing civil patient treatment alternatives to care at: SB 6656

Hospitals, state, including child study and treatment center, performance management systems, establishing: SB 6541

Hospitals, state, increasing psychiatric advanced registered nurse practitioner use at state hospitals: SB 6656

Hospitals, state, select committee on quality improvement in, establishing: E2SHB 2453

Hospitals, state, staffing practices and safety concerns, DSHS to address: SB 6656

Hospitals, western and eastern state, employees of, collective bargaining and binding interest arbitration for: SB 5885

Hospitals, western and eastern state, regional support network overuse of beds, reimbursements to DSHS: SB 5779

Hospitals, western state hospital, contracting for community policing services: SB 5261

Housing for persons with mental illness, affordable, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**

Insanity, persons acquitted by reason of, "slayer" for probate purposes to include: ***ESB 6091, CH 211 (2016)**

Insanity, persons acquitted by reason of, DNA sample: SB 5240

Insanity, persons acquitted by reason of, loss of firearms rights, notification: ***SHB 2405, CH 93 (2016)**, SB 5658

Jails, persons in, communication about services and medications for, work group to study: SHB 2501

Juvenile offenders, sentencing of, chemical dependency, mental health, and/or co-occurring disorder treatment disposition alternative, creating: ***ESHB 2746, CH 106 (2016)**

Orders, court consultation of judicial information system before granting: ***SHB 1617, CH 140 (2015), *HB 2371, CH 89 (2016)**, SB 6402

Outpatient treatment, involuntary, need for assisted treatment, criteria: ***E2SHB 1450, CH 250 (2015)**, SB 5649

Personal needs allowance, medicaid services, increasing for mental health services: SB 6555

Physician assistants, treatment order petitions and medication services role: SB 6445

Posttraumatic stress disorder, medical marijuana use for: SB 5379

Power of attorney, uniform act: SB 5635

Psychiatry, integrated care, training program in, developing and operating: SB 5947

Recovery programs, funding: SB 5078

Regional support networks, overuse of state hospital civil treatment beds, reimbursements to DSHS: SB 5779

Sexual orientation change efforts, on patients under 18, prohibitions: SB 5870

Students, mental health care, preventative strategies: SB 6432

Students, mental health care, service models for students: ***E2SHB 2439, CH 96 (2016)**, SB 6432

Students, psychotropic medication and/or psychological screening, school requirements for, prohibiting: SB 6543

Students, truancy, mental health evaluation or substance abuse assessment: ***2SHB 2449, CH 205 (2016) PV**

Substance use disorder, integrating local programs with community mental health system administration: 2SHB 1916

Suicide assessment and treatment for providers, training program minimum standards: ***ESHB 1424, CH 249 (2015)**

Suicide prevention, awareness information, adding to firearms safety pamphlet: ***E2SHB 2793, CH 90 (2016) PV**, SB 6603

Suicide prevention, in higher education, task force on: ***SHB 1138, CH 67 (2015)**

Suicide prevention, safe homes task force and project, including firearms dealer tax credit: SB 6603

Suicide, reports of threatened or attempted, mental health agency procedures: ESHB 1448, ***2SHB 1448, CH 158 (2016)**, SB 5781

Suicide, reports of threatened or attempted, referrals to mental health agencies: ***2SHB 1448, CH 158 (2016)**

Suicide, suicide concerns response training for student support staff: ***E2SHB 2439, CH 96 (2016)**

Suicide, youth suicide prevention training program for educators and parents: SB 6243

Treatment providers, non-hospital facilities, patient transport by ambulance: ***SHB 1721, CH 157 (2015)**

Treatment system, involuntary and minors, integration with chemical dependency treatment: ESHB 1713

Treatment system, involuntary and minors, integration with substance use disorder treatment: ***E3SHB 1713, CH 29 (2016)**

METALS

Aluminum smelters, tax preferences for, continuing: SB 5382
 Steel slag, exemption from waste reduction provisions, when: ***EHB 2400, CH 165 (2016)**

MILITARY (See also VETERANS)

Armories, transient lodging for service members: ***HB 1277, CH 36 (2015)**, SB 5164
 Child abuse or neglect, allegations, notifying military when involving military family: ***SB 5079, CH 6 (2015)**
 Children of military families, interstate compact and interstate commission on educational opportunity for: SB 6122
 Companies, services through, active duty member termination of, procedures: SB 6636
 Firearms, transfers involving armed forces members, background check exemption, when: SB 5615
 Gold star license plates, for members' siblings, when: ***SB 5085, CH 208 (2015)**
 Higher education building and services and activities fees, waiver for members: SB 5620
 Higher education building and services and activities fees, waiver for members, when: ***HB 1706, CH 143 (2015)**
 Higher education, early registration, member's spouse or domestic partner: ***SHB 1052, CH 14 (2015)**
 Legal assistance, military and veteran legal assistance, office of, creating: SHB 2496, SB 6300
 Medal of Honor, requesting that U.S. highway 100 be designated the North Olympic Peninsula Medal of Honor memorial highway: ***SJM 8012 (2015)**
 Military department active state service account, transferring certain land parcel assessment revenues into: SB 6502
 National guard members, resident, hunting licenses at no cost, when: ***ESHB 1351, CH 78 (2016)**
 National guard Stryker brigade, calling for a brigade on the west coast: ***SJM 8008 (2015)**
 National guard youth challenge program, longitudinal outcome evaluation of: SB 5942
 National guard, state active duty service by member, employment rights: HB 2390, ***SB 6202, CH 12 (2016)**
 Purple heart special license plates, for more than one vehicle: SB 6254
 Retirement, WSPRS, military service credit for: SB 6634
 Small loans, military personnel to be ineligible as part of small consumer installment loan act: SB 5899
 State guard members, resident, hunting licenses at no cost, when: ***ESHB 1351, CH 78 (2016)**
 Stewart, William P., requesting SR 99 be named William P. Stewart memorial highway: ***HJM 4010 (2016)**, SJM 8014
 Students from military families, education data on: SHB 1149, SB 5163
 Towing costs and penalties, liability waiver for service members, when: SB 5038
 Uniformed services, role in definition of "resident student" for higher education tuition and fees purposes: 2E2SHB 1825

MILITARY DEPARTMENT

Emergency management, school districts continuity of operations, director role: SB 6553
 Emergency management, state agency continuity of operations, director role: ***HB 1047, CH 61 (2015)**, SB 5020
 Military department active state service account, transferring certain land parcel assessment revenues into: SB 6347

MINES AND MINING

Aluminum smelters, tax preferences for, continuing: SB 5382
 Mineral prospecting and mining advisory committee, establishing: SB 5705
 Mineral prospecting, motorized, effects on native fish and habitat, studying: SB 6630
 Mineral prospecting, recreational motorized, licensing of: SB 6630
 Rare earth elements, recycling processes and alternative earth-abundant materials, JCDREAM efforts concerning: ***SHB 1897, CH 20 (2015)**

MINORITIES (See also AFRICAN-AMERICANS; DISCRIMINATION; IMMIGRATION, IMMIGRANTS, AND IMMIGRATION STATUS; INDIANS; MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE; WOMEN)

Cesar Chavez day, recognizing March thirty-first as: HB 1560, SB 5565
 Community learning center program, communities of color and rural and low-income communities, targeting: SB 5814
 Disadvantaged business enterprise advisory committee, creating with minority members: SB 6180
 Education system, equity impact review process work group, convening: SB 5718
 Educational opportunity gap, oversight and accountability committee recommendations: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192
 Expanded learning opportunities council, membership, to include communities of color: SB 5721
 Language access by limited-English proficient parents and guardians of students, access services and model policy: SB 5787
 Language access providers, model for agency purchasing of spoken language services from: SB 5664

Notices, public, about risks and during emergencies, to include notices for non-English-proficient persons: SB 6530
 Racial and ethnic impact statements regarding crime legislation, requirements: SB 5755, SB 6143, SB 6641
 Racial impact statements, for bills and resolutions, procedure for providing: SB 5752
 School names, using Redskins as school or athletic team name, prohibiting: SB 6190
 Sexual assault and similar crimes, survivors on higher education campuses, rights: SB 5518
 Stewart, William P., requesting SR 99 be named William P. Stewart memorial highway: ***HJM 4010 (2016)**, SJM 8014
 Teachers, classroom teachers of color, posting data on internet: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192
 Transportation workforce development, apprenticeship programs, persons of color: ***ESB 5863, CH 164 (2015)**
 University of Washington, medical facility contracting alternative process, minority-owned businesses: ESB 6617

MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE (See also MINORITIES; WOMEN)

Businesses certified by office, state procurement contract web sites and databases to filter to: SB 6034
 Linked deposit program, general rule-making authority of office: SB 5255
 Linked deposit program, simplifying rule-making authority of office: SB 5341
 Minority and women's business enterprises account, adding additional receipts for deposit: SB 5254

MORTGAGES AND MORTGAGE BROKERS

First mortgage interest B&O deduction, expanding for qualifying banks: SB 5475
 Mortgage lending fraud prosecution account, revising expiration of: HB 2315, ***SB 6282, CH 7 (2016)**
 Residential mortgage loans, licensing and enforcement provisions: SHB 1048, SB 5299

MOTION PICTURES

Motion picture competitiveness program, contributions to, B&O tax credit for: SB 6027
 Motion picture competitiveness program, extending: SB 6288

MOTOR VEHICLES (See also DRIVERS AND DRIVERS' LICENSES; FUELS; PARKING; TAXES - MOTOR VEHICLE FUEL TAX; TRAFFIC; TRAFFIC OFFENSES; TRANSPORTATION)

Abandoned vehicle, report of sale previously filed with incorrect buyer: ***ESHB 2274, CH 86 (2016)**
 Accident reports, surcharge for record requests to fund justice information data exchange: SB 6084
 Air bags, crimes involving manufacture, sale, installation, etc.: SB 6160
 All-terrain vehicles, wheeled, operation on public roadways, provisions: ***HB 1817, CH 160 (2015)**, SB 5411
 Alternative fuel commercial use vehicles, tax credits: ***SHB 2884, CH 29 (2016)**
 Alternative fuel commercial use vehicles, tax exemptions and credits: SB 5325
 Alternative fuel motorcycles, sales and use tax exemptions: SB 5357
 Alternative fuel vehicles, sales and use tax exemption, extending: SB 5333, SB 5445
 Alternative fuel vehicles, sales and use tax exemptions: ***2ESHB 2778, CH 32 (2016)**
 Alternative fuel vehicles, sales and use tax incentives: SB 5358
 Antifreeze products, denatonium benzoate provisions, application of: HB 1014
 Assault, vehicular, increasing additional fee and using portion for DUI reduction: SB 6143
 Auto malls, directional signs on state highways, authorizing DOT installation, when: SB 6468
 Bicycles, electric-assisted, stopping and proceeding through red light, allowing, conditions: SB 5438
 Commercial and recreational vehicles, deposit of non-fine moneys into dedicated account: EHB 1465, SB 5598
 Commercial transportation services providers, excluding commuter ride-sharing from: ***HB 2516, CH 21 (2016)**
 Commercial transportation services providers, personal vehicles used for, requirements: ESHB 2131, SB 6444
 Commercial vehicles powered by clean alternative fuel, tax exemptions and credits: SB 5325
 Commercial vehicles, proportional registration and reciprocity, updating provisions: ***SB 5297, CH 228 (2015)**
 Conversion vending units, advisory committee concerning, convening: ***SHB 2443, CH 167 (2016)**, SB 6496
 Conversion vending units, L&I requirements, applicability and exemptions: ***SHB 2443, CH 167 (2016)**, SB 6496
 Dealers, various records, keeping in paper and then electronic form, when: HB 2512, SB 6326
 Dealers, wholesale, modifying definitions and provisions: SB 6606
 Electric personal assistive mobility device, adding certain one-wheeled devices to definition of: ***HB 1884, CH 145 (2015)**
 Electric vehicles, additional annual registration renewal fees: SB 5987
 Electric vehicles, charging infrastructure bank, establishing: SB 5333
 Electric vehicles, charging infrastructure build-out, utility role: ***SHB 1853, CH 220 (2015)**
 Electric vehicles, infrastructure bank, establishing: SB 5358, SB 5444, SB 5987
 Electric vehicles, infrastructure, in multifamily residences: SB 5446

Electric vehicles, neighborhood and medium-speed, street and highway use: ***HB 2317, CH 17 (2016)**

Electric vehicles, supply equipment for electrical company ratepayers, user fee or other charge: SB 6176

Emissions, adoption of standards, modifying regulatory authority: SB 5423

Emissions, manufacturers falsely certifying vehicles as meeting standards, violations and penalties: SB 6419

Fees for motor vehicle transactions, various, for transportation revenue: SB 5358, SB 5987, SB 6373

Fees for vehicle licensing, cost recovery fee charged by rental car businesses: ***HB 2322, CH 18 (2016)**

Fees for vehicle licensing, exemption for widow or widower with gold star license plates: SB 5634

Fees for vehicle licensing, proceeds, deposit in state patrol highway account: SB 6547

Fees for vehicle licensing, proceeds, using for state patrol salaries and benefits: ***E2SHB 2872, CH 28 (2016)**, SB 5304, SB 6331, SB 6547

Firefighting apparatus, length and weight limits: ***HB 1222, CH 16 (2015)**, SB 5457

For hire vehicles, persons owning or leasing, industrial insurance provisions: HB 1821, SB 5710

Headlights, daytime running head lamps, requirements: SB 5901

Homicide, vehicular, increasing additional fee and using portion for DUI reduction: SB 6143

Lease contracts with vehicle dealers or purchases, cancellation, when, requirements: SB 6110

License plates, disabled veteran fee exemption, modifying qualifications: SB 5410

License plates, fees and purchasing, modifying provisions: SB 5429

License plates, intermittent-use trailer plates: SB 5338, SB 5358, SB 5987

License plates, special, firefighter memorial plates, creating: SB 6416

License plates, special, firefighter memorial plates, creating, adding definition for: SB 6674

License plates, special, gold star plates, for armed forces members' siblings, when: ***SB 5085, CH 208 (2015)**

License plates, special, gold star plates, vehicle licensing fee exemption for widow or widower with: SB 5634

License plates, special, national rifle association plates, creating: SB 6015

License plates, special, purple heart plates for more than one vehicle: SB 6254

License plates, special, state tree plates, creating: SHB 1430

License plates, special, support public schools plates, creating to fund school safety measures: SB 6674

License plates, special, Washington farmers and ranchers plates, creating: ***SHB 2017, CH 36 (2016)**

License plates, special, Washington state wrestling plates, creating: ***SHB 1830, CH 15 (2016)**, SB 5948

License plates, special, Washington tennis plates, creating: ***HB 2262, CH 16 (2016)**

License plates, special, Washington's fish collection plates, creating: ***SB 6200, CH 30 (2016)**

Limousine operators owning or leasing vehicle, industrial insurance provisions: HB 1821, SB 5710

Motor homes and travel trailers, cargo-carrying extension on rear of: ***SHB 2598, CH 22 (2016)**

Motorcycles, alternative fuel, sales and use tax exemptions: SB 5357

Motorcycles, electric, additional fee requirement: SB 5357

Motorcycles, helmets, limiting mandatory use to persons under 18: SB 5198

Motorcycles, operating between lanes or passing in same lane: SB 5623

Motorcyclists, motorcycle- or motorcycle club-related paraphernalia, profiling based on, prohibiting: SB 6624

Off-road vehicles, exempting from discover pass requirements, when: SB 5627

Off-road vehicles, various provisions: ***EHB 1918, CH 84 (2016)**

Property offenses, motor vehicle, offender score provisions: SB 6350

Purchases of vehicles or lease contracts with dealers, cancellation, when, requirements: SB 6110

Recreational and commercial vehicles, deposit of non-fine moneys into dedicated account: EHB 1465, SB 5598

Recreational vehicles, cargo-carrying extension on rear of: SB 6501

Repair facilities, written price estimates and invoices, as electronic copies: HB 2512, SB 6326

Sale, report of, filed with incorrect buyer of subsequently abandoned vehicle: ***ESHB 2274, CH 86 (2016)**

Sales tax, vehicle sale to enrolled tribal member, documentation for exemption: ESHB 2783, SB 6427

Service contracts, certain regulatory requirements: ESHB 2355, SB 6309

Service contracts, employee personal vehicle use agreements exemption: ***HB 2356, CH 125 (2016)**, SB 6301

Studded tires, fee: SB 5987

Studded tires, permit and fee: SB 5358, SB 5610

Studded tires, retail sale of, imposing fee on: HB 1995

Taking a motor vehicle without permission, first degree, juvenile offender sentencing: SB 6529

Taxicab operators owning or leasing vehicle, industrial insurance provisions: HB 1821, SB 5710

Taxicabs, wheelchair accessible, use of high occupancy vehicle lanes by: SB 6627

Tires, waste, use in synthetic turf fields, establishing advisory group, study, restrictions, and requirements: SB 6540

Titles, quick title service fee paid to subagent, apportionment: ***SHB 1157, CH 1 (2015)**, SB 5025
 Tow truck operators, auction of private property impound, deficiency claims after: SB 5640
 Tow truck operators, office hours: ***SB 5207, CH 227 (2015)**
 Tow truck operators, service member towing costs and penalties liability waiver, when: SB 5038
 Trailers, intermittent-use trailer license plates, requirements: SB 5338, SB 5358, SB 5987
 Trailers, intermittent-use, permanent registration and standard issue license plates for: ***SHB 1480, CH 200 (2015)**
 Trailers, travel, collector vehicle license plates for: ***SHB 1480, CH 200 (2015)**
 Transfers, of vehicle between family members, use tax reduction for member acquiring, when: HB 1990
 Transportation network companies, personal vehicles used for, requirements: SB 5550
 Transportation services providers, commercial, personal vehicles used for, requirements: ESHB 2131, SB 6444
 Travel trailers and motor homes, cargo-carrying extension on rear of: ***SHB 2598, CH 22 (2016)**
 Vehicular homicide, by operation of vehicle in reckless manner, seriousness level: SB 6219
 Weight, agricultural commodities, vehicle weight limits when carrying: SB 6265
 Weight, vehicle maximum gross weights and formula for calculating: ***HB 2651, CH 24 (2016)**, SB 6357

MUSIC

Cultural resources and art, as components of state environmental policy: SB 6646
 Music education, elementary school opportunities for, requirements: SB 5930, SB 6588
 Music licensing agencies, regulating: ***E2SHB 1763, CH 38 (2016)**
 Performing rights societies, regulating: ***E2SHB 1763, CH 38 (2016)**
 Symphony musicians, collective bargaining agreements, digital copy submission: ESB 5854
 Symphony musicians, collective bargaining to be considered as open public meetings: SB 6126

NAMED ACTS (See also TITLE ONLY BILLS)

Accessible legislative testimony act: SB 5267
 Accountability, responsibility, and academic achievement act, middle school afterschool learning labs pilot project: SB 6368
 American laws for American courts act, prohibiting enforcement of foreign laws: SB 5192
 Brandon Jones act, genetic testing for paternity and termination of legal responsibilities: SB 6452
 Business corporation act, revisions: ***SB 5387, CH 176 (2015)**
 Cancer can't charitable pharmacy act, prescription donation program donor form: ***ESHB 2458, CH 43 (2016)**
 Cannabis patient protection act: SB 5052
 Carbon pollution accountability act, concerning market program to reduce greenhouse gas emissions: SB 5283, SB 6121
 Carbon pollution tax act, imposing carbon pollution tax on fossil fuels consumption: SI 732
 Carol's law, adding persons acquitted by reason of insanity to slayer statute: ***ESB 6091, CH 211 (2016)**
 Clean fuel vehicle incentives act, concerning alternative fuel commercial use vehicles: SB 5325
 Closing educational opportunity gap act, multiple strategies: SB 6244
 College affordability program, concerning tuition reduction: SB 5954
 Community opportunity program for employment act, preferences for eligible impacted entities and workers: SB 6478
 Community prosperity and revitalization act, concerning review and completion of projects of statewide significance: ESB 5111
 Comprehensive marijuana reform act, concerning medical and recreational marijuana systems: SB 5519
 Cybercrime act, new chapter of crimes to deter abuse of computer technology: ***E2SHB 2375, CH 164 (2016)**, SB 6197
 Cybersecurity jobs act, state security policies and incident response: SB 6528
 Dairy farm and water resource sustainability act, certain farms discharging to groundwater, general permit for: SB 6568
 Dark money elimination act, concerning incidental committees, nonprofit organizations, and disclosure requirements: ESB 5153
 Death with dignity act, revising provisions to ensure informed decision making: SB 5919
 Debt settlement services act: SB 5321
 Douglas M. Ostling act, concerning crisis intervention training for peace officers: SB 5311
 Early start act, aligning early learning and child care: ***2E2SHB 1491, CH 7 (2015)**, SB 5452
 Elected official retirement savings plan act: SB 5980
 Eligible coal unit risk mitigation act, Washington state: SB 6248
 Employee fair classification act, concerning misclassification of employees as independent contractors: SB 5566
 Employee reproductive choice act, concerning birth control and reproductive health care coverage: SB 5026, SB 6493
 Employer responsibility for medical assistance costs of employees act of 2015: SB 5895

Employment agency act, repealing: SB 5007
Employment agency act, repealing most provisions and prohibiting prospective employee fee: SB 6522
Energy financing voter approval act, revising "major public energy project" definition for purposes of: SB 6256
Equal pay opportunity act, concerning amending equal pay act and protecting certain worker communications: ESHB 1646, SB 5630, SB 6442
Eve Uphold act, early learning and child care fatality and near fatality reviews: ***ESHB 1126, CH 199 (2015)**
Evergreen initiative, imposing fossil fuel carbon pollution tax: SB 6306
GED fairness act, high school equivalency certificate test options that are appropriate and low cost: SB 6560
Government of, by, and for the people act, eliminating undue political influence of corporations and money: SB 6505, SI 735
Hearing disability parity act, equal coverage for hearing disability services and hearing aids: SB 6394
Homeless student stability and opportunity gap act: ***3SHB 1682, CH 157 (2016)**, SB 6298
Homeless youth act, prevention and protection measures: 2SHB 1436, SB 5404
Homeless youth prevention act: SB 5932
Homeless youth prevention and protection act of 2015, implementation, modifications for: ESHB 2834
Insurance for providers of commercial transportation services act: ESHB 2131
Insurer holding company act, amending: HB 1065, ***SB 5717, CH 122 (2015)**
Invest in Washington act, B&O tax credit for construction of an industrial facility: SB 5230
Invest in Washington act, investment project business taxes deferred and invested in workforce training: SB 5112
JCDREAM act, creating joint center for deployment and research in earth-abundant materials: ***SHB 1897, CH 20 (2015)**
Joel's law, concerning court review of detention decisions by mental health professional: EHB 1258
Kelsey Smith act, call location and information for law enforcement responding to emergency: SB 5158
Kids first act, prioritizing biennial revenue growth for education: SB 5063
Limited liability company act, repealing and replacing existing sections: SB 5030
Limited liability company act, revisions: ***SB 5387, CH 176 (2015)**
Medicaid fraud false claims act, reauthorizing: ESHB 1067, SB 5287, ***SB 6156, CH 147 (2016)**
Minimum wage act, amending: SB 5569
Nonprofit corporation act, revisions: ***SB 5387, CH 176 (2015)**
Nonprofit miscellaneous and mutual corporations act, revisions: ***SB 5387, CH 176 (2015)**
Omnibus health care access act of 2015, increasing workforce and access through higher education: SB 5909
Parental notification of abortion act: SB 5289
Patent troll prevention act, concerning bad faith assertions of patent infringement: SB 5059
Performance management act, concerning state agency performance management: SB 5737
Prenatal nondiscrimination act, sex-selection abortions, prohibitions and penalties: SB 6612
Restore school funding through property tax fairness act of 2015, concerning taxation of intangible property: SB 6093
Revised uniform partnership act, revisions: ***SB 5387, CH 176 (2015)**
Revocation parity act, concerning means of cancellation of product subscriptions: SB 5530
Ricky Garcia's act, concerning integration of mental health and chemical dependency involuntary treatment: ESHB 1713, ***E3SHB 1713, CH 29 (2016)**
Risk management and solvency assessment act, concerning insurance companies: ***HB 1172, CH 17 (2015)**
Roger Freeman act, concerning good cause exceptions in parent-child permanency planning hearings: ***HB 2140, CH 257 (2015)**
Safety and access for immigrant victims act, certification in connection with crime victim's help: SHB 2895
Sandman act, starting schools one hour later to increase student sleep: SB 6429
Securities act of Washington, modifying: SB 6283
Seed act, Washington state, mandatory nonbinding arbitration provisions, repealing: SB 6344
Sheena and Chris Henderson's law, reports of threatened or attempted suicide, procedures: ESHB 1448
Sheena Henderson act, return of privately owned firearms to owner by law enforcement agency: SB 5381
Sheena's law, procedures for reports of threatened or attempted suicide: SB 5781
Small consumer installment loan act, eliminating payday loans and creating small consumer installment loan: SB 5899
State disability employment parity act, state agency hiring of persons with disabilities: ***SHB 1636, CH 204 (2015)**
State employment disability parity act, concerning state agency hiring of persons with disabilities: ESB 5524
State employment resident hiring preference act: SB 5235
Statewide tourism marketing act, creating Washington tourism marketing authority: SB 5916

Student user privacy in education rights act, or SUPER act: ESHB 1495, ***ESB 5419, CH 277 (2015)**
 Sudden cardiac arrest awareness act, concerning information for students and others: SB 5083
 Tax exemption transparency and accountability act: SB 5492
 Taxpayer protection act, concerning public contract and contractor performance: SHB 1915
 Teen driving safety act, concerning new driver decals pilot program: SHB 1159
 Toxics reduction act, targeting and replacing highly toxic chemicals through chemical action plans: E2SHB 1472, SB 5406, SB 6131
 Transportation innovative partnerships act, repealing: SB 5862
 Travis alert act, alerting first responders when person with disability at emergency scene: SHB 2287
 Uniform athlete agents act, amending: SB 6281
 Uniform electronic legal material act, concerning legal material in official electronic records: SB 6361
 Uniform fiduciary access to digital assets act: SB 5029
 Uniform interstate family support act, revising to include foreign support orders: SB 5498
 Uniform limited partnership act, revisions: ***SB 5387, CH 176 (2015)**
 Uniform partnership act, revised, revisions to: ***SB 5387, CH 176 (2015)**
 Uniform power of attorney act: SB 5635
 Unlawful dog tethering act: SB 5812
 Voter fraud protection act, declarations of candidacy after incumbent withdraws: SB 6618
 Washington academic, innovation, and mentoring (AIM) program act: SB 5303
 Washington affordable housing for all act, creating program, county task forces, and plans: SB 6422
 Washington directed trust act, concerning trusts, trustees, and advisors: ***SB 5302, CH 115 (2015)**
 Washington electronic commerce and governmental affairs act, concerning electronic signatures and records: SB 5810
 Washington fair chance act, prohibiting employers from prematurely asking applicants about arrests or convictions: SB 5608
 Washington human trafficking reporting act, concerning the sex trade: SB 5880
 Washington promise program, community and technical colleges tuition waivers for resident students: SB 6481
 Washington state patient safety act, concerning hospital registered nurse staffing practices: SB 5672
 Washington state preservation of liberty act, concerning unlawful detention of U.S. citizens and lawful resident aliens: SB 5742
 Washington uniform common interest ownership act: SB 5263
 Washington voting rights act of 2015, concerning equal voting opportunity for protected classes: ESHB 1745, SB 5668
 Washington voting rights act of 2016, concerning equal voting opportunity for protected classes: E2SHB 1745, SB 6663
 Washington wage recovery act, concerning wage liens: SB 5567
 Washington waters act, concerning storm water, flood control, and water supply infrastructure grant programs: SB 5628
 Workers' recovery act, concerning claim resolution structured settlement agreements: ESB 5513
 Yakima basin water banking best practices act, concerning sponsors and mitigation credits: EHB 1187, ESB 5014
 Young voter registration equality act, concerning preregistration for 16- and 17-year-olds: HB 1294
 Young voter registration equality act, motor voter preregistration for 16- and 17-year olds: SB 5140

NATURAL DISASTERS (See also FIRE PROTECTION; FLOOD CONTROL)

Disaster areas, designated, area creation and financing with bonds and local sales and use tax: SB 6316
 School infrastructure, natural disaster recovery model policy: ***EHB 1003, CH 37 (2016)**
 Wildfires, catastrophic, persons affected by, sales and use tax exemptions: SB 6009

NATURAL RESOURCES, DEPARTMENT (See also ADMINISTRATIVE PROCEDURE; DISCOVER PASS; PUBLIC LANDS; STATE AGENCIES AND DEPARTMENTS)

Applications and permits, requiring consistent and prompt agency decision making: SB 5197
 Assessments, on certain taxable land parcels for fire protection, DNR to impose : SB 6502, SB 6632
 Assessments, on each taxable land parcel in state, transfer of certain revenue from: SB 6347
 Burning, forest resiliency burning pilot project, DNR to conduct: ***ESHB 2928, CH 110 (2016)**
 Burning, permits for, narrowing DNR grounds for refusing or revoking use of: SB 6511
 Burning, prescribed burn managers, certification program for, DNR to create: SB 6502, SB 6511, SB 6632
 Burning, prescribed, for silvicultural forest land purposes, updating smoke management plan for, DNR role: SB 6510, SB 6632
 Employees, assaulted by criminal offenders, injury reimbursement period: SB 6286
 Employees, assaulted by criminal offenders, reimbursement for injuries, period of: HB 2507

Endangered species act, draft aquatic lands habitat conservation plan, withdrawing from federal review: ESB 5959
 Forage fish, surveying, DNR role: SB 5166
 Forest fire suppression, 20-year wildfire prevention strategic plan to aid forests in poor health: SB 6511, SB 6632
 Forest fire suppression, 2015, budget stabilization account appropriations for: ***ESHB 2988, CH 34 (2016)**
 Forest fire suppression, DNR to protect forest land and certain nonforested unimproved land: SB 6347
 Forest fire suppression, local assets for, utilization of, DNR role: ***ESHB 2093, CH 182 (2015)**
 Forest fire suppression, local wildland fire liaison, appointment of: ***ESHB 2093, CH 182 (2015)**
 Forest fire suppression, mobilization of resources for, DNR to identify vulnerable forests and treat them: SB 6511
 Forest fire suppression, qualified wildland fire suppression volunteers, DNR responsibilities: SB 6489
 Forest fire suppression, use of fire retardants, foams, and gels, DNR to report concerning: SB 6490
 Forest fire suppression, wildfires near homes and improvements, DNR discretionary authority to act: SB 6347
 Forest fire suppression, wildland fire advisory committee, appointment of: ***ESHB 2093, CH 182 (2015)**
 Highway projects, aquatic lands right of entry permits, DNR deadline: SB 5855
 Land acquisition, from nonprofit nature conservancy, funds application requirements: SB 6392
 Land acquisition, same-county DNR land sale requirement for: SB 5872
 Lands, access to certain, by public agency or private landowner, DNR duties: SB 5730
 Lands, DNR easements or other interests, road maintenance or repair compliance: SB 5730
 Lands, DNR-purchased, water rights inventory and transfer: SB 5016
 Lands, public, DNR granting of easements, requirements: SB 6500
 Lands, public, livestock owner access for livestock care during fire suppression: ***ESHB 2925, CH 109 (2016)**
 Lands, state-owned aquatic, DNR contract management procedures, performance audit of: SB 6500
 Navigable waters, leases for beds of, for water-dependent and nonwater dependent uses, DNR role: SB 5929
 Performance management systems, application to DNR activities, DNR to study: SB 6500
 Wildland urban interface code, international, incentivizing adoption by high wildfire risk counties, DNR role: SB 6632
 Working forests and local mills support program, implementing and tax preferences, DNR role: SB 6121

NEWS MEDIA

Broadcasting, radio and television, B&O tax provisions, modifying: SB 5641
 Newspaper, definition, expiration date: SB 6001
 Newspapers, official county, advertising for bid proposals for contract for: SB 6348
 School- or nonschool-sponsored media, student journalist freedom of speech: SB 6233

NONPROFIT ORGANIZATIONS (See also CHARITABLE ORGANIZATIONS; HOMES AND HOUSING)

Ambulance service providers, nonprofit, volunteer of as "emergency worker" for state retirement purposes, when: SB 6026
 Blind, nonprofit agencies for the, public agency procurement from: ***HB 2398, CH 40 (2016)**
 Campaign contributions, by organizations, disclosure requirements: ESB 5153
 Civics program for students, promoting responsible participation in government, role of nonprofits: SB 6232
 Debt adjusting services, creditor "fair share" contributions, provisions: ***SHB 1283, CH 167 (2015)**
 Debt adjusting services, criteria for organization to qualify as debt adjuster: SB 5485
 Disability, person with, to be "employee" for minimum wage act when with sheltered workshop or certain nonprofits: SB 6133
 Expanded learning opportunities council, membership, to include certain nonprofit coalition: SB 5721
 Fair associations, nonprofit, property tax exemption extension: SB 5706
 Fair associations, nonprofit, rented property owned by, taxation of: SB 5708
 Fund-raising activity, organization contest of chance prizes, use tax exemption: ***ESB 6013, CH 32 (2015)**
 Health or social welfare organizations, providing chemical dependency services, B&O tax deductions: SB 6477
 Homeownership development, low-income by nonprofit, property tax exemption: SB 6211
 Host home programs, child abuse or neglect reporting requirements: ***SHB 2440, CH 166 (2016)**
 Host home programs, nonprofit organization registration with secretary of state: ***SHB 2440, CH 166 (2016)**
 Host home programs, tax-exempt organization-operated, not an "agency," when: ***SHB 2440, CH 166 (2016)**, SB 6249
 Housing providers, nonprofit, projects to aid low-income students, funding for: ***EHB 1633, CH 155 (2015)**, SB 5578
 Motion picture competitiveness program, contributions to, B&O tax credit for: SB 6027
 Municipal research and services center (MRSC), role in certain real estate sales requirements: ***EHB 2122, CH 10 (2015)**
 Nature conservancy associations, state agencies acquiring lands from, funds application requirements: SB 6392

Prescription drug assistance foundation, authorizing assistance of underinsured individuals by: ***SHB 2021, CH 161 (2015)**

Public works, prevailing wages exemption for work performed by nonprofit organizations: SB 5953

Raffles, enhanced, by organizations for persons with intellectual disabilities: SB 6449

Solar energy systems, community solar programs or projects production incentive, nonprofits' role: E2SHB 2346, SB 6188

Special occasion liquor license, not-for-profit organizations, wine sales for on-premises consumption: SB 6470

Spirits retail licenses, nonprofit exemption from issuance fee and certain sales taxes: SB 5353

OCEAN WATERS AND RESOURCES

Marine resources advisory council, delaying expiration: ***SB 6633, CH 27 (2016) V**

OFFICIAL STATE DESIGNATION

Tree, state tree special license plates, creating: SHB 1430

OIL AND GAS (See also HAZARDOUS MATERIALS; HAZARDOUS WASTE; POLLUTION LIABILITY INSURANCE AGENCY)

Above-ground used oil collection tanks, transferring duties to building code council: SB 5271

Gasoline vapor control systems, stage II, analysis of requirements: SB 5330

Methanol, manufactured in part from natural gas, machinery and equipment tax exemptions for, eliminating: SB 6650

Natural gas companies, emission limits: ***E2SHB 1095, CH 19 (2015)**

Natural gas, compressed or liquefied, manufactured by municipality for municipal vehicles, B&O tax exemption: SHB 1966

Natural gas, liquefied, use in ferry system, requirements: SB 5426

Natural gas, renewable, production and distribution by public utility districts: ***ESB 5424, CH 31 (2015)**

Natural gas, renewable, production by public utility districts: EHB 1998

Oil refinery facilities, onshore and offshore, revising certain plans for handling crude oil for export: SB 6418

Oil transport, by railroad, contingency plans for biological oils and blends: SB 6576

Oil transport, contingency plans, notice, financial responsibility, and emergency response: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 5834, SB 6418

Oil transport, private railroad crossings upgrades, cost allocation for: SB 6119

Oil transport, private railroad crossings, provisions concerning: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 6119

Oil transport, safety of, hazardous materials emergency response reporting: SHB 2575

Oil transport, spill prevention and response activities, including symposium on: SB 5057

Oil, crude and related products, siting and construction of pipelines for, studying: SB 6075

Oil, Keystone XL pipeline, requesting that the president and Congress take action to approve: SJM 8010

Petroleum, underground storage tanks, disclosure of proprietary reports: ***ESHB 1980, CH 224 (2015) PV**, SB 6020

Petroleum, underground storage tanks, establishing revolving loan and grant program: ***SHB 2357, CH 161 (2016)**, SB 6187

OPEN PUBLIC MEETINGS

Collective bargaining by public employees, to be considered as open public meetings: SB 6126

Collective bargaining by public employees, to be open public meetings: SB 5329

County legislative authorities, alternate meeting locations: ***HB 1013, CH 179 (2015)**, SB 5223

County legislative authorities, joint meetings: ***SHB 1145, CH 74 (2015)**, SB 6000

Governing bodies, members at meetings violating open public meetings act, penalties : ***SB 6171, CH 58 (2016)**

Information technology infrastructure and security, executive sessions concerning: HB 1561

Robert Bree collaborative, meetings subject to open public meetings act: ***SB 5144, CH 21 (2015)**

ORDERS OF COURT

Domestic violence protection order, violation of, penalty assessment for: EHB 1729

Domestic violence, records of vacated conviction for violating orders, use in later prosecution: SB 5831

Incapacitated adults, order to prevent or limit a person's contact with, guardian requirements for: SB 6619

Judicial information system, court consultation before granting certain orders: ***SHB 1617, CH 140 (2015)**, ***HB 2371, CH 89 (2016)**

Protection orders, emergency extreme risk and extreme risk, preventing firearm possession, when: SB 6352

Protective orders, emergency extreme risk and extreme risk, preventing firearm possession, when: SB 5727

Sexual assault, final protection orders, renewing or making permanent in certain cases: EHB 2033, SB 6151
 Visitation orders, petition and hearing procedures for order granting visitation with child: SB 6658

OUTDOOR RECREATION (See also DISCOVER PASS; LAKES AND RESERVOIRS; MOTOR VEHICLES; PARKS; PUBLIC LANDS; RIVERS)

Access, river and sediment management demonstration projects for protecting: SB 5347
 Bridges, construction by waterway, recreational access feasibility: ESB 6044, SB 6363
 Firearms in public park space and recreation facilities, local jurisdiction regulation of: SB 6351
 Landowners, liability of, adding bicycling to "outdoor recreation" in relation to: SB 6384
 Opportunities, senior policy advisor to governor for, governor to maintain: SB 5843
 Outdoor education and recreation grant program, prioritizing programs utilizing veterans: SB 5843
 Recreation sites or lands, off-road vehicle access without discover pass, when: SB 5627
 Recreation sites or lands, penalty amounts for pass/permit violations, disposition of: SB 6297
 Recreational and parks land, acquired through conservation futures program, maintenance and operations funds: SB 5614
 Wildlife and recreation program, various recommended changes to: SB 6227

PARKING

Commercial parking businesses, parking charges imposed by, conditions: EHB 1443
 Commercial parking businesses, passenger-only ferry district parking tax on: SB 5242, SB 5358, SB 5987
 Mitigation of impact on parking of regional transit authority transportation facilities: SB 5343
 Students, fees for parking, school district authority: HB 1142

PARKS (See also DISCOVER PASS)

Firearms in public parks, local jurisdiction regulation of: SB 6351
 Parks and recreational land, acquired through conservation futures program, maintenance and operations funds: SB 5614
 State, rangers within, limited enforcement authority of: *SHB 2765, CH 185 (2016)
 State, Saint Edward state park, parks and recreation commission leasing of: *E2SHB 2667, CH 103 (2016)
 Tribal law enforcement agencies, state parks civil infractions enforcement, when: *SHB 2765, CH 185 (2016)

PARKS AND RECREATION COMMISSION (See also DISCOVER PASS; PARKS; PUBLIC LANDS)

Administrative processes, certain unanimous or majority vote requirements: *E2SHB 2667, CH 103 (2016), SB 6377
 Land acquisition, from nonprofit nature conservancy, funds application requirements: SB 6392
 Land acquisition, same-county commission land sale requirement for: SB 5872
 Lands, commission-purchased, water rights inventory and transfer: SB 5016
 Outdoor education and recreation grant program, prioritizing programs utilizing veterans, commission role: SB 5843
 State parks, commission members and rangers limited enforcement authority: *SHB 2765, CH 185 (2016)
 State parks, Saint Edward state park, commission leasing of: *E2SHB 2667, CH 103 (2016)
 State parks, Saint Edward, seminary building public or nonprofit use feasibility study: *E2SHB 2667, CH 103 (2016)
 Tribal law enforcement agencies, civil infractions enforcement, when: *SHB 2765, CH 185 (2016)

PARTNERSHIPS (See also BUSINESSES; CORPORATIONS; LIMITED LIABILITY COMPANIES)

General and limited liability partnerships, revisions to statutory provisions: *SB 5387, CH 176 (2015)
 Revised uniform partnership act, revisions: *SB 5387, CH 176 (2015)
 Uniform business organizations code--general provisions, creating: *SB 5387, CH 176 (2015)
 Uniform limited partnership act, revisions: *SB 5387, CH 176 (2015)
 Uniform partnership act, revised, revisions to: *SB 5387, CH 176 (2015)
 Vessels, permits for nonresident limited partnerships, including sales and use tax exemption eligibility: SB 5878

PERFORMING ARTS AND PERFORMANCE FACILITIES

Amphitheaters, rural, emergency medical services admission surcharge: SB 5000
 Cultural access programs, creation: *ESHB 2263, CH 24 (2015), SB 5463
 Cultural resources and art, as components of state environmental policy: SB 6646
 Symphony musicians, collective bargaining agreements, digital copy submission: ESB 5854
 Symphony musicians, collective bargaining to be considered as open public meetings: SB 6126
 Ticket sellers, internet web sites of, using or selling software to interfere with: *EHB 1091, CH 129 (2015)
 Ticket sellers, internet web sites of, using software to interfere with: SB 5456

PERSONAL PROPERTY

Auctions, via electronic media, including internet and electronic payment: ***SB 5768, CH 95 (2015)**
 Crimes against property, sentencing, habitual property offender special allegation: SB 5503, SB 6641
 Crimes against property, sentencing, reducing offenses through modifications to: SB 5755, SB 6143, SB 6641
 Defending property, when force is appropriate, criminal and civil immunity: SB 6487
 Moving personal property, local rural mover license, creating: SB 5669
 Tenants, deceased, landlord disposition of property in leased premises: SB 5538
 Theft of rental, leased, lease-purchased, or loaned property, adding holding of property beyond rental period to crime: SB 6007
 Unclaimed property, administration of laws governing, improvements: SHB 1551, SB 5543

PEST CONTROL AND PESTICIDES (See also WEEDS)

Applications, notice and reporting requirements and fines for violations: SB 6507
 Aquatic invasive species, dreissenids (quagga and zebra mussels) prevention, requesting action by Congress: ***SJM 8013 (2015)**
 Licensees, recertification waiver, revising comparable standards for: ***SHB 1527, CH 184 (2015)**, SB 5601
 School facilities, integrated pest management program emphasizing nonchemical measures: SB 6002

PHARMACIES AND PHARMACISTS (See also DRUGS)

Ambulance and aid services, drugs for use by, hospital pharmacy dispensing of: ***SHB 1625, CH 255 (2015)**
 Assistants, registration and disciplining of: ***SB 5549, CH 4 (2016) V**
 Biological products, interchangeable, prescribing and dispensing: ***ESB 5935, CH 242 (2015)**
 Contraception, oral and patches, pharmacists prescribing and dispensing: SB 6467
 Contraception, pharmacists initiating or modifying drug therapy, sticker or sign to identify, developing: ***2SHB 2681, CH 132 (2016)**
 EPI pens/epinephrine autoinjectors, dispensing by pharmacists: SB 5291
 Expired prescriptions, pharmacist authority to dispense drug in spite of, when: SHB 2725
 Eye drops, for treating glaucoma, early refill of prescription: SB 5268
 Health care services performed by pharmacists, prohibiting health plan denial of benefits, when: SB 5557
 Hospital pharmacy licenses, to include hospital's practitioner offices and multipractitioner clinics: SB 6558
 Opioid overdose medications, pharmacist dispensing requirements: ***ESHB 1671, CH 205 (2015)**
 Pharmacies, continuous quality improvement program, each pharmacy to establish: SB 5821
 Pharmacists, primary place of practice, supplying information at time of license renewal: SB 6036
 Pharmacy benefit managers, registration and regulation of: SB 5857
 Pharmacy benefit managers, repealing chapter concerning: SB 6447
 Pharmacy students, practicing pharmacy as volunteer, when: SHB 1369
 Practice of pharmacy, updating provisions: SB 5821, SB 5822
 Prepackaged medications for emergency room patients, authorizing: SB 5460
 Prescription drugs, dispensing for long-term care or hospice: SB 6203
 Prescription drugs, state agency purchasing and reimbursement guidelines, adopting: SB 6593
 Suicide assessment and treatment training for pharmacists, requirements: ***E2SHB 2793, CH 90 (2016) PV**, SB 6603

PILOTAGE COMMISSIONERS, BOARD

Oil, transport by tankers, spill prevention and response activities, board role: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 6418
 Performance audit of board, joint legislative audit and review committee to conduct: SB 6124
 Reporting, to governor and transportation committees, modifying requirements: SB 6124

PLUMBERS AND PLUMBING (See also BUILDING CODES AND PERMITS)

Advisory board of plumbers, state, membership, modifying: SB 6278
 Plumbers, infractions, penalty amount: SB 6278

POLLUTION CONTROL HEARINGS BOARD

Architectural paint recovery program, appeals from penalties to board: ESHB 1571, SB 5926, SB 6142
 Chemicals, highly toxic, decisions regarding restrictions or penalties, board jurisdiction: E2SHB 1472, SB 5406, SB 6131
 Environmental statutes, various involving department of ecology and the board, updating: SB 6257

POLLUTION LIABILITY INSURANCE AGENCY

Petroleum, underground storage tanks, revolving loan and grant program, agency to establish: ***SHB 2357, CH 161 (2016)**, SB 6187

PORT DISTRICTS

Dissolution, hearing on petition for, publication of notice of, by whom: ***SHB 2405, CH 93 (2016)**, SB 5658
 Employment laws and contracts, local, to apply equally to unionized and nonunionized employers, when: SB 5332
 Levies, industrial development district levies, increasing flexibility for: ***SHB 1337, CH 135 (2015)**, SB 5413
 Officers and employees, per diem rates, adjusting: ***SB 5337, CH 29 (2015)**
 Port development authority, creation by one or two port districts: ***ESHB 1170, CH 35 (2015)**
 Regulation of wages, hours, employee retention, and leave, port district prohibition and county authority for: SB 6578

PRISONS AND PRISONERS (See also CORRECTIONS, DEPARTMENT)

Cameras, body worn, legislative task force on law enforcement and corrections agency use of: ***EHB 2362, CH 163 (2016)**
 Corrections ombuds, office of, creating and supporting with ombuds advisory council: SB 6154
 Corrections ombuds, office of, creating in office of governor: SB 5505
 Employees, assaulted by offenders, injury reimbursement period: SB 6286
 Employees, assaulted by offenders, reimbursement for injuries, period of: HB 2507
 Firearms, transfers involving corrections officers, background check exemption, when: SB 5615
 Forensic phlebotomists, when correctional facility employees, venipuncture training program for: SB 5066
 Inmates, health care at hospitals, accompanying and payment of hospital for: SB 5593
 Inmates, health care at hospitals, payment of hospital for: SB 6023, SB 6322
 Inmates, medical expenses of, outside-source money for, exempting from required deductions: ***SB 5650, CH 238 (2015)**
 Inmates, post-secondary education programs, modifying provisions to increase opportunities: HB 1704, HB 2619, SB 5354, SB 6260
 Inmates, prohibiting marijuana, alcohol, or cell phone while incarcerated: ***SHB 2900, CH 199 (2016) PV**
 Medical assistance, benefits suspension when incarcerated: SB 6430
 Nursing care for offender populations, PSERS membership for providers, when: SHB 1718, SB 5703
 Recordings, video or sound, access by individuals interacting with corrections officers: ***EHB 2362, CH 163 (2016)**
 Unmanned aerial vehicles, dangerous drone operations near correctional facilities, prohibiting: SB 6437

PROFESSIONAL EDUCATOR STANDARDS BOARD (See also SCHOOLS AND SCHOOL DISTRICTS)

Computer science, K-12 teacher endorsement standards, board to develop: ***SHB 1813, CH 3 (2015)**
 Educator preparation programs, data from, board state educational authority in connection with: HB 1771, SB 5497
 Higher education adjunct faculty, certification as common schools substitute teachers, board role: SB 5941
 School counselors, psychologists, and social workers, task force on, board to convene: SHB 2381
 Teacher preparation programs, underrepresented groups recruitment specialists: E2SHB 2573
 Teacher preparation programs, using Since Time Immemorial tribal history and culture curriculum in: SB 6189
 Teachers, certification, alternative route programs, district-higher education partnerships, board role: E2SHB 2573
 Teachers, certification, alternative route programs, replacing specific routes with outcomes-based policies: EHB 1770, SB 5496
 Teachers, certification, expedited process for out-of-state teachers, conditions: E2SHB 2573, SB 6332, SB 6455
 Teachers, dual language teacher pipeline scholarship program, creating, board role: SHB 1783, SB 5675

PROFESSIONAL ENGINEERS AND LAND SURVEYORS, STATE BOARD OF REGISTRATION FOR

Engineers, fundamentals of engineering examination, waiver, when: SB 5910

PROFESSIONS (See also CONTRACTORS; GEOLOGY AND GEOLOGISTS; HEALTH CARE PROFESSIONS AND PROVIDERS; INSURANCE; LAW ENFORCEMENT AND LAW ENFORCEMENT OFFICERS; MORTGAGES AND MORTGAGE BROKERS; REAL ESTATE AND REAL PROPERTY)

Athlete agents, uniform athlete agents act, amending: SB 6281
 Court reporters, certified, use in courts of record: ***SHB 1111, CH 74 (2016)**
 Debt adjusters, various provisions: ***SHB 1283, CH 167 (2015)**, SB 5485
 Debt settlement services, registration of providers: SB 5321
 Engineers, fundamentals of engineering examination, waiver, when: SB 5910

Fishing guides, food or game fish or chartering, licensing requirements and violations: SB 5824
 Fishing guides, unlawfully engaging in fishing guide activity: ***SB 5464, CH 90 (2015)**
 Hair design and designers, licensing and regulation: ***SHB 1063, CH 62 (2015)**
 Interpreters, spoken language services, model for agency purchasing from language access providers: SB 5664
 Language access providers, collective bargaining unit representatives periodic certification elections: SB 6410
 Language access providers, personal information, records disclosure exemption for: SB 6542
 Legal service contractors and plans, regulation of: SB 5412
 Movers, local rural license, creating: SB 5669
 Opportunity, certificates of restoration of, comprehensive provisions: ***2ESHB 1553, CH 81 (2016)**
 Pawnbrokers, fees and interest rates: ***ESB 5616, CH 294 (2015)**
 Private investigators, regulations, exempting certified public accountants from: ***HB 1263, CH 105 (2015)**
 Process servers, legal, assault in third degree to include assault of: SB 5521
 Process servers, legal, social security numbers of, disclosure exemption: ***HB 1962, CH 56 (2015)**
 Process servers, legal, social security numbers of, disclosure prohibitions: ESB 5523
 Security guards, private, firearm transfers, background check exemption: SB 5579
 Security guards, private, licensing of, fingerprint background checks: SB 5592
 Servants, domestic, industrial insurance coverage exemption when hired via digital platform: SB 6289
 Transcriptionists, authorized, use in courts of record: HB 1111, ***SHB 1111, CH 74 (2016)**

PSYCHIATRY AND PSYCHIATRISTS

Advanced registered nurse practitioners, psychiatric, increasing use at state hospitals: SB 6656
 Antipsychotic medications, children in foster care, second opinion review by psychiatric expert, requiring: ***SHB 1879, CH 283 (2015)**
 Aversive mental health therapies, performing on patients under 18, prohibitions: SB 5870
 Beds, psychiatric, including psychiatric boarding, provisions: ***EHB 2212, CH 22 (2015)**, SB 6086
 Integrated care psychiatry, residency program in, funding slots with hospital safety net assessment: ***2EHB 2151, CH 5 (2015)**
 Integrated care psychiatry, training program in, developing and operating: SB 5947
 Physician assistants, treatment order petitions and medication services role: SB 6445
 Sexual orientation change efforts, on patients under 18, prohibitions: SB 5870

PSYCHOLOGISTS

Aversive mental health therapies, performing on patients under 18, prohibitions: SB 5870
 Chemical dependency professionals, mental health and chemical dependency dual licensure: SB 6485
 School psychologists, role in meeting unmet student mental health needs, defining: 2SHB 1900
 School psychologists, task force on school counselors, psychologists, and social workers: SHB 2381
 Sexual orientation change efforts, on patients under 18, prohibitions: SB 5870

PUBLIC ASSISTANCE (See also DEVELOPMENTAL DISABILITIES, PERSONS WITH; FOSTER CARE; LONG-TERM CARE; MENTAL HEALTH; PUBLIC EMPLOYMENT AND EMPLOYEES)

Child welfare services, behavioral rehabilitation services, governor's advisory committee on vendor rates, creating: SB 5852
 Child welfare services, behavioral rehabilitation services, reimbursement rates for: SB 5852
 Child welfare services, demonstration sites and performance-based contracts effects review, extending expirations: ***EHB 2749, CH 184 (2016)**
 Child welfare services, demonstration sites for performance-based contracts, extending expirations: SB 6382
 Child welfare services, homeless youth, crisis residential centers and HOPE centers for: 2SHB 1436, SB 5404
 Child welfare services, homeless youth, in crisis residential centers and HOPE centers, records disclosure: ESHB 2834
 Child welfare services, near fatality, review of: SB 5888
 Child welfare services, truant youth, crisis residential and HOPE centers for: ***2SHB 2449, CH 205 (2016) PV**, SB 6497
 Food assistance, food stamp program, work requirements: SB 5776
 Food assistance, SNAP benefits, college student electronic benefit transfer card on-campus use for: HB 1820, SB 5794
 Food assistance, SNAP benefits, monthly distribution period for, expanding: ***2SHB 2877, CH 54 (2016)**, SB 6535
 Health care, coverage for all state residents by 2020: SB 5305
 Host home programs for certain youth, removing from "agency" definition: ***SHB 2440, CH 166 (2016)**, SB 6249
 Host home programs, child abuse or neglect reporting requirements: ***SHB 2440, CH 166 (2016)**

- Host home programs, registration with secretary of state's office: ***SHB 2440, CH 166 (2016)**
- Housing, for persons receiving assistance, prohibiting landlord discrimination or refusal to rent, when: HB 1565, SB 5378
- Medicaid, autism and developmental delays screening, requiring: SB 5317
- Medicaid, consumer-directed program, family member providing long-term or developmental disability care: SB 6662
- Medicaid, contraceptive drugs, 12-month dispensing of: SHB 2465, SB 6369
- Medicaid, dental health aide services funding for Indians: SB 5159
- Medicaid, emergency ground transportation services providers, supplemental payment program for: ***HB 2007, CH 147 (2015)**, SB 5840
- Medicaid, equal coverage for hearing disability services and hearing aids: SB 6394
- Medicaid, home and community-based long-term care services, payment rate methodology: SB 5802
- Medicaid, long-acting reversible contraceptive methods, appropriations for increasing reimbursement rates: SB 6144
- Medicaid, long-acting reversible contraceptive methods, payment rate for: SB 5806
- Medicaid, managed care, accountability measures and wellness examination requirements: SB 5147
- Medicaid, managed care, payments to nonparticipating providers: ***HB 1652, CH 256 (2015)**, SB 5590
- Medicaid, medicaid fraud false claims act, reauthorizing: ESHB 1067, SB 5287, ***SB 6156, CH 147 (2016)**
- Medicaid, nursing facility payment system, case mix classification methodology, modifying: SB 6335
- Medicaid, nursing facility payment system, increased staffing standards for, studying impact of: SB 6010
- Medicaid, nursing facility payment system, new rate-establishing system, adoption: ***SHB 1274, CH 2 (2015)**, SB 5152
- Medicaid, nursing facility payment system, quality care and quality workforce, multiple strategies: SB 6010
- Medicaid, nursing facility payment system, rate-establishing system, modifying: ***SHB 2678, CH 131 (2016)**, SB 6240
- Medicaid, personal needs allowance, increasing for long-term care, developmental disabilities, and mental health services: SB 6555
- Medicaid, purchasing, standards of and accreditation by national committee for quality assurance: SB 5146
- Medicaid, reimbursement to primary care providers under, applying medicare payment rate floor to: SB 6272
- Medicaid, rural health clinics and federally qualified health centers, enhancement payments reconciliation: SB 5758
- Medicaid, seeking for special commitment center health care costs reimbursement: ***SB 5693, CH 271 (2015)**
- Medicaid, state agency prescription drug purchasing and reimbursement guidelines, adopting: SB 6593
- Medicaid, telemedicine through store and forward technology, reimbursement: SB 5175
- Medicaid, telemedicine, homes as reimbursable originating sites: SB 6519
- Medical assistance, adult workers covered by, various provisions: SB 5895
- Medical assistance, benefits suspension when incarcerated: SB 6430
- Medical assistance, dental services and supplies, prior authorization system work group: ***SHB 2498, CH 128 (2016)**
- Medical assistance, depression screening of children through: ***E2SHB 2439, CH 96 (2016)**, SB 6494
- Medical assistance, equal coverage for hearing disability services and hearing aids: SB 6394
- Medical assistance, foster children receiving, integrated managed health and behavioral health care for: ***SHB 1879, CH 283 (2015)**
- Medical assistance, medical and behavioral health services via managed care in regional service area, certain reimbursements, when: SB 5924
- Medical assistance, prenatal vitamins with folic acid for all women: SB 6270
- Medical assistance-covered employees, employer responsibility penalty and related provisions: SB 5895
- Voter registration, persons with disabilities, information with assistance application for: SHB 2682
- WorkFirst program, "work activity" definition, vocational education training provision: ESHB 1875
- Youth, homeless, crisis residential centers and HOPE centers: 2SHB 1436, SB 5404
- Youth, homeless, crisis residential centers and HOPE centers, records disclosure: ESHB 2834

PUBLIC DEFENSE, OFFICE

- Funds, from traffic fines, for use of office, when: HB 2764

PUBLIC DISCLOSURE COMMISSION (See also CAMPAIGNS)

- Candidates, for statewide office, criminal charges against or investigation of, disclosure: SB 6108
- Commission operations, modifying for efficiency: SB 5309
- Compliance and investigations, commission to improve using certain funds: SB 6232
- Elected officials, statewide, criminal charges against or investigation of, disclosure of: SB 6108
- Financial affairs reporting, statement of financial affairs, requirements: HB 1397, SB 5308
- Financial affairs reporting, suspending or modifying, for whom, when: HB 1397, SB 5308, SB 5309

Government entities, payment of fee to public commission: SB 5867
 Lobbying, by state agencies, prohibitions and restrictions, increasing: SB 6676
 Lobbyists, electronic report-filing and commission role: SHB 1085, SB 5867
 Lobbyists, gifts from, requirements, prohibitions, reporting: SB 5383, SB 5386
 Lobbyists, payment of fee to commission: SB 5867
 Political committees, inside and outside state, standardizing disclosure requirements: SB 6208
 State employees and officers, gifts, including food and beverages, provisions: SB 5383, SB 5386

PUBLIC EMPLOYMENT AND EMPLOYEES (See also EMPLOYMENT AND EMPLOYEES; HEALTH CARE AUTHORITY; LABOR; LEGISLATURE; RETIREMENT AND PENSIONS; SCHOOLS AND SCHOOL DISTRICTS; STATE GOVERNMENT; UNEMPLOYMENT COMPENSATION; WAGES AND HOURS; WORKERS' COMPENSATION)

Civil service qualifications, lawful permanent residents, extending eligibility to: HB 2543, SB 6319
 Collective bargaining unit representatives, for certain public assistance-related providers, periodic certification elections: SB 6410
 Collective bargaining unit representatives, for higher education and common schools employees, periodic certification elections: SB 6410
 Collective bargaining unit representatives, prohibiting certain benefits and payments to, when: SB 5602
 Collective bargaining, agreement digital copies, submission to PERC by public employers: ESB 5854
 Collective bargaining, agreements permitting interest arbitration, prohibiting: SB 6016, SB 6126
 Collective bargaining, agreements, "feasible financially for the state" for purposes of: SB 6098, SB 6126
 Collective bargaining, agreements, financial feasibility determinations, role of joint committee on employment relations: SB 6126
 Collective bargaining, agreements, viewing on web site maintained by PERC: ESB 5854
 Collective bargaining, community and technical college academic employees, negotiating step increases for: HB 1863
 Collective bargaining, court marshals of city police departments, adding to uniformed personnel for bargaining: SHB 2849, SB 6417
 Collective bargaining, court marshals of sheriff's offices, adding to uniformed personnel for bargaining: HB 1987, SB 5239, ***ESB 6092, CH 6 (2015)**
 Collective bargaining, deauthorizing union security provisions: SB 5045
 Collective bargaining, department of corrections employees: SB 6126
 Collective bargaining, educational employees, limiting salary and other compensation increases, when: SB 6109
 Collective bargaining, fire department employees volunteering for or employed by other department: SB 6250
 Collective bargaining, fish and wildlife commissioned enforcement officers: SB 5763
 Collective bargaining, language access providers of spoken language interpreter services, provisions: SB 5664, SB 6126
 Collective bargaining, long-term care providers: SB 5515, SB 6126
 Collective bargaining, part-time academic employees at community and technical colleges: SB 5231
 Collective bargaining, representation, restricting challenges to: SB 5237
 Collective bargaining, salary or wage increases for state and higher education, agreement requirements: SB 5979
 Collective bargaining, school district employees in connection with school employees benefits board: SB 5976, SB 6109
 Collective bargaining, state patrol: ***E2SHB 2872, CH 28 (2016)**
 Collective bargaining, state, public web site for agreements: SB 5081, SB 6126
 Collective bargaining, to be considered as open public meetings: SB 6126
 Collective bargaining, to be open public meetings: SB 5329
 Collective bargaining, unfair labor practices, ordering interest arbitration: HB 1230
 Collective bargaining, uniformed personnel PERS or PSERS contributions, county agreeing to pay: SB 5214
 Collective bargaining, union security provisions, prohibiting when workers only public for bargaining: SB 5671
 Collective bargaining, using agreements to establish prevailing rate of wage: HB 1231, SB 6573
 Collective bargaining, western and eastern state hospital employees, including binding interest arbitration: SB 5885
 Deferred compensation program, state, state subdivisions required participation: SB 5435
 Disabilities, persons with, state disability employment parity act: ***SHB 1636, CH 204 (2015)**
 Disabilities, persons with, state employment disability parity act: ESB 5524
 Educational employees, during strike or stoppage, prohibiting compensation or sick leave or health benefits use: SB 6116
 Examinations, competitive, preferences for eligible impacted workers: SB 6478
 Examinations, competitive, veterans' scoring criteria: SB 5074
 Health care insurance, cost-sharing for certain health care, restricting: SB 6266

Intellectual property rights, assignment by state university staff and faculty, exceptions and prohibitions: SB 6107
 Misconduct during service, felony for, forfeiture of pension, when: SB 6077, SB 6433
 Misconduct during service, felony for, garnishing pension to pay for incarceration, etc.: SB 6076, SB 6434
 Restoration of opportunity, certificates of, comprehensive provisions: ***2ESHB 1553, CH 81 (2016)**
 State employees and officers, gifts, including food and beverages, provisions: SB 5383, SB 5386
 State employees and officers, postemployment disclosure statement: SB 6258
 State employees, shared leave, returning when unused, when: ***HB 2557, CH 177 (2016)**
 State employees, whistleblower protection, ex parte communications as improper governmental action, when: SB 5777
 State employment resident hiring preference act: SB 5235
 State officers, ethics defense trust funds, authority to establish, when: SB 5849
 State officers, official duties of, modifying definition: SB 5785
 Taxpayer information, federal, certain agency applicants who will have access to, criminal history checks: SB 6252
 Unions, public sector, public disclosure of finances: ESB 5226
 Veterans' preferences, civil service definition of "veteran" for, including certain voluntarily retired veterans in: SB 5911

PUBLIC EMPLOYMENT RELATIONS COMMISSION (See also PUBLIC EMPLOYMENT AND EMPLOYEES)

Collective bargaining agreements, PERC web site for public viewing of: ESB 5854
 Collective bargaining, unfair labor practices, ordering interest arbitration: HB 1230
 Educational employees, collective bargaining agreements with, employer to submit digital copies to PERC: ESB 5854
 Public employees, collective bargaining agreements with, employer to submit digital copies to PERC: ESB 5854
 Unions, public sector, public disclosure of finances to commission: ESB 5226

PUBLIC FACILITIES DISTRICTS

Convention and trade center tax, exemption for hostels: ***SHB 1516, CH 151 (2015)**, SB 5868
 Convention center, expansion, tax deferrals: SB 5571
 Regional centers, local sales and use tax for, expiration provisions: SHB 2296

PUBLIC FUNDS AND ACCOUNTS (See also BONDS)

Access road revolving fund, renaming as access road account: SB 5730
 Accounts, various, eliminating: SB 6251
 Aeronautics account, adjusting functions of: SB 5324
 Agricultural local fund, depositing certain licensing moneys in: ***ESHB 2128, CH 27 (2015)**
 Air pollution control account, motor vehicle emission control subaccount of, creating: SB 6419
 Basic education benefit account, creating for deposit of McCleary order receipts: SB 6661
 Basic health plan trust account, funding mental illness and chemical dependency recovery programs: SB 5078
 Bicycle and pedestrian grant program account, creating: SB 5358
 Budget stabilization account, extraordinary revenue growth deposit in, transferring to general fund: ***EHB 2286, CH 2 (2015)**
 Budget stabilization account, forest fire suppression costs appropriations from: ***ESHB 2988, CH 34 (2016)**, SB 6504
 Budget stabilization account, transfers to homeless assistance account and housing trust fund: SB 6647
 Building code council account, depositing certain residential and nonresidential building permit fees: SB 5183
 Building code council account, depositing newly imposed building permit fees and surcharge into: SB 6525
 Building code council account, depositing newly imposed building permit surcharge into: SHB 2841
 Cancer research endowment (CARE) fund, establishing: SB 6096
 Cancer research endowment fund match transfer account, creating: SB 6096
 Cancer, fund to fight cancer, creating as special trust fund: SB 5808
 Cancer, fund to fight cancer, establishing: SB 6101
 Capital construction funds and accounts, state, inactive or obsolete statutes: ***EHB 1859, CH 4 (2015)**, SB 5723
 Capital vessel replacement account, depositing certain vehicle-related fees in: SB 6373
 Carbon pollution reduction account, creating: SB 5283, SB 6121
 Carbon pollution revenues account, creating: SB 6306
 Certified public accounting scholarship transfer account, creating: SB 5534
 Chehalis basin account, creating: ***HB 2856, CH 194 (2016)**
 Child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**
 Clean energy education program account, creating: SB 6218
 Code officials apprenticeship and training account, creating: SB 5882

College savings plan account, Washington, creating: SB 6601
 Columbia river recreational salmon and steelhead endorsement program account, renaming pilot stamp account as: ***SB 6274, CH 223 (2016)**
 Commercial transportation services provider account, creating: SB 6444
 Community preservation and development authority account, repealing: SB 6251
 Connecting Washington account, creating: SB 5987
 Connecting Washington account, transferring certain sales and use tax amounts from transportation projects to: SB 5990
 Consolidated technology services revolving account, creating: 2SHB 1391, SB 5315
 Construction registration inspection account, creating: EHB 1465, SB 5598
 County government, investing funds through external investment pools: SB 5390
 County road fund, authorizing certain marine uses by island counties: ***EHB 1868, CH 223 (2015)**
 Criminal justice treatment account, using funds for chemical dependency treatment support services: SB 5178
 Dan Thompson memorial developmental disabilities community trust account, modifying deposits into: SB 6483
 Data processing revolving fund, repealing: 2SHB 1391, SB 5315
 Dedicated marijuana account, eliminating: SB 5417
 Dedicated marijuana account, renaming dedicated marijuana fund as, including distributions from: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Dedicated marijuana fund, eliminating: SB 5417
 Depositories and deposits, public, modifying provisions: ***ESB 6349, CH 152 (2016)**
 Depositories, public, reciprocal deposits, authority to arrange: HB 1304, ***SB 5265, CH 2 (2016) V**, SB 6683
 Developmental disabilities community trust account, deposit of residential habilitation centers proceeds in: SB 6483
 Disaster response account, appropriations to DNR for certain fire protection purposes: SB 6502
 Displaced worker training account, creation along with health security trust: SB 5132
 DNA database account, state, deposit of certain traffic infraction fees into: SB 6366
 Domestic violence prevention account, depositing certain fees in: EHB 1729, SB 5631
 Early start account, creating: ***2E2SHB 1491, CH 7 (2015)**, SB 5452
 Economic gardening pilot project fund, creating: ***ESB 6100, CH 212 (2016)**
 Education legacy trust account, depositing capital gains tax revenues into: SB 5699, SB 6102
 Electric vehicle charging infrastructure account, creating: SB 5333
 Employer responsibility for medical assistance trust fund, creating: SB 5895
 Environmental legacy stewardship account, depositing certain excess funds in: SB 5991
 Environmental legacy stewardship account, offsetting decline in deposits by prioritizing waste site cleanup: SB 6570
 Essential public health services account, creating: SB 5573
 Family and medical leave insurance account, renaming family leave insurance account: SB 5459
 Family medicine residency training account, creating: SB 5939
 Farm and forest account, appropriated moneys allocation and distributions: SB 6227
 Farmlands preservation account, renaming as farm and forest account: SB 6227
 Federal forest revolving account, certain school district allocations, discontinuing reduction: SB 6292
 Fight cancer treasury fund, creating to receive certain tax revenue for appropriation into fund to fight cancer: SB 6101
 Fire protection contractor license fund, limiting uses of: SB 6385
 Fisheries capital projects account, repealing: SB 6251
 Foreclosure fairness account, revising expenditures from: ***SHB 2876, CH 196 (2016)**
 Fruit and vegetable inspection account, district accounts within, eliminating: ***SB 6345, CH 229 (2016)**
 Fund to fight cancer, creating as special trust fund: SB 5808
 Fund to fight cancer, establishing: SB 6101
 GET ready for college account, creating: SB 5636
 Governor's behavioral health innovation fund, creating: E2SHB 2453
 Habitat conservation account, appropriated moneys allocation and distributions: SB 6227
 Health care authority administrative account, transferring to certain health security trust accounts: SB 5741
 Health districts, banking of funds, requirements: ***SB 5458, CH 3 (2016) V**
 Health professional loan repayment and scholarship program fund, funding: SB 5010, SB 5909
 Health security trust, creating certain accounts when creating: SB 5132, SB 5741
 High-risk and young driver safety education account, creating: SB 5816
 High-risk driver improvement account, creating: SB 6595
 Higher education construction account, repealing: SB 6251

Higher education reimbursable short-term bond account, repealing: SB 6251
Highway safety fund, funding DUI reduction programs with certain fee amounts in: SB 6143
Highway safety fund, funding safe routes to school program with moneys from: SB 5724
Home security fund account, provisions: SB 5932
Home security fund account, transitional housing operating and rent program use of certain deposits: SB 6671
Homeless assistance account, creating: SB 6647
Homeless families services fund, renaming as Washington youth and families fund: SB 5932
Homeowners' association ombuds account, creating: SB 6212
Horse racing commission operating account, to be nonappropriated: ***HB 2320, CH 160 (2016)**, SB 6285
Housing trust fund, use of funds for housing assistance program, provisions: ***EBH 1633, CH 155 (2015)**, SB 5578, SB 5655
Independent youth housing account, repealing: SB 6251
Industrial insurance administrative fund, creating: SB 5420
Institutional impact account, eliminating: SB 6251
Internet crimes against children account, Washington, creating: SB 5215
Invasive species council account, delaying expiration: HB 2331, ***SB 6162, CH 7 (2016) V**
Invest in Washington account, creating: SB 5112, SB 5230
Investment trust, Washington, deposit of public funds: SB 5553
K-3 class size reduction account, creating: SB 6080
Landowner contingency forest fire suppression account, depositing certain assessments in, exception: SB 6632
Law enforcement officers' and firefighters' system plan 1 retirement account, Washington, deleting from statute: SB 6668
Licensing and enforcement system modernization project account, creating: ***ESHB 1965, CH 26 (2015)**, SB 5400
Linked deposit program, general rule-making authority for: SB 5255
Liquor revolving fund, distribution of revenues to local jurisdictions, modifying: SB 5896, SB 6425
Local effort assistance transition account, creating: EHB 2698
Local green initiatives account, creating: SB 5358
Local revenue fund, establishing for school district financial operations local revenue accounting: SB 6109
Lottery account, state, lottery revenues deposited in, distribution: SB 5681
Lottery account, state, transfer of certain moneys to traffic congestion relief account from: SB 5973
Lottery administrative account, revenues deposited in, distribution: SB 5681
Main street program, trust fund, contributions to, B&O and public utility tax credits: SB 5313
Migratory bird account, creating: SB 6308
Military department active state service account, repealing: SB 6251
Military department active state service account, transferring certain land parcel assessment revenues into: SB 6347, SB 6502
Minority and women's business enterprises account, adding additional receipts for deposit: SB 5254
Mortgage lending fraud prosecution account, revising expiration of: HB 2315, ***SB 6282, CH 7 (2016)**
Mortgage recovery fund account, eliminating: SB 6251
Motor vehicle emission control subaccount of air pollution control account, creating: SB 6419
Motor vehicle fund, deposit of moneys from DOT sales of advertising on web sites and social media: SB 6359
Native early child care and education public-private partnership account, creating: SB 5160
Nuclear energy education account, establishing: SB 5093
Nurse educator pay it forward account, creating: SB 5335
Nursing facility quality enhancement account, creating: ***SHB 1274, CH 2 (2015)**
Oil refinery worker assistance account, creating: SB 6418
Opportunity pathways account, funding for education programs not in common schools: SB 6194
Opportunity pathways account, transfer of certain unclaimed lottery prize amounts to: SB 5681
Outdoor recreation account, appropriated moneys allocation and distributions: SB 6227
Paint product stewardship account, creating: ESHB 1571, SB 5926, SB 6142
Pilotage account, modifying status of: SB 6124
Pollution liability insurance agency underground storage tank revolving account, creating: ***SHB 2357, CH 161 (2016)**
Pollution liability insurance agency underground storage tank revolving loan and grant account, creating: SB 6187
Pollution liability insurance program trust account, certain transfers from: ***SHB 2357, CH 161 (2016)**, SB 6187
Public disclosure electronic filing account, creating: SB 5867

Public health services account, repealing: SB 6251

Public records efficiency, preservation, and access account, depositing certain public records fines in: SB 6014

Public works assistance account, limiting use of funds deposited in: SB 6035

Public works assistance account, local government loan repayment amounts to, forgiving, when: SB 6508

Public works assistance account, management by public works board: SB 6508, SB 6637

Public works financing assistance account, creating: 2ESB 5624

Public works financing assistance bond repayment account, creating: 2ESB 5624

Publicly owned trust, Washington, creating as sole depository for in-state recreational marijuana businesses: SB 5971

Recreation access pass account, penalty amounts for recreational lands pass/permit violations, deposit in: SB 6297

Safe routes to school grant program account, creating: SB 5358

Safety corps account, creating for receipts from "support public schools special license plates" sale: SB 6674

School districts, local revenue fund for each district, establishing: SB 6130

School employees' benefits board medical benefits administration account, creating: SB 5976, SB 6109

School employees' insurance account, establishing: SB 5976, SB 6109

School employees' insurance administrative account, creating: SB 5976, SB 6109

Self-insured dental plan benefits administration account, creating: SB 5976, SB 6109

Shared information technology system revolving account, creating: 2SHB 1391, SB 5315

State and local improvement revolving account, waste disposal facilities, 1980, repealing: SB 6251

State and local improvements revolving account, repealing: SB 6251

State government, investing funds through external investment pools: SB 5390

State lottery account, lottery revenues deposited in, distribution: SB 5681, SB 5973

State patrol highway account, depositing certain fees and surcharges in: SB 6084

State patrol highway account, transferring certain sums from multimodal transportation account and connecting Washington account: SB 6547

State wildlife account, depositing certain new and existing commercial licensing fees: SB 5531

State wildlife account, increasing revenue deposited in: SB 5632

State wildlife account, license fee and tax revenue deposits, for user-group benefit: SB 5844

Statewide information technology system development revolving account, creating: 2SHB 1391, SB 5315

Statewide information technology system maintenance and operations revolving account, creating: 2SHB 1391, SB 5315

Statewide tourism marketing account, creating: SB 5916

Sustainability account, creating: SB 5358

Tacoma Narrows toll bridge account, use, restrictions: SB 6472

Tacoma Narrows toll bridge sufficient minimum balance account, creating: SB 6472

Tobacco settlement account, transferring revenue for health security trust use: SB 5741

Tourism development and promotion account, repealing: SB 6251

Toxics control accounts, state and local, distribution of hazardous substance tax revenues to: SB 5345

Toxics control accounts, state and local, offsetting decline in deposits by prioritizing waste site cleanup: SB 6570

Traffic congestion relief account, creation in motor vehicle fund: SB 5973

Transitional housing operating and rent account, repealing: SB 6671

Transportation facilities account, creating: SB 5820

Transportation future funding program account, creating in connecting Washington account: ***ESHB 2012, CH 12 (2015)**

Transportation network company account, creating: SB 5550

Veterans' assistance fund, county, definition of veteran for fund purposes: ***ESHB 1213, CH 76 (2016)**, SB 5171

Washington achieving a better life experience program account, creating: ***ESHB 2323, CH 39 (2016)**, SB 6043, SB 6210

Washington community technology opportunity account, repealing: SB 6251

Washington internet crimes against children account, creating: SB 5215

Washington justice commission account, creating: SB 5755

Washington sexual assault kit account, creating: ***2SHB 2530, CH 173 (2016)**, SB 6484

Washington sexually oriented business fee account, creating: SB 6484

Washington state heritage center account, increasing surcharge for deposit into: ***HB 2195, CH 28 (2015)**

Washington state industrial insurance fund, establishing: SB 5420

Washington state public bank, establishing special trust account to create: SB 6093

Washington State University medical education and training program account, creating: SB 6101

Washington youth and families fund, creating: 2SHB 1436, SB 5404
 Washington youth and families fund, renaming homeless families services fund as: SB 5932
 Waste reduction, recycling, and litter control account, revenue use: ***ESHB 1060, CH 15 (2015)**, SB 5659
 Water infrastructure account, creating: SB 5628
 Water pollution control revolving fund, term of fund program loans: ***HB 2309, CH 88 (2016)**, SB 6150
 Water quality capital account, repealing: SB 6251
 Wildlife college student loan match account, creating: SB 5318
 Worker and community right to know fund, revising statutory provisions: ***HB 2444, CH 168 (2016)**, SB 6231
 WWAMI regional medical education and training program account, creating: SB 6101
 Young driver safety education account, creating: SB 6594
 Youth tobacco and vapor products prevention account, certain funds for postgraduate public health schools: E2SHB 1645
 Youth tobacco prevention account, depositing certain fees into: SB 6328
 Youth tobacco prevention account, renaming as youth tobacco and vapor products prevention account: E2SHB 1645, SB 5573

PUBLIC INSTRUCTION, SUPERINTENDENT (See also ADMINISTRATIVE PROCEDURE; SCHOOLS AND SCHOOL DISTRICTS)

Assessment of student learning, locally determined courses and transition courses, OSPI to study: 2EHB 2214, SHB 2214
 Assessment of student learning, OSPI to appoint technical work group to review certain recommendations: SB 6040
 Assessments, results, notifying students and their parents or guardians of, OSPI role: SHB 2429
 Assessments, student assessment inventory tool, OSPI to obtain and distribute to districts: SB 6552
 Assessments, student, using college readiness assessment for certificate of achievement, pilot program, OSPI role: SB 6473
 Buses, seat belts and other restraint systems, studying costs and benefits of, OSPI role: HB 2639
 Certificated employees of office, membership in TRS: SHB 1109
 Class size, reducing, K-3 class size reduction grant program, OSPI role: SB 6080
 College bound scholarship program, enrollees, grant program for student support services programs for, OSPI role: SB 5856
 Community learning center program, advisory council, OSPI to create: SB 5814
 Computer science learning standards, adoption by OSPI: ***SHB 1813, CH 3 (2015)**
 Data, disaggregated student data, requirements, superintendent role: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192
 Data, graduation rate collection and tabulation, modifying, OSPI role: SHB 2743
 Education, eliminating state board of and transferring duties and functions to OSPI: SB 5967
 Equity impact review process work group, OSPI to convene: SB 5718
 Evaluations, of teachers and principals, comprehensive summative, steering committee and OSPI roles: SHB 1867
 Financial education public-private partnership, curriculum requirements, superintendent role: SHB 1121, SB 5202
 Firearm safety and hunter education high school elective course, superintendent role: SB 6515
 Foster youth, educational coordination program and outcomes indicators, OSPI role: ***4SHB 1999, CH 71 (2016)**
 Homeless students, grants for school district identification and support of: E2SHB 1682, ***3SHB 1682, CH 157 (2016)**
 Integrated student supports protocol, including work group, establishing, OSPI role: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192
 K-12 data governance group, data security plan and model plan for personally identifiable data: SB 5316
 K-12 data governance group, student race and ethnicity data, collection protocols: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192, SB 6244
 K-12 data governance group, students from military families, guidelines for data on: SHB 1149, SB 5163
 K-12 staff compensation, data concerning, OSPI role in collecting: ESHB 2366, SB 6195
 Kindergarten, all-day, all-day kindergarten facility grant program, creating, OSPI to administer: SB 5478
 Language access by limited-English proficient parents and guardians, advisory committee, OSPI role: SB 5787
 Meals, reducing sugar content in school meals, OSPI to convene work group concerning: E3SHB 1295
 Mental health professional collaboration time, professional collaboration lighthouse grant program for, OSPI role: 2SHB 1900
 Nutrition, at high-needs schools, expanding opportunities for, OSPI role: SB 6244
 Online schools, attendance and truancy requirements applied to, OSPI role: ***2SHB 2449, CH 205 (2016) PV**

Quality education council, eliminating: ESHB 2239, ***HB 2360, CH 162 (2016)**, SB 5392, SB 6130
 Race and ethnicity reporting guidelines, task force concerning, OSPI role: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192
 Safety, annual school summits, OSPI and school advisory committee roles: ***ESB 6620, CH 240 (2016)**
 School districts, employees of, labor market analysis of salaries and compensation, OSPI to conduct: SB 5890
 School districts, lean management and Baldrige performance excellence principles, implementing, OSPI role: SB 5837
 Social and emotional training module, online, OSPI to create and maintain: ***ESB 6620, CH 240 (2016)**
 Social emotional learning, K-12, work group to recommend benchmarks for, OSPI role: SB 5688
 Special education, special education administration, training for leaders in, OSPI role: SB 5905
 Special education, special education state advisory council, establishing in OSPI: SB 5905
 STEM literacy, specialized STEM facility grant program, creating, OSPI to administer: SB 5478
 Student success, target goals and indicators, development of, OSPI role: SB 6182
 Teaching positions, qualified applicants for, statewide initiative to increase, OSPI role: SB 6455
 Teaching positions, qualified applicants, statewide increase initiative, OSPI role: E2SHB 2573, SB 6332
 Technology literacy, demonstration by students, superintendent role: SB 5229
 Truancy, community truancy boards, grant funds for, OSPI role: ***2SHB 2449, CH 205 (2016) PV**

PUBLIC LANDS (See also DISCOVER PASS; FISH AND WILDLIFE, DEPARTMENT; NATURAL RESOURCES, DEPARTMENT; PARKS AND RECREATION COMMISSION)

Acquisition of land by state agencies, nonprofit nature conservancy lands, funds application requirements: SB 6392
 Agency lands, replacing noxious pollen-rich weeds with honey bee forage plants: 2SHB 1654, ***EHB 2478, CH 44 (2016)**
 Agricultural lands, long-term commercial significance, local or state agency-owned, use: SB 5013
 Aquatic lands, beds of navigable waters, leases for water-dependent and nonwater dependent uses of: SB 5929
 Aquatic lands, draft aquatic lands habitat conservation plan, withdrawing from federal review: ESB 5959
 Aquatic lands, state-owned, DNR contract management procedures, performance audit of: SB 6500
 Federal lands in state, transfer of, establishing legislative task force to study: SB 5405
 Fire suppression on public lands, livestock owner access for livestock care: ***ESHB 2925, CH 109 (2016)**
 Highway purposes, lands for, including improvements and airspace, rental or lease of, valuation requirements: SB 6623
 Land use actions by certain state agencies, significant, empirical science use: SB 5622
 Parks and recreational land, acquired through conservation futures program, maintenance and operations funds: SB 5614
 Recreation sites or lands, off-road vehicle access without discover pass, when: SB 5627
 Recreation sites or lands, penalty amounts for pass/permit violations, disposition of: SB 6297
 Resident curator program for state properties, initiating: SB 5071
 State lands, noxious weeds on, lien proceedings for unpaid county board control action costs: SB 5769
 State lands, sold or being sold, creating state land improvement financing area for: ***HB 2842, CH 192 (2016)**, SB 6580
 State natural resources agency land acquisition, same-county land sale requirement: SB 5872
 Wildfires, citizen entering land to initiate control measures, legal immunity, when: ***ESHB 2093, CH 182 (2015)**

PUBLIC POLICY, INSTITUTE FOR

Child welfare services, institute performance-based contracts effects review, extending expiration: ***EHB 2749, CH 184 (2016)**
 Criminal offenders, community reentry programs effectiveness meta-analysis, institute to conduct: ***2SHB 2791, CH 188 (2016)**
 Fiscal analysis, nonpartisan agency for, work group to consider establishing, institute role: SB 5667
 Homelessness in Washington, causes and characteristics, statewide study of, institute role: SB 6671
 K-12 public school staff compensation, institute to contract for data analysis: ESHB 2366, SB 6195
 National guard youth challenge program, longitudinal outcome evaluation of, institute to conduct: SB 5942
 Paraeducators, effect on student outcomes of, institute to study: SB 6408
 Policing and the use of deadly force, task force on, institute to convene: SB 6621
 Promise program, Washington, institute to study: SB 6481
 School safety and security programs, states', institute evaluation of: ***ESB 6620, CH 240 (2016)**
 Substance use disorder and mental health involuntary treatment systems integration, studying: ESHB 1713, ***E3SHB 1713, CH 29 (2016)**
 Truancy, local practices for reducing, institute to survey: ***2SHB 2449, CH 205 (2016) PV**

PUBLIC RECORDS EXEMPTIONS ACCOUNTABILITY COMMITTEE

Recommendations of committee, implementation: ***ESHB 1980, CH 224 (2015) PV**, SB 6020

PUBLIC TRANSIT

Firearms on any mode of public transportation, local jurisdiction regulation of: SB 6351

Light rail, I-5 Columbia river bridge project, prohibiting expenditures on: SB 5319

Natural gas, compressed or liquefied, manufactured by municipality for municipal vehicles, B&O tax exemption: SHB 1966

Public transportation benefit areas, city's inclusion or exclusion, advising county via ordinance: ***SHB 2427, CH 95 (2016)**

Public transportation benefit areas, imposing sales and use tax, conditions: SB 5326, SB 6590

Public transportation benefit areas, passenger-only ferry service districts, creating: SB 5242, SB 5358, SB 5987

Public transportation benefit areas, sales and use tax options for revenue: SB 5358, SB 5987

Rail fixed guideway systems, safety and security oversight and reporting: SB 6358

Regional transit authorities, board members, election, districts, and authority of : SB 6395

Regional transit authorities, high capacity transportation system property tax levies: SB 5128, SB 5987

Regional transit authorities, motor vehicle excise tax levies by: SB 5987

Regional transit authorities, new counties, elections for adding: SB 5780

Regional transit authorities, property tax levies by: SB 5358

Regional transit authorities, rental or lease of lands, improvements, and airspace held for highway purposes: SB 6623

Regional transit authorities, transportation facilities, parking impact mitigation: SB 5343

Revenue for transportation, increasing from multiple sources: SB 5358, SB 5987

Systems, central Puget Sound, DOT and municipality reporting: ***ESHB 1842, CH 11 (2015)**

Systems, central Puget Sound, transit coordination grant program, creating: ***ESHB 1842, CH 11 (2015)**

Transit agencies, when high capacity transportation system plans rejected by voters, requirement: SB 5187

Transit capital grant program, creating: SB 5358

Workforce housing, affordable near transit station, lodging tax use for loans or grants: ***SHB 1223, CH 102 (2015)**, SB 5208

PUBLIC WORKS (See also COMMUNITY FACILITIES DISTRICTS; MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE; PUBLIC EMPLOYMENT AND EMPLOYEES; PUBLIC FUNDS AND ACCOUNTS; ROADS AND HIGHWAYS)

Alternative process for contract-awarding, U of W medical facilities: SB 5141, ESB 6617

Alternative public works contracting, job order requirements, applying to department of enterprise services, when: ***SB 5203, CH 173 (2015)**

Applications for projects, prioritization of: SB 6637

Apprentice utilization, certain public works contracts, requirements: ***2ESB 5993, CH 40 (2015)**, SB 6031

Apprentice utilization, labor hours percentage compliance as responsible bidder criterion: SB 6574

Apprentice utilization, modifying definition of labor hours for: ***HB 1595, CH 48 (2015)**, SB 5734

Art, for higher education buildings, expending part of allocation during design phase, when: SB 6409

Art, for public buildings, eliminating purchases with public building construction appropriations: SB 5190

Bidding and contracts, best investment selection bidding process, authorizing as option: SB 5970

Bidding and contracts, building trades prime contractor must list for, adding building envelope: ESHB 1754

Bidding, responsible bidder criteria to include prevailing wage and public works training: HB 2844, SB 6571

Bidding, responsible bidder criteria to include wage payment laws compliance: SHB 1089, SB 5050

Capital construction funds and accounts, state, inactive or obsolete statutes: ***EHB 1859, CH 4 (2015)**, SB 5723

Contractors, retainage bonds, requirements: ***SHB 1575, CH 280 (2015)**

Contracts, contractor payroll and apprentice utilization reporting to DES, requirements: SB 6031

Contracts, with county, provision requiring actions in superior court, void, when: ***HB 1601, CH 138 (2015)**

Disaster areas, designated, area creation and public works financing with bonds and local sales and use tax: SB 6316

Discrimination, federal and state laws prohibiting, contractor compliance: SB 5462

Infrastructure, essential public, public works financing assistance program, establishing: 2ESB 5624

Infrastructure, local needs, periodic assessment of: SB 6637

Infrastructure, public, state debt guarantee for, constitutional amendment to allow: 2ESJR 8204

Infrastructure, Washington investment trust, creating for funding of: SB 5553

Infrastructure, Washington publicly owned trust, creating for funding of: SB 5971

Loan interest rates, requirements and factors when determining: SB 6637
 Prevailing wage, rate of, establishment through collective bargaining agreements: HB 1231, SB 6573
 Prevailing wages, determining for certain trades, pilot project: SB 5951
 Prevailing wages, establishing, stratified random sampling methodology for: SB 5775
 Prevailing wages, exemption, for certain small cities: SB 5707
 Prevailing wages, exemption, for public works youth recreation projects that include gang involvement prevention: SB 5931
 Prevailing wages, exemption, for work performed by nonprofit organizations: SB 5953
 Prevailing wages, in relation to tax preferences claimed by subsidy recipient on publicly subsidized work: SB 6654
 Prevailing wages, intent and affidavit submission, contractor exemption, when: SB 5952
 Prevailing wages, intent statement, posting of, failure: SB 6572
 Prevailing wages, optional electronic wage survey completion: ***2ESB 5993, CH 40 (2015)**
 Prevailing wages, residential construction: SB 5759
 Prevailing wages, responsible bidder criteria to include public works training concerning: HB 2844, SB 6571
 Prevailing wages, survey data from interested parties: SB 5950
 Prevailing wages, survey tracking: SB 5774
 Prevailing wages, to be applicable to publicly subsidized projects: SB 6615, SB 6654
 Prevailing wages, various trades: SB 5951
 Prevailing wages, violations, protections for employees reporting: SB 5569
 Prevailing wages, worker wages recovery time period under laws governing: HB 2845, SB 6575
 Public works assistance account, local government loan repayment amounts to, forgiving, when: SB 6508
 Public works assistance account, management by public works board: SB 6508
 School construction assistance program, educational space exclusions for: ***SHB 2985, CH 159 (2016)**
 School construction assistance program, funding percentage, cost allowance, and space allocations: SB 5859
 School facilities, to support STEM literacy and all-day kindergarten, grant programs: SB 5478
 Schools, construction, labor and materials sales and use tax exemptions: SB 5927
 Schools, siting inside and outside urban growth areas, creating legislative task force on school siting to consider: ESHB 1420
 Small public works projects, contractor retainage bonds and performance bonds, dollar thresholds: SB 5912
 Small works roster, actions against retainage, unpaid wages and benefits recovery to be first priority: 2SHB 2933
 Small works roster, uniform, use by state agencies and local governments, authorizing: 2SHB 2933, SB 6393
 Small works rosters, state agencies and local governments using, use of limited public works process by: 2SHB 2933, SB 6393

PUBLIC WORKS BOARD (See also ADMINISTRATIVE PROCEDURE)

Applications for projects, board prioritization of: SB 6637
 Infrastructure, essential public, public works financing assistance program, establishing, board role: 2ESB 5624
 Infrastructure, local needs, board to periodically assess: SB 6637
 Loan interest rates, requirements and factors when board determines: SB 6637
 Membership, increasing members and authorizing alternate members: SB 6637
 Public water systems, financial assistance activities, transferring board role: ***2ESB 5251, CH 111 (2016)**
 Public works assistance account, management by board: SB 6508, SB 6637

RAILROADS (See also OIL AND GAS)

Charter party carriers and contract crew hauling vehicles, regulation of: SB 5797
 Companies, certain contracts, repealing disclosure exemption for: ***HB 2663, CH 182 (2016)**
 Crew transportation providers and contract crew hauling vehicles, regulation of: ESHB 1808, E2SHB 1808
 Employees, yardmasters, working hours: SB 5696
 Freight rail dependent uses, on land near railroads, authorizing: SB 6334
 Oil transport, contingency plans, for biological oils and blends: SB 6576
 Oil transport, contingency plans, notice, financial responsibility, and emergency response: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 6418
 Oil transport, private railroad crossings upgrades, cost allocation for: SB 6119
 Oil transport, private railroad crossings, provisions concerning: ***ESHB 1449, CH 274 (2015)**, SB 5087, SB 6119
 Oil transport, safety of, hazardous materials emergency response reporting: SHB 2575
 Oil transport, spill prevention and response activities, including symposium on: SB 5057

Passenger-carrying vehicles for employees, regulatory provisions: ESHB 1808, E2SHB 1808, SB 5797
 Rail transportation in Washington state, legislative task force for, establishing: SB 6506
 Royal Slope railroad right-of-way, transfer by DOT to Port of Royal Slope: ***SHB 1586, CH 281 (2015)**, SB 5529
 Stanwood railway station, requesting naming as Mary Margaret Haugen Station: SJM 8023
 Trains, transporting hazardous materials, crew requirements: SB 5697

REAL ESTATE AND REAL PROPERTY (See also TAXES - PROPERTY TAX; TAXES - REAL ESTATE EXCISE)

Acquisition of land by state agencies, nonprofit nature conservancy lands, funds application requirements: SB 6392
 Agencies, transaction documents, public disclosure exemption, when: ***HB 1431, CH 150 (2015)**, SB 5395
 Appraisers, licensing and certification of: SB 5597
 Auctions, via electronic media, including internet and electronic payment: ***SB 5768, CH 95 (2015)**
 Brokers, original license and real estate research account and center, expiration dates: ***SB 5288, CH 175 (2015)**
 Brokers, sale of floating homes or on-water residences: ***HB 1309, CH 133 (2015)**
 Common interest, Washington uniform common interest ownership act: SB 5263
 Construction defect claims, construction professional inspection of defect, requiring, when: SB 5961
 Deeds of trust, foreclosure, default and trustee's sale notices, requirements: ***SHB 2876, CH 196 (2016)**
 Deeds of trust, trustee's foreclosure sale, foreclosure initiation by owner or holder of deed or designee: SB 5968
 Defending property, when force is appropriate, criminal and civil immunity: SB 6487
 Disclosure statement for real property transfer, delivery to buyer: SB 5585
 Earnest money, demands on, procedures for holders when receiving: ***SHB 1730, CH 51 (2015)**
 Easements, as part of general property tax assessment, modifying requirements: SB 6169
 Easements, delinquent-taxes foreclosure when electric utility recorded interest: ***HB 2457, CH 98 (2016)**
 Elevators and other conveyances, disclosure in real estate transactions, when: SB 5156
 Foreclosure fairness account, revising expenditures from: ***SHB 2876, CH 196 (2016)**
 Foreclosure, initiation by owner or holder of a trust deed or by a designee: SB 5968
 Foreclosure, of deeds of trust, default and trustee's sale notices, requirements: ***SHB 2876, CH 196 (2016)**
 Foreclosures, disposing tax foreclosed property to city for affordable housing: ESHB 2647, SB 5244, SB 6337
 Improvements, by owner who offers to sell, not required to register as contractor, when: SB 5847
 Inheritance or devise by will, real property transfer via, real estate excise tax exemption, modifying: ***SHB 2539, CH 174 (2016)**
 Inheritance transfers, real estate excise tax exemption, modifying provisions: SB 6438
 Inheritance, real property transfer via, real estate excise tax exemption, modifying: SB 6367
 Leasehold interest in real property, tax parcels subject to, leasehold excise tax credit, when: SB 5984, SB 6462
 Liens, claims by mechanics and materialmen, late payment or overdue amount information after notice: SB 6482
 Private property rights, protecting from United Nations Agenda 21 policies: SB 5191
 Sales, requirements imposed on seller, information posting provisions: ***EHB 2971, CH 138 (2016)**
 Sales, seller disclosure requirements and related provisions, modifying: ***EHB 2122, CH 10 (2015)**
 Solar energy systems, trees and shrubs near, restrictions: SB 5414
 State natural resources agency land acquisition, same-county land sale requirement: SB 5872
 Transportation, surplus property of DOT, former owner right of repurchase: HB 1585
 Trespass, notice against, defining "posting in a conspicuous manner": SB 5233, SB 6117
 Trespass, unlawfully collecting wildlife parts from another's property, misdemeanor: ***HB 1627, CH 154 (2015)**
 Universities, state, leasehold excise tax credit for certain parcels owned by: SB 6462
 Wildfires, citizen entering land to initiate control measures, legal immunity, when: ***ESHB 2093, CH 182 (2015)**

RECORDS

Cities and towns, records requests when office hours fewer than 30 per week: HB 1189
 Disclosure, exemptions, body camera video or sound recordings by law enforcement or corrections officers: ***EHB 2362, CH 163 (2016)**
 Disclosure, exemptions, certain enhanced 911 emergency communications information: ***ESHB 1980, CH 224 (2015)**
PV
 Disclosure, exemptions, certain information concerning child victims of sexual assault: ***ESHB 1980, CH 224 (2015)**
PV
 Disclosure, exemptions, certain information submitted for architectural paint recovery program: ESHB 1571, SB 5926, SB 6142

Disclosure, exemptions, criminal justice employee residence, GPS data indicating: ***SB 5482, CH 91 (2015)**
 Disclosure, exemptions, educator professional growth plans submitted via eCert system: HB 1804, SB 5495
 Disclosure, exemptions, family day care provider and language access provider personal information: SB 6542
 Disclosure, exemptions, financial and commercial information received by city retirement boards: HB 2648, ***SB 6170, CH 8 (2016) V**
 Disclosure, exemptions, financial and commercial information received by city retirement boards, when: SB 6680
 Disclosure, exemptions, firefighter hazardous exposure workers' compensation reports: SHB 2805
 Disclosure, exemptions, guardian ad litem personal information: SHB 2300
 Disclosure, exemptions, health care provider compensation, when: ***HB 2332, CH 122 (2016)**, SB 6167
 Disclosure, exemptions, law enforcement oversight recordings, exceptions: SB 5732
 Disclosure, exemptions, legal process server social security numbers: ***HB 1962, CH 56 (2015)**, ESB 5523
 Disclosure, exemptions, marijuana product traceability and operations information: ***SHB 2584, CH 178 (2016)**, ESB 6207
 Disclosure, exemptions, personal information of child, parent, or guardian: ***HB 1554, CH 47 (2015)**, SB 5396
 Disclosure, exemptions, proprietary information relating to private cloud service provider employee criminal background checks: ESHB 2604
 Disclosure, exemptions, proprietary information relating to private employee criminal background checks: SB 6356
 Disclosure, exemptions, real estate agency transaction documents, when: ***HB 1431, CH 150 (2015)**, SB 5395
 Disclosure, exemptions, statewide sexual assault kit tracking system information: ***2SHB 2530, CH 173 (2016)**, SB 6484
 Disclosure, exemptions, sunshine committee recommendations: ***ESHB 1980, CH 224 (2015) PV, *HB 2663, CH 182 (2016)**, SB 6020
 Electric utilities, customers of, private or proprietary customer information, disclosure prohibitions: ***SHB 1896, CH 285 (2015), *HB 2264, CH 21 (2015)**
 Electronic records, uniform fiduciary access to digital assets act: SB 5029
 Extended stay recovery centers, data to be submitted, disclosure exemption: SB 5453
 Homeless client management information system (HMIS), personally identifying information in, requirements: SB 5898
 Public records requests, agency failure to timely respond or release records, fines and other remedies: SB 6014
 Public records requests, electronic copies, local government charge for, when: SB 5533
 Public records requests, exempted employment and licensing information, to include certain in-home child care providers: ESHB 1349
 Public records requests, exempted employment and licensing information, using employee identity to obtain: ESHB 1349, SB 5678, SB 6542
 Public records requests, sunshine committee recommendations: ***ESHB 1980, CH 224 (2015) PV, *HB 2663, CH 182 (2016)**, SB 6020
 Recordings, video or sound, access by individuals interacting with corrections or law enforcement: ***EHB 2362, CH 163 (2016)**
 Sensing devices, extraordinary, use by government agencies, personal information use provisions: ESHB 1639, SB 5714
 Special purpose districts, records requests when office hours fewer than 30 per week: HB 1189
 Sunshine committee, implementing recommendations of: ***ESHB 1980, CH 224 (2015) PV, *HB 2663, CH 182 (2016)**, SB 6020
 Unions, public sector, public disclosure of finances: ESB 5226

RECREATION AND CONSERVATION OFFICE

Habitat and recreation lands coordinating group, extending expiration of: HB 2493, ***SB 6296, CH 151 (2016)**
 Invasive species council and account, delaying expiration: HB 2331, ***SB 6162, CH 7 (2016) V**
 Invasive species council, activities report, revising requirements: ***EHB 2883, CH 197 (2016)**
 Recreation and conservation funding board, land acquisition grants, funds for administering: ***HB 1392, CH 183 (2015)**, SB 5320
 Recreation and conservation funding board, riparian protection funding: SB 6227
 Salmon recovery funding board, habitat project lists reporting requirement: ***EHB 2883, CH 197 (2016)**
 Salmon recovery funding board, limiting funds awards for projects, when: SB 5551
 Wildlife and recreation program, various office recommendations for changes: SB 6227
 Working forest conservation easement program, establishing, office role: SB 6121

RELIGION AND RELIGIOUS ORGANIZATIONS

- Aversive mental health therapies, performing on patients under 18, under religious auspices, prohibitions and exceptions: SB 5870
- Christian Science treatment, removing references to abuse and neglect exemptions for: SB 5408
- Homeless, hosting by religious organization, limits imposed by local government, prohibiting: HB 2929
- Homeless, hosting by religious organization, limits imposed by local government, restricting or prohibiting: 2EHB 2086, SB 5900
- Homeless, hosting by religious organization, public health and safety agreements, local government action regarding: 2EHB 2086
- Sexual orientation change efforts on patients under 18, under religious auspices, prohibitions and exceptions: SB 5870
- Unions, religious objector rights, nonassociation provisions, modifying: SB 5552

RETIREMENT AND PENSIONS

- City retirement boards, certain financial and commercial information received by, disclosure exemption: SB 6680
- City retirement boards, financial and commercial information received by, disclosure exemption: HB 2648, ***SB 6170, CH 8 (2016) V**
- Deferred compensation program, state, state subdivisions required participation: SB 5435
- Elected officials, creating Washington elected officials retirement savings plan: SB 5980
- Elected officials, state, authorized leave of absence when charged with felony, PERS service credit: SB 6123
- LEOFF, plan 1, merging into TRS plan 1 and creating LEOFF system plan 1 lump sum defined benefit: SB 6668
- LEOFF, plan 2, annuity benefit purchase by member, when: SB 6264
- LEOFF, plan 2, death or disability of member providing emergency management services, benefits: ***SB 6263, CH 115 (2016)**
- LEOFF, plan 2, flexible spending accounts and voluntary employee benefit accounts: SB 6071
- LEOFF, surviving spouse, beneficiary designation or retirement allowance: ***ESB 5873, CH 120 (2016)**
- LEOFF, surviving spouse, death benefits for: ***SHB 1194, CH 78 (2015)**
- LEOFF, surviving spouse, workers' compensation death benefits for: SB 5246
- Long-term care providers, when public employees for collective bargaining, retirement plan restrictions: SB 6126
- Misconduct by public employee during service, felony for, forfeiture of pension, when: SB 6077, SB 6433
- Misconduct by public employee during service, felony for, garnishing pension to pay for incarceration, etc.: SB 6076, SB 6434
- PERS, ineligibility of long-term care providers who are public employees for collective bargaining for: SB 6126
- PERS, local government consortium emergency medical services provider service credit: SB 6523
- PERS, plan 1, retiree cost-of-living adjustments: SB 6017
- PERS, plans 2 and 3, benefits at earlier ages: SB 5473
- PERS, plans 2 and 3, member enrollment in PSERS plan 2 when employed in certain positions: SB 5913
- PERS, postretirement employment provisions, removing: SB 5545
- PERS, retiree returning in position ineligible or covered by other system, pension: ***HB 1168, CH 75 (2015)**, SB 5211
- PERS, retirement allowance payable as survivor benefit for domestic partner, conditions: HB 1036, HB 2298
- PERS, service credit, for state elected official on authorized leave of absence when charged with felony: SB 6123
- PERS, uniformed personnel members, county agreeing to pay contributions: SB 5214
- PSERS, offender and patient nursing care providers, membership, when: SHB 1718, SB 5703
- PSERS, plan 2, enrollment for PERS plan 2 and 3 members employed in certain positions: SB 5913
- PSERS, uniformed personnel members, county agreeing to pay contributions: SB 5214
- SERS, plans 2 and 3, benefits at earlier ages: SB 5473
- SERS, postretirement employment provisions, removing: SB 5545
- Small business retirement marketplace, creating: SHB 2109, SB 5826
- State patrol, officer salaries and benefits, competitive: SB 5304, SB 6331, SB 6547
- State retirement plans, assignment of benefits, prohibitions, extending: SB 6622
- State retirement plans, plan membership before normal retirement age in another plan: HB 1322
- State retirement plans, retirement age provisions for new members, modifying: SB 5982
- State retirement plans, state average wage limit to be maximum compensation for applying contribution rates: SB 6005
- TRS, membership for certificated employees of office of superintendent of public instruction: SHB 1109
- TRS, plan 1, merging LEOFF plan 1 into and creating LEOFF system plan 1 lump sum defined benefit: SB 6668
- TRS, plan 1, retiree cost-of-living adjustments: SB 6017
- TRS, plans 2 and 3, benefits at earlier ages: SB 5473

TRS, plans 2 and 3, post-early-retirement employment with retirement benefits: E2SHB 2573, SB 5148, SB 6332
 TRS, postretirement employment as substitute teachers, provisions: SHB 1737, 2SHB 1737, SB 6455, SB 6549
 TRS, postretirement employment provisions, removing: SB 5545
 Volunteer firefighters' and reserve officers' system, "emergency worker," to include volunteer of nonprofit emergency service provider: SB 6026
 Volunteer firefighters' and reserve officers' system, member service during multiregional emergencies, impact of: SB 6439
 WSPRS, military service credit for: SB 6634
 WSPRS, optional life annuity benefit: ***SB 5210, CH 111 (2015)**
 WSPRS, surviving spouse, death benefits for: ***SHB 1194, CH 78 (2015)**
 WSPRS, surviving spouse, workers' compensation death benefits for: SB 5246

REVENUE, DEPARTMENT

Business licensing service, disclosure of information for commercial purposes, prohibiting: SB 6438
 Business licensing, local business tax and licensing simplification task force, establishing: ***EHB 2959, CH 55 (2016)**
 Forest land, public, estimate by department of availability for timber harvesting, revising deadline for: SB 6438
 Investigations, background, for excise taxation purposes, modifying provisions: SB 6438
 Pet adoption fees, for transfer of ownership by animal rescue organization, removing from "sale" definition : SB 6438
 Sales suppression devices, automated, and phantom-ware, no longer needed for evidence, disposition: SB 6438
 Tax and licensing laws administered by department, improvements to: SB 6438
 Tax expenditure budget, for operating budget purposes, preparation by department: SB 5492
 Taxpayer information, federal, certain applicants who will have access to, criminal history checks: SB 6252
 Unclaimed property, administration of laws governing, improvements, department role: SHB 1551, SB 5543

REVISED CODE OF WASHINGTON

Basic education, recodifying most statutes into one chapter: SB 6130
 Bond authorization statutes, inactive or obsolete: ***EHB 1859, CH 4 (2015)**, SB 5723
 Bonds, general obligation for certain higher education capital projects, decodifying statutes: ***HB 1961, CH 55 (2015)**, SB 5977
 Capital construction funds and accounts, state, inactive or obsolete statutes: ***EHB 1859, CH 4 (2015)**, SB 5723
 Community and technical college provisions and programs, expiration dates and clarifications: ***HB 1961, CH 55 (2015)**, SB 5977
 Conforming amendments, conforming statutes with reorganization of state government: ***SB 5024, CH 225 (2015) PV**
 County legislative authorities, correcting double amendment concerning: ***HB 2800, CH 189 (2016)**
 Elections statutes, references to, correcting: ***SHB 1806, CH 53 (2015)**
 Expired provisions, removing certain: ***SHB 2359, CH 202 (2016) PV**
 Financial management, office of, nonsubstantive updates and realignments in statutes: SB 5073
 Forms in RCW, technical changes to year designations in: ***SHB 2359, CH 202 (2016) PV**
 Procurement by state government, nonsubstantive changes to statutes: ***SB 5075, CH 79 (2015)**
 Publication and authentication of RCW, as legal material in official electronic record, provisions: SB 6361
 Spending programs, new statutory state, defining as certain RCW statutes: ESB 5944
 Traffic safety commission, governor's designee for, codification error correction: ***SB 5046, CH 206 (2016)**
 Unnecessary laws, legislative removal and repeal procedures: SB 6380
 Unnecessary provisions, removal, various: SB 6268
 Workforce investment act, updating references: HB 2675, SB 6457

RIVERS (See also COLUMBIA RIVER GORGE COMMISSION; ENERGY; FISHING; FLOOD CONTROL)

Aquatic invasive species, dreissenids (quagga and zebra mussels) prevention, requesting action by Congress: ***SJM 8013 (2015)**
 Bridges, construction by waterway, recreational access feasibility: ESB 6044, SB 6363
 Chehalis basin, office of, establishing: ***HB 2856, CH 194 (2016)**
 Flows, base and minimum instream, mitigating effect of permit-exempt groundwater withdrawals on, evaluating: SB 5965
 Flows, base and minimum instream, restricting application of: SB 5134
 Flows, instream, proof of water reliance for building permit recipients, application process for: SB 6584
 Hydraulic permits and projects, definition of "hydraulic project," revising: SB 6287

Hydraulic permits and projects, emergency for highway projects, DFW deadline: SB 5855
 Hydraulic permits and projects, fee exemption for fish habitat enhancement projects: HB 1032
 Hydraulic permits and projects, involving watershed management actions by watershed improvement districts, process: SB 6175
 Hydraulic permits and projects, mineral prospecting and mining advisory committee, establishing: SB 5705
 Hydraulic permits and projects, permit fee exemption for emergency permits, when: SB 5204
 Hydraulic permits and projects, SEPA review exemption, when: SB 6175
 Mineral prospecting, motorized, effects on native fish and habitat, studying: SB 6630
 Mineral prospecting, recreational motorized, licensing of: SB 6630
 Nooksack river, claiming and diverting water from, when: SB 5298
 Sediment and river management demonstration projects, multi-agency effort to construct: SB 5347
 Sediments, dredged contaminated, disposing of or reusing safely: SB 6436
 Skagit, recharging basin and aiding certain well users, feasibility study: ***ESB 6589, CH 227 (2016)**
 Skagit, Skagit river basin instream resources protection rule: SB 5131, SB 5135, SB 5136, SB 5407
 Spawning beds, in rivers and streams, activities that harm or disturb, prohibiting: SB 5739
 Streams, adding definition to shoreline management act: HB 2046

ROADS AND HIGHWAYS (See also ENVIRONMENT; TRAFFIC; TRAFFIC OFFENSES; TRANSPORTATION)

Alaskan Way viaduct replacement project, limiting expenditure of funds on: SB 5949
 Alaskan Way viaduct replacement project, tearing down of structure, prohibiting: SB 6509
 Alaskan Way viaduct replacement project, terminating: SB 5646
 Auto malls, directional signs on state highways, authorizing DOT installation, when: SB 6468
 Bistate megaproject, action by OFM when not fully funded: SB 5116
 Bistate megaproject, development of: SB 5117
 Bistate megaproject, work group for, establishing: SB 5118
 Border crossing, extraterritorial jurisdiction for U.S. over preclearance officers in Canada, requesting: SJM 8018, SJM 8020, SJM 8021
 Bridges, construction by waterway, recreational access feasibility: ESB 6044, SB 6363
 Bridges, I-5 over Columbia river, replacement and light rail project, prohibiting expenditures on: SB 5319
 Bridges, local government-owned structurally deficient, expedited permitting and contracting: ***SHB 1851, CH 144 (2015)**
 Bridges, structurally deficient, expedited permitting and contracting for: ***HB 1219, CH 10 (2015)**
 Bridges, Tacoma Narrows, deferred sales tax on project, repayment: SB 6472
 Bridges, Tacoma Narrows, operating expenses, minimum balance for: SB 6472
 Bridges, toll facilities, toll exemption for authorized emergency vehicles: SB 6653
 Bridges, toll facilities, toll exemption for school buses: SB 6643
 Congestion relief efforts, lottery statewide raffle tickets to benefit: SB 5973
 Connecting Washington projects, projects identified as: ***ESHB 2012, CH 12 (2015)**
 Construction, aggregate and recycled concrete materials, reuse and recycling: ***ESHB 1695, CH 142 (2015)**, SB 5480
 County road fund, authorizing certain marine uses by island counties: ***EHB 1868, CH 223 (2015)**
 Electric vehicles, neighborhood and medium-speed, street and highway use: ***HB 2317, CH 17 (2016)**
 Express toll lanes, I-405, construction and operation restrictions: SB 6152
 Express toll lanes, I-405, implementation and improvements, studying: SB 6675
 Express toll lanes, I-405, toll-free and no-minimum-vehicle-occupancy travel on, when: SB 6152
 Fish passage barrier removal, environmental legacy stewardship account funding: SB 5991
 Graffiti, on state-owned transportation facilities, removal by DOT: SB 5764
 High occupancy vehicle lanes, wheelchair accessible taxicabs, use of lanes by: SB 6627
 Highway construction and maintenance, DOT projects and activities, shoreline management act local review exemption: E2SHB 1850
 Highway construction, design-build procedure for projects: SB 5054, SB 5997
 Highway construction, engineering errors, reporting: SB 5053, SB 5996
 Highway construction, funds from indebtedness, sales and use tax exemptions for state: SB 5427
 Highway construction, practical design principles, DOT implementation: ***ESHB 2012, CH 12 (2015)**
 Highway construction, sales and use tax exemptions for state: SB 5428
 Highway construction, workforce development apprenticeship programs, modifying: ***ESB 5863, CH 164 (2015)**
 Highway projects and maintenance, streamlined environmental decision making approach: SB 5996

Highway projects, disadvantaged business enterprise advisory committee, creating: SB 6180
 Highway projects, expedited permitting by various agencies for, provisions: SB 5855
 Highway projects, general obligation bonds for transportation projects: SB 5989
 Highway projects, state transportation corridor, various local permits, etc., DOT exemption: SB 5994
 Highway projects, with NEPA requirements, expedited environmental review and approval: SB 5996
 Interstate 405, express toll lanes, implementation and improvements, studying: SB 6675
 Interstate 90, speed limit, in rural counties: SB 5228
 Property, for highway purposes, including improvements and airspace, rental or lease of, valuation requirements: SB 6623
 Roads, county, defining "riverine project" and "storm water project": SB 6314
 Roads, local, updating statutes for lower costs and greater efficiency: SB 6314
 Safety rest areas, free coffee at, restoring signage that advertises: SB 5068
 Safety rest areas, public restrooms, human trafficking information posting in: SB 5883
 Speed limit, on highways, increasing maximum for any highway: ***HB 2181, CH 58 (2015) PV**
 State route 2 trestle, intending to fund DOT preliminary work for replacing: SB 6567
 State route 276, removing from state highway system: ***SB 6607, CH 239 (2016)**
 State route 509, requesting that transportation commission rename as Philip Martin Lelli memorial highway: ***SJM 8019 (2016)**
 State route 99 Alaskan Way viaduct replacement project, limiting expenditure of funds on: SB 5949
 State route 99 Alaskan Way viaduct replacement project, tearing down of structure, prohibiting: SB 6509
 State route 99 Alaskan Way viaduct replacement project, terminating: SB 5646
 State route 99, requesting SR 99 be named William P. Stewart memorial highway: ***HJM 4010 (2016)**, SJM 8014
 State routes 128 and 193, portions of, as heavy haul industrial corridor: ***HB 2807, CH 26 (2016)**, SB 5272
 Toll facilities, bridges, toll exemption for authorized emergency vehicles: SB 6653
 Toll facilities, bridges, toll exemption for school buses: SB 6643
 Toll facilities, customer service for, measures for improving: SB 5481
 Toll facilities, Tacoma Narrows bridge, deferred sales tax on project, repayment: SB 6472
 Toll facilities, Tacoma Narrows bridge, operating expenses, minimum balance for: SB 6472
 Transportation future funding program, practical design savings availability through: ***ESHB 2012, CH 12 (2015)**
 US highway 100, requesting designation as the North Olympic Peninsula Medal of Honor memorial highway: ***SJM 8012 (2015)**
 Vacation of road, by county legislative authority, conditions: SB 5918, SB 6314
 Workers, for contractor or subcontractor, university tuition and fees exemption for surviving spouses and children: ESHB 2804
 Workers, for transportation agency, university tuition and fees exemption for surviving spouses and children: ***HB 1977, CH 46 (2015)**, SB 5841

ROCKS AND MINERALS

Mineral prospecting and mining advisory committee, establishing: SB 5705
 Mineral prospecting, motorized, effects on native fish and habitat, studying: SB 6630
 Mineral prospecting, recreational motorized, licensing of: SB 6630

SALES (See also ALCOHOLIC BEVERAGES; FIREARMS; HAZARDOUS MATERIALS; MANUFACTURING AND TECHNOLOGY; TOBACCO AND TOBACCO PRODUCTS)

Alcohol, powdered, banning use, purchase, sale, and possession of: SB 6082
 Bags, carryout retail, restrictions and requirements: SB 5432
 Bags, single-use carryout retail, local ban on: SB 5432
 Cannabinoids, cathinones, and methcathinones, synthetic, prohibiting manufacture and sales: ESB 5673, SB 6136
 Cans, beverage, detachable ring sales prohibition, exemptions, when: SB 5008
 Contact lens manufacturers, price agreements limiting retailer and customer options, prohibiting: SB 5489
 Fireworks, sale of, scope of local authority for regulation of: SB 5914
 Flame retardants, in children's products and upholstered furniture, limiting: E2SHB 1174, ***ESHB 2545, CH 176 (2016)**, SB 5056, SB 5684, SB 6131, SB 6440
 Human remains, sale or commercial display, prohibiting: SB 5891
 Mercury-containing lights, environmental handling charge, B&O tax exemption: ***SHB 1619, CH 185 (2015)**, SB 5563
 Microbeads, synthetic plastic, prohibiting sale of personal care products and OTC drugs containing: SB 5431, SB 5609

Motor vehicle purchases, cancellation, when, requirements: SB 6110
 Motor vehicles, subsequently abandoned, report of sale filed with incorrect buyer: ***ESHB 2274, CH 86 (2016)**
 Remote sellers, nexus within state, when deemed to have for certain sales and B&O tax purposes: SB 5541
 Studded tires, retail sale of, imposing fee on: HB 1995
 Suppression devices, automated, and phantom-ware, no longer needed for evidence, disposition: SB 6438

SCHOOL DIRECTORS' ASSOCIATION, WASHINGTON STATE

Digital citizenship and safe technology use, including advisory committee: SB 6273
 Educational opportunity gap, oversight and accountability committee recommendations, association role: E2SHB 1541,
***4SHB 1541, CH 72 (2016)**, SB 6192
 Language access by limited-English proficient parents and guardians, model policy and procedures, WSSDA role: SB
 5787
 Natural disaster school infrastructure recovery model policy, association role: ***EHB 1003, CH 37 (2016)**
 Pest management in schools, integrated program emphasizing nonchemical measures, model policy for: SB 6002
 Students, restraint or isolation of, model policy limiting, association to adopt: SB 5908

SCHOOLS AND SCHOOL DISTRICTS (See also EDUCATIONAL OPPORTUNITY GAP OVERSIGHT AND ACCOUNTABILITY COMMITTEE; PUBLIC INSTRUCTION, SUPERINTENDENT)

Allergen information, posting at public schools: SHB 1562
 Assessments, results, availability as norm-referenced results and student growth percentiles, when: HB 1666
 Assessments, results, notifying students and their parents or guardians of: SHB 2429
 Assessments, student assessment inventory tool, OSPI to obtain and distribute to districts, and schools to use: SB 6552
 Assessments, student statewide, reducing to those meeting federal mandates and eliminating use as graduation
 requirements: SB 6122, SB 6458, SB 6476
 Assessments, student, delaying and eliminating as graduation requirement: SB 6182
 Assessments, student, eliminating certain assessments and alternatives and adding local course option: 2EHB 2214, SHB
 2214
 Assessments, student, eliminating certain assessments and use of objective alternatives: SB 6458, SB 6476
 Assessments, student, eliminating certain assessments while increasing alternatives: SB 5520
 Assessments, student, formative and summative, certain provisions: SB 6040
 Assessments, student, locally determined courses and transition courses, OSPI to study: 2EHB 2214, SHB 2214
 Assessments, student, parent and guardian right to excuse students from statewide, to be unrestricted: SB 6458, SB 6460,
 SB 6476
 Assessments, student, science requirement alternative assessments, eliminating: SB 6640
 Assessments, student, science requirement for certificate of academic achievement, delaying: ***SB 6145, CH 42 (2015)**
 Assessments, student, science requirement for certificate of academic achievement, eliminating: SB 5825, SB 6640
 Assessments, student, third grade English language arts, parental notification when student below basic on: SB 5803
 Assessments, student, transitioning from biology assessment to comprehensive science assessment: SB 6640
 Assessments, student, using college readiness assessment for certificate of achievement, pilot program: SB 6473
 Assessments, student, withdrawing from smarter balanced assessment consortium and returning to prior assessments: SB
 6030
 Athletic activity, sudden cardiac arrest during, online pamphlet concerning: SB 5083
 Athletic fields, with synthetic turf, establishing advisory group, study, restrictions, and requirements: SB 6540
 Basic education, ample funding of, suspending state expenditure limit to provide: ***EHB 2267, CH 29 (2015)**
 Basic education, recodifying most statutes into one chapter: SB 6130
 Basketball hoops, retractable, inspection requirements and safety and health standards for: SB 6386
 Breakfast after the bell programs, in high-needs schools: SHB 1295, E3SHB 1295, SB 5437
 Bullying, district antiharassment, intimidation, and bullying policy: SB 5526
 Bus operators, for private schools, B&O tax application to: SB 6438
 Buses, drivers of school buses, immunity from liability, when: SB 5548
 Buses, seat belts and other restraint systems, studying costs and benefits of: HB 2639
 Buses, toll bridge charges exemption for: SB 6643
 Cameras, traffic safety, use in school zones, requirements: EHB 1087
 Career and technical education, allocations for materials, supplies, and operating costs: SB 6415, SB 6661
 Career and technical education, granting math or science credit for high school CTE courses, delaying: SB 5966

Career and technical education, model framework and curriculum, work group to update: E2SHB 1541, SB 6192, SB 6244

Career and technical education, to include elementary students: SB 5082

Charter public schools, funding and contract re-execution for compliance: SB 6194

Charter school commission, members and requirements for authorizing schools: SB 5791

Charter school commission, state, members and school authorization: SB 6194

Charter schools, district, authorizing: SB 6163

Charter schools, independent performance audits of: SB 5791

Civics program for students, promoting responsible participation in government, development: SB 6232

Class size, reducing K-12, funding for: SB 6104

Class size, reducing K-3, funding for: SB 6088

Class size, reducing K-3, grant program and bonds for facilities: SB 6080

Class size, reducing K-3, using certain facilities in support of, when: ***SHB 2985, CH 159 (2016)**

Class size, reducing, basic education funding formula revisions: SB 6088

Class size, reducing, basic education funding formula revisions, deferring: ***EHB 2266, CH 38 (2015)**

Clean energy education program, developing and establishing: SB 6218

Coaches, online sudden cardiac arrest prevention program for: SB 5083

College bound scholarship program, aligning eligibility with state need grant: SB 6113

College bound scholarship program, enrollees, grant program for student support services programs for: SB 5856

College bound scholarship program, pledge requirement, modifying: ESHB 1236, E2SHB 1236

College bound scholarship program, work group recommendations: SB 5851

College credit, dual credit options, expanding and funding: SB 5080

College in the high school program, dual credit access for low-income students: ***E2SHB 1546, CH 202 (2015)**

College in the high school program, dual credit opportunities: SB 5080, SB 5086

College in the high school program, earlier participation: SHB 1031, ***E2SHB 1546, CH 202 (2015)**

Common core standards, withdrawing from, and returning to prior essential academic learning requirements: SB 6030

Community learning center program, advisory council, creating: SB 5814

Community learning center program, communities of color and rural and low-income communities, targeting: SB 5814

Community learning center program, various programs, provisions concerning: SB 5814

Computer science, standards for learning and K-12 teacher endorsement: ***SHB 1813, CH 3 (2015)**

Conflict resolution program, statewide dispute resolution organizations and certified mediators, roles of: ***SB 5805, CH 126 (2015)**

Construction, labor and materials sales and use tax exemptions: SB 5927

Construction, school construction assistance program, eligibility for: ***SHB 2985, CH 159 (2016)**

Construction, school construction assistance program, funding percentage, cost allowance, and space allocations: SB 5859

Counselors, guidance, minimum allocation for: SB 6088

Counselors, social workers, and psychologists, role in meeting unmet student mental health needs, defining: 2SHB 1900

Counselors, social workers, and psychologists, school, task force on: SHB 2381

Cultural access program for public schools, creating: ***ESHB 2263, CH 24 (2015)**, SB 5463

Cultural competence, training in, for educators: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

Cursive writing, teaching in common schools, requirement: SB 6469

Data, disaggregated student data, requirements: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192, SB 6244

Data, graduation rate collection and tabulation, modifying: SHB 2743

Day, extending for middle school homework assistance, pilot program: SB 5657

Digital citizenship and safe technology use, including advisory committee: SB 6273

Disabilities, children from birth to age three with, early intervention services, role of school districts: ***SB 5879, CH 57 (2016)**

Disabilities, students with, commission on improving outcomes for, creation and duties: SB 5946

Disabilities, students with, restraint or isolation, limiting and prohibitions: ***SHB 1240, CH 206 (2015)**

Disabilities, students with, restraint or isolation, limiting and prohibitions and model policy: SB 5850, SB 5908

Discipline, policies and procedures, discretionary discipline, and suspension and expulsion: SB 6244

Discipline, student, addressing disproportionality in, including task force: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

Districts, board of directors for, authority to change electoral system for, when: ESHB 1745, E2SHB 1745, SB 5668, SB 6663

Districts, board of directors member compensation: SHB 2851, SB 6259

Districts, continuity of operations of: SB 6553

Districts, dissolution of, modifying requirement: ***SB 5120, CH 82 (2015)**

Districts, district charter schools, authorizing: SB 6163

Districts, four-year budget outlook generic model, technical working group to consider feasibility: SB 6130

Districts, housing projects for low-income students, certain funds for: ***EHB 1633, CH 155 (2015)**, SB 5578

Districts, lean management and Baldrige performance excellence principles, implementing: SB 5837

Districts, local revenue fund for each district, establishing: SB 6130

Dual language programs, K-12 dual language expansion grant program, creating: SHB 1783, SB 5675

Educational opportunity gap oversight and accountability committee, reviewing absenteeism issues: ***2SHB 2449, CH 205 (2016) PV**

Educational opportunity gap, closing educational opportunity gap act, strategies: SB 6244

Educational opportunity gap, oversight and accountability committee recommendations: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

Educational programs not in common schools, opportunity pathways account funding: SB 6194

Educational service districts, regional school safety and security program: ***ESB 6620, CH 240 (2016)**

Educational service districts, role in social emotional learning strategies: SB 5688

Educator professional growth plans, submitted via eCert system, disclosure exemption: HB 1804, SB 5495

Emergencies, districts continuity of operations during: SB 6553

Employees, certificated instructional staff, COLAs: SB 5890

Employees, certificated instructional staff, new salary allocation model: SB 6130

Employees, certificated instructional staff, new statewide salary schedule for: SB 5890, SB 6104, SB 6109

Employees, certificated instructional staff, raising base salaries and allocations for: SB 6241

Employees, certificated, contract status appeals adverse change, notification: ***SHB 2405, CH 93 (2016)**, SB 5658

Employees, certificated, nonrenewal of contract, deadline for notices of: ***HB 2023, CH 85 (2016)**

Employees, collective bargaining unit representatives, periodic certification elections: SB 6410

Employees, collective bargaining, limiting salary and other compensation increases, when: SB 6109

Employees, during strike or stoppage, prohibiting compensation or sick leave or health benefits use: SB 6116

Employees, K-12 classified staff, state higher education tuition waivers: SB 5559

Employees, K-12 staff, analysis of public school compensation data: ESHB 2366, SB 6195

Employees, K-12 staff, comparable and competitive wages, increased allocations for: SB 5544

Employees, K-12 staff, salary enhancements, reducing levies by amounts allocated by state for: SB 6103

Employees, raising base salaries and allocations for: SB 6241

Employees, salary increases and COLAs: SB 5469

Employees, school district and educational service district, tobacco use health benefit plan additional surcharge, when: SB 6096

Employees, school district educational, collective bargaining to be considered as open public meetings: SB 6126

Employees, school employees' benefits board, creating: SB 5976, SB 6109

Employees, staffing formula changes for class size reduction, deferring: ***EHB 2266, CH 38 (2015)**

English language learners, instruction and accountability: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

English language learners, transitional bilingual program instruction and teacher endorsements: SB 6244

Equity impact review process, for screening rules and budget proposals, convening work group: SB 5718

Exemplary performance, schools recognized for, reducing mandate compliance requirements for: SB 5393

Expanded learning opportunities council, membership: SB 5721

Facilities, general obligation bonds for, supporting all-day kindergarten and K-3 class size reduction with: SB 6080

Family engagement coordinators and related terms, definition and model: SHB 1408, ***2SHB 1408, CH 79 (2016)**

Financial education public-private partnership, curriculum requirements and teachers as members: SHB 1121, SB 5202

Firearm safety and hunter education high school elective course, development: SB 6515

Firearms at schools, exemptions from prohibition, when: SB 5500

Food procurement, farm-to-school program, appropriating funds for: SB 6039

Funding, allocations, school employee salaries, and local levy reliance reduction: ESHB 2239, SB 6130

Funding, basic education, Article IX obligations and Washington education funding council: SB 6130

Funding, basic education, Article IX obligations implementation plan and Washington education funding council: ESHB 2239

Funding, basic education, Article IX obligations, suspending state expenditure limit to meet: ***EHB 2267, CH 29 (2015)**

Funding, basic education, basic education benefit account, for deposit of McCleary order receipts, creating: SB 6661

Funding, basic education, class size reduction and employee staffing formula changes, deferring: ***EHB 2266, CH 38 (2015)**

Funding, basic education, class size reduction and staffing and other formula enhancements, allocations: SB 6088

Funding, basic education, counties with federal forest lands, discontinuing allocation reductions in: SB 6292

Funding, basic education, education funding task force, establishing: ESHB 2366, SB 6195

Funding, basic education, imposing capital gains tax for deposit in education legacy trust account: SB 5699, SB 6102, SB 6104

Funding, basic education, K-12 staff salary enhancement, state allocations and consequent levy reductions: SB 6103

Funding, basic education, K-12 staff salary schedule and competitive and comparable wage levels: SB 6104, SB 6109

Funding, basic education, legislation for 2016 and 2017 enactment: ESHB 2239

Funding, basic education, phase-in plan for educator compensation and K-12 class size reduction: SB 6104

Funding, basic education, prototypical K-12 funding model, repealing: SB 6079

Funding, basic education, reducing reliance on local levies with aid of state income tax: SB 6114

Funding, basic education, to be determined in omnibus appropriations act: SB 6079

Funding, career and technical education allocations for materials, supplies, and operating costs: SB 6415, SB 6661

Funding, charter public schools, appropriation and distribution of state funding: SB 6194

Funding, prioritizing biennial state revenue growth for education: SB 5063

Funding, programs not in common schools, opportunity pathways account funding: SB 6194

Funding, public schools, levying intangible property tax to fund: SB 6093

Funding, reducing levies while increasing property tax to fund education: SB 5334

Funding, Washington education funding council, establishing: ESHB 2239, SB 6130

Grade point average, weighted, optional use for accelerated courses, authorizing: SB 6291

Graduation requirements, assessment and certificate provisions, modifying various: 2EHB 2214, SHB 2214

Graduation requirements, certificate of academic achievement, dual credit course options for earning: SHB 2214

Graduation requirements, certificate of academic achievement, science assessment requirement, delaying: ***SB 6145, CH 42 (2015)**

Graduation requirements, certificate of academic achievement, science assessment requirement, eliminating: SB 5825, SB 6640

Graduation requirements, certificates of academic achievement and individual achievement, eliminating: SB 5327, SB 6458, SB 6476

Graduation requirements, local, waiving for at-risk or homeless youth or children in need, when: SHB 1855

Graduation requirements, science assessments, various changes: SB 6640

Graduation requirements, state assessments, delaying and eliminating as requirement: SB 6182

Graduation requirements, state assessments, eliminating as requirement: SB 6458, SB 6476

Graduation requirements, student performance standards, various provisions: SB 6030

Harassment, district antiharassment, intimidation, and bullying policy: SB 5526

High school and beyond plans, modifying provisions: 2EHB 2214, SHB 2214

High school diploma or credential, certain residents without, forecasting: SB 6161

High school diplomas, state, issuing high school equivalency certificates as: SHB 2743

High school equivalency certificates, tests for, GED fairness act: SB 6560

High school equivalency certificates, tests for, options: SB 5676, SB 6560

High school transition courses, ensuring college-level placement through successful completion of, when: 2EHB 2214, SHB 2214

Highly capable students, program services for, requirements: SB 5922

Indian tribal history and culture, teaching in common schools, requirements: SHB 1511, SB 5433

Indian tribal history and culture, using Since Time Immemorial curriculum in teacher preparation programs: SB 6189

Infrastructure, natural disaster recovery model policy: ***EHB 1003, CH 37 (2016)**

Integrated student supports protocol, including work group, establishing: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

Kindergarten, all-day, all-day kindergarten facility grant program, creating: SB 5478

Kindergarten, all-day, K-3 class size reduction grant program and bonds for facilities: SB 6080

Kindergarteners, month of, September to be: SB 6516

Language access by limited-English proficient parents and guardians, access services and model policy: SB 5787

Learning assistance program, schools working with community-based organizations: SB 5690

Levies for schools, eliminating district local basic education levy dependency: ESHB 2366, SB 6195

Levies for schools, extending current local enrichment policies: EHB 2698, SB 6353

Levies for schools, local district levy authority and local effort assistance: EHB 2698, SB 6183

Levies for schools, local levy funds use, flexibility for: SB 6130

Levies for schools, local levy reduction, levy equalization, and state property tax offset: SB 6109

Levies for schools, reducing by prior school year allocations for K-12 salary enhancements: SB 6103

Levies for schools, reducing reliance on local levies: SB 6104, SB 6109, SB 6130

Levies for schools, reducing reliance on local levies with aid of state income tax: SB 6114

Levies for schools, reducing while increasing property tax to fund education: SB 5334

Library information and technology programs, duties of teacher-librarian: SB 5294

Meals, reduced-price lunches for prekindergarten through 12th grade students, eliminating copays for: SHB 2964

Meals, reducing sugar content in school meals, convening work group concerning: E3SHB 1295

Media, student journalist freedom of speech, including civil action for relief: SB 6233

Mental health care, for students, preventative strategies: SB 6432

Mental health care, service models for students, JLARC inventory of: ***E2SHB 2439, CH 96 (2016)**, SB 6432

Mental health care, student psychotropic medication and/or psychological screening, school requirements for, prohibiting: SB 6543

Mental health professional collaboration time, professional collaboration lighthouse grant program for: 2SHB 1900

Middle schools and junior high schools, afterschool learning labs pilot project, department role: SB 6368

Middle schools, extending day for homework assistance, pilot program: SB 5657

Military children, interstate compact and interstate commission on educational opportunity for: SB 6122

Music education, elementary school opportunities for, requirements: SB 5930, SB 6588

Names, using Redskins as school name, prohibiting: SB 6190

National guard youth challenge program, longitudinal outcome evaluation of: SB 5942

New schools, siting inside and outside urban growth areas, creating legislative task force on school siting to consider: ESHB 1420

Nuclear energy education program, establishment and funding: SB 5093

Nurses, licensed, authority in school setting to practice without nonnurse supervisor: SHB 1790, SB 5765

Out-of-school time programs, enabling neighborhood groups to provide: SB 5303

Paraeducators, effect on student outcomes of, studying: SB 6408

Paraeducators, minimum employment and training standards: SB 5179, SB 6408

Paraeducators, pipeline for paraeducators conditional scholarships, increasing available endorsements: SB 6332

Parent involvement coordinators, minimum allocation for: SB 6088

Parking by students, fees for, district authority: HB 1142

Peer mentoring, of at-risk elementary students by college students, encouraging college attendance: SB 5637

Pest control, integrated pest management program emphasizing nonchemical measures: SB 6002

Playgrounds, with synthetic turf, establishing advisory group, study, restrictions, and requirements: SB 6540

Principals, evaluations of, comprehensive summative, frequency: SHB 1867

Principals, evaluations of, using statewide student assessments for: SB 5748

Principals, evaluations of, using student growth data elements in: SB 5749

Principals, professional learning days, provisions: SB 5415

Principals, professional learning for, definition and standards: ***HB 1345, CH 77 (2016)**

Principals, targeted professional development for, provisions: SB 5807

Psychologists, task force on school counselors, psychologists, and social workers: SHB 2381

Race and ethnicity reporting guidelines, task force concerning: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192

Recess, daily recess period for K-5 students, providing: SB 6407

Running start program, dual credit options through: ***E2SHB 1546, CH 202 (2015)**, SB 5086

Running start program, expanding and funding dual credit options through: SB 5080

Rural area schools, urban government services for, when: SB 5102

Safe routes to school program, funding for: SB 5724

Safety, regional school safety and security center, program modeled after: ***ESB 6620, CH 240 (2016)**

Safety, regional school safety and security centers, pilot program to create: SB 5252

Safety, school programs evaluation and annual school summits: ***ESB 6620, CH 240 (2016)**

Safety, support public schools special license plates, creating to fund school safety measures: SB 6674

School service providers, via online service or site or mobile application, requirements: ESHB 1495, ***ESB 5419, CH 277 (2015)**

Schools, as essential public facilities within growth management act: SB 6426

Searching students, warrantless exception for school resource officers and local police school liaison officers: SB 6230

Sexual abuse by personnel and peers, requesting action to prevent and respond to: SJM 8006

Sexual abuse or contact by personnel and family, staff training and response: ***HB 2597, CH 48 (2016)**

Sexual harassment, policy and employee training, modifying provisions: SB 5517

Sexual health education, sexual abuse and violence prevention information as part of: SB 5506

Siting of schools outside urban growth areas, criteria: SB 5110

Social emotional learning, educational service districts role: SB 5688, SB 6432

Social emotional learning, K-12, work group to recommend benchmarks for: SB 5688

Social emotional learning, online training module, creating and maintaining: ***ESB 6620, CH 240 (2016)**

Special education innovation project, including innovation fund and grants, establishing: SB 5946

Special education, special education administration, training for leaders in: SB 5905

Special education, special education state advisory council, establishing: SB 5905

Special education, transition of students to higher education, services for: SB 5679

STEM experiences, creating and expanding instructional worksite learning pilot project: SB 6453

STEM literacy, specialized STEM facility grant program, creating: SB 5478

STEM programs, K-12, grant program for funding: SB 5082

Student success, target goals and indicators, development of: SB 6182

Students from military families, education data on: SHB 1149, SB 5163

Students, "unaccompanied homeless," defining for certain reporting purposes: E2SHB 1682, SB 5065

Students, biometric information, collection and use of, prohibitions: SB 5316

Students, forecasting of enrollments: SB 6455

Students, foster youth, educational outcomes improvement strategies for: 2SHB 1999, ***4SHB 1999, CH 71 (2016)**

Students, homeless student stability and opportunity gap act, including grant programs: SB 6298

Students, homeless, aiding with grant programs, liaisons, and other measures: E2SHB 1682, ***3SHB 1682, CH 157 (2016)**, SB 5065

Students, homeless, health care informed consent from school personnel: ***3SHB 1682, CH 157 (2016)**, SHB 2396

Students, low-income, housing assistance program funds for certain projects to aid: ***EHB 1633, CH 155 (2015)**, SB 5578

Students, personally identifiable student-level data, controlling access to: SB 5316

Students, psychotropic medication and/or psychological screening, school requirements for, prohibiting: SB 6543

Students, restraint or isolation of, limiting and prohibitions: ***SHB 1240, CH 206 (2015)**

Students, restraint or isolation of, limiting and prohibitions and model policy: SB 5850, SB 5908

Students, sleep, increasing by starting school one hour later: SB 6429

Students, social and emotional skills, strategies for developing: SB 5688

Students, transgender, model policy and procedure, requirements for school districts concerning: SB 5526

Suicide, school suicide prevention model, rollout of: ***E2SHB 2439, CH 96 (2016)**

Suicide, suicide concerns response training for student support staff: ***E2SHB 2439, CH 96 (2016)**

Suicide, youth suicide prevention training program for educators and parents: SB 6243

Teachers, beginning, implementing new beginning educator pay recommendations: SB 5546

Teachers, beginning, increasing salaries of: SB 6332

Teachers, bonuses, when: SB 6244

Teachers, certificated instructional staff, COLAs: SB 5890

Teachers, certificated instructional staff, COLAs in connection with certain bonuses: SB 5469

Teachers, certificated instructional staff, comparable and competitive wages, increased allocations for: SB 5544

Teachers, certificated instructional staff, new salary allocation model: SB 6130

Teachers, certificated instructional staff, new statewide salary schedule for: SB 5890, SB 6104, SB 6109

Teachers, certification, alternative route programs, district-higher education partnerships: E2SHB 2573

Teachers, certification, alternative route programs, replacing specific routes with outcomes-based policies: EHB 1770, SB 5496

Teachers, certification, applied baccalaureate degree programs leading to: SB 5391

Teachers, certification, expedited process for out-of-state teachers, conditions: E2SHB 2573, SB 6332, SB 6455
 Teachers, certification, teacher endorsement and certification help pilot project: E2SHB 1983
 Teachers, classroom teachers of color, posting data on internet: E2SHB 1541, ***4SHB 1541, CH 72 (2016)**, SB 6192
 Teachers, dual language teacher pipeline scholarship program, creating: SHB 1783, SB 5675
 Teachers, early childhood and elementary education endorsements: E2SHB 2573, SB 6455
 Teachers, educator retooling conditional scholarship program, endorsements via: E2SHB 1541, ***ESHB 1570, CH 9 (2015)**, ***SHB 1813, CH 3 (2015)**, E2SHB 2573, SB 5312, SB 6455
 Teachers, endorsements for transitional bilingual program: SB 6244
 Teachers, evaluations of, comprehensive summative, frequency: SHB 1867
 Teachers, evaluations of, using statewide student assessments for: SB 5748
 Teachers, evaluations of, using student growth data elements in: SB 5749
 Teachers, future teachers conditional scholarship and loan repayment program, provisions: SB 6097
 Teachers, K-12 classroom, maternity and paternity leave for, studying costs and impacts of: SB 6431
 Teachers, K-12, salary enhancements, reducing levies by amounts allocated by state for: SB 6103
 Teachers, mentoring of, beginning educator support program, modifying: E2SHB 2573, SB 6241
 Teachers, nonrenewal of, basing workforce reduction on performance evaluations: SB 5744
 Teachers, postretirement employment of teachers: SHB 1737, 2SHB 1737, E2SHB 2573, SB 6332, SB 6455, SB 6549
 Teachers, preparation programs for, using Since Time Immemorial tribal history and culture curriculum in: SB 6189
 Teachers, preparation programs, recruitment specialists grant program: E2SHB 2573
 Teachers, professional learning days, provisions: SB 5415
 Teachers, professional learning for, definition and standards: ***HB 1345, CH 77 (2016)**
 Teachers, qualified applicants, statewide initiative to increase: E2SHB 2573, SB 6332, SB 6455
 Teachers, recruitment and hiring, including grant programs: E2SHB 2573
 Teachers, recruitment into preparation programs and alternative route certification programs: E2SHB 2573
 Teachers, staffing formula changes for class size reduction, deferring: ***EHB 2266, CH 38 (2015)**
 Teachers, staffing placements, teacher and principal agreement: SB 5744
 Teachers, student loan repayment, eligibility and procedures: SB 6244
 Teachers, student teaching residency grant program: E2SHB 2573
 Teachers, substitutes, certification of higher education adjunct faculty as: SB 5941
 Teachers, substitutes, postretirement employment of teachers as: SHB 1737, 2SHB 1737, SB 6332, SB 6455, SB 6549
 Teachers, targeted professional development for, provisions: SB 5807
 Teachers, teacher shortage conditional grant program, for teacher preparation program students: E2SHB 2573
 Technology literacy, demonstration of, requirements for students: SB 5229
 Technology literacy, library information and technology programs, duties of teacher-librarian: SB 5294
 Technology, sales to and use in public schools, sales and use tax exemption: SB 5907
 Truancy, Becca task force recommendations, implementing: SB 5745
 Truancy, community truancy boards: ***2SHB 2449, CH 205 (2016) PV**, SB 6497
 Truancy, four-pronged approach for reducing absenteeism: ***2SHB 2449, CH 205 (2016) PV**
 Truancy, records, in judicial information system, provisions: SB 5658
 Truancy, substance abuse assessment or mental health evaluation: ***2SHB 2449, CH 205 (2016) PV**
 Truancy, three-pronged approach for reducing absenteeism: SB 6497
 Truancy, truant student in contempt of court order, detention and alternatives: ***2SHB 2449, CH 205 (2016) PV**
 Truancy, truant student in contempt of court order, detention when, eliminating: SB 5651
 Truancy, truant youth, crisis residential centers and HOPE centers for: ***2SHB 2449, CH 205 (2016) PV**, SB 6497
 Vapor products, possession on public school property or transportation or at school activities, prohibition: E2SHB 1645
 Vapor products, possession on public school property, prohibition: SB 6328
 Visual screening in schools, to include distance and near: HB 1865, ***SB 6245, CH 219 (2016)**
 Volunteers, private school students, medical aid benefits coverage, when: SB 6293
 Vouchers for K-12 education, instituting, procedures: SB 6079
 Worksite learning, creating and expanding instructional worksite learning pilot project: SB 6453
 Year, 180-day requirement waivers, effective periods and number of districts: ***HB 2476, CH 99 (2016)**

SCIENCE (See also COMPUTERS; LIFE SCIENCES DISCOVERY FUND AUTHORITY)

Cancer research, establishing fund to fight cancer for funding: SB 6101
 Cancer research, independent expert scientific review and advisory committees: SB 6096
 Cultural access programs, including science and technology, creation: ***ESHB 2263, CH 24 (2015)**, SB 5463

Land use actions by certain state agencies, significant, empirical science use: SB 5622
 Nuclear energy education program, establishment and funding: SB 5093
 STEM college degrees, awarding percentage of state need grants to students pursuing: SB 6512
 STEM experiences, creating and expanding instructional worksite learning pilot project: SB 6453

SECRETARY OF STATE (See also CORPORATIONS; ELECTIONS; INITIATIVE AND REFERENDUM; LIMITED LIABILITY COMPANIES)

Attestation services, public official and notary public signatures, secretary authority for: *SB 6491, CH 23 (2016) V
 Ballots, rejection practices, secretary to conduct statewide survey of: *ESHB 2852, CH 134 (2016)
 Civics program for students, promoting responsible participation in government, secretary role: SB 6232
 Corporations and partnerships, document electronic transmission and signatures: *SHB 2359, CH 202 (2016) PV, SB 6492
 Domestic partnership registry, termination notice references, removing: *SHB 2359, CH 202 (2016) PV, SB 6492
 Election data and reporting standards for county auditors, secretary to develop: *ESHB 2852, CH 134 (2016)
 Election reconciliation reports, secretary and county auditors, duties of: SHB 2435
 International contact database, repealing disclosure exemption for: *HB 2663, CH 182 (2016)
 Limited liability companies, filed documents, face and cover sheets for: *SHB 2359, CH 202 (2016) PV, SB 6492
 Official electronic records, Washington state constitution, publication and authentication: SB 6361
 Reelection, running for, excluding secretary's name from certain voting materials: *HB 1858, CH 83 (2016)
 Signatures, public official and notary public, attestation by secretary of: *SB 6491, CH 23 (2016) V
 Statistics, bureau of, repealing statutes: *SHB 2359, CH 202 (2016) PV, SB 6492

SECURITIES

Crowdfunding, short-form registration statement for small offerings, adopting: SB 5683
 Securities act of Washington, technical regulatory changes and clarifications: SB 6283

SENIOR CITIZENS (See also LONG-TERM CARE; VULNERABLE ADULTS)

Aging and disability, joint legislative executive committee on, establishing: SB 5436
 Alzheimer's or dementia, silver alert plan for missing persons with mental disabilities: *SHB 1021, CH 2 (2015), SB 5264
 Housing, affordable, county local option sales and use tax funding: *ESHB 2263, CH 24 (2015)
 Property tax deferral and exemption programs, income thresholds: SB 5691
 Property tax exemption program, health care coverage income deductions: SB 5186
 Property tax exemption program, surviving spouse or domestic partner exemption: SB 5127
 Silver alert plan for missing endangered persons: *SHB 1021, CH 2 (2015), SB 5264
 Silver alert plan for missing senior citizens and others with mental disabilities: *SHB 1021, CH 2 (2015), SB 5264

SENTENCING (See also CRIMES; CRIMINAL OFFENDERS; CRIMINAL PROCEDURE; FIREARMS; INDETERMINATE SENTENCE REVIEW BOARD; JUVENILE COURT AND JUVENILE OFFENDERS; SENTENCING GUIDELINES COMMISSION; SEX OFFENSES AND OFFENDERS; TRAFFIC OFFENSES)

Alcohol or controlled substances, possession or use, prohibitions as part of sentence: *SB 5104, CH 81 (2015)
 Alcohol, powdered, gross misdemeanor if used, purchased, sold, and/or possessed: SB 6082
 Assault of a child, with domestic violence prior conviction, modifying points for offender scoring: EHB 1632, SHB 1632
 Assault, fourth degree involving domestic violence, modifying: EHB 1632, SHB 1632
 Assault, of a utility company worker or employee, as aggravating circumstance, when: SB 6554
 Assault, third degree, to include assaulting persons serving legal process: SB 5521
 Assault, third degree, to include assaulting utility company employees: SHB 1178, SB 5833
 Body armor, crimes committed while wearing, sentence enhancement for: SB 5036
 Cannabinoids, cathinones, and methcathinones, synthetic, prohibiting manufacture and sales: ESB 5673, SB 6136
 Cetacean captivity, unlawful: HB 2888, SB 5666, SB 6582
 Community custody, no-contact conditions, department of corrections authority: *HB 2838, CH 108 (2016)
 Community placement or supervision, mental status evaluations: *SB 5101, CH 80 (2015)
 Computers, electronic data crimes, computer trespass, and spoofing: *E2SHB 2375, CH 164 (2016), SB 6197
 Computers, new chapter of crimes, Washington cybercrime act: *E2SHB 2375, CH 164 (2016), SB 6197
 Controlled substances, certain offenses, modifying seriousness level for sentencing purposes: SB 5836
 Cruelty to animals, modifying provisions: *SHB 2644, CH 181 (2016), SB 5501
 Custodial interference, child abduction statutes and residential provisions: *HB 1302, CH 38 (2015), SB 5394

Deadly weapon enhancements for felony convictions, recalculating earned release time date: SB 5835
 Death penalty, eliminating: SB 5639
 Diversion, of nonfelony charges, options when competency is an issue: SB 5925
 Domestic violence protection order, violation of, penalty assessment for: EHB 1729
 Domestic violence, crimes involving, penalty assessment for: EHB 1729
 Driving under the influence, provisions: ***HB 2280, CH 87 (2016)**, SB 5105, SB 6143, SB 6198
 Electronic data service interference, tampering, and theft: ***E2SHB 2375, CH 164 (2016)**, SB 6197
 Electronic monitoring, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
 Enhancements, various: SHB 1148, SB 5036, SB 5652, SB 5835
 Failing to summon assistance, modifying provisions: SB 5072
 Female genital mutilation, class B felony: SB 6563
 Firearm offenses, convicted felony firearm offender registration, requiring: ***SHB 2410, CH 94 (2016)**
 Firearms, deadly weapon sentencing enhancements when body armor worn: SB 5036
 Firearms, unsafe storage of, child endangerment due to, first and second degree, when: SB 5789, SB 6310
 Gambling information transmissions, class C felony, excluding networking services providers from, when: SB 6566
 Hearing, sentencing, appointing representative for deceased victim for, when: SB 6099
 Home detention, comprehensive provisions: ***EHB 1943, CH 287 (2015)**
 Human remains, sale or commercial display, prohibiting, class C felony: SB 5891
 Impaired driving, comprehensive modifications to provisions concerning: ***2E2SHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**, SB 6236
 Incapacitated person's property or services, theft by a guardian, creating crime of: SB 5945
 Internet crimes against children, child pornography possession penalty fee to combat: ***2SHB 1281, CH 279 (2015)**
 Internet crimes against children, including sexual exploitation, penalty assessment to combat: SB 5215
 Intimate images, disclosing, crime of: ***2E2SHB 1272, CH 7 (2015)**
 Intimate images, disclosing, crime of, mobile telecommunications provider liability exemption: ***HB 2384, CH 91 (2016)**
 Ivory or rhinoceros horn, unlawful trafficking, class C felony: SB 5241
 Juveniles, adult court exclusive jurisdiction, elimination of, requiring decline hearing: SB 5652
 Juveniles, offenses committed before age 18, technical corrections to provisions: ***SHB 1319, CH 134 (2015)**, SB 5839
 Legal financial obligations, various provisions: E2SHB 1390, SB 5713, SB 6642
 Luring, with intent to harm or to facilitate commission of any crime: SB 6463
 Marijuana, marijuana clubs, prohibition: ***2E2SHB 2136, CH 4 (2015)**, SB 6136
 Marijuana, minors entering or being served by retail outlets, crimes related to: HB 2522, SB 6302
 Marijuana, misdemeanor convictions, vacation of: SB 5461, SB 6164
 Marijuana, possession and delivery offenses, modifying penalties, when: HB 2494, SB 6486
 Minor, enhancement for crimes committed as, court discretion: SB 5652
 Mistreatment, criminal, when domestic violence involved, modifying points for offender scoring: EHB 1632, SHB 1632
 Motor vehicle air bags, crimes involving manufacture, sale, installation, etc.: SB 6160
 Motor vehicle property offenses, offender score provisions: SB 6350
 Motor vehicle, taking without permission, first degree, juvenile offender sentencing: SB 6529
 Multiple sentences and enhancements, sentencing for: SHB 1148
 Murder, aggravated first degree, eliminating death penalty and adding restitution for: SB 5639
 Parenting sentencing alternative, offender eligibility, modifying criteria: SB 6364
 Physical control of vehicle under the influence, provisions: SB 5105, SB 6143, SB 6198
 Property offenses, modifying sentencing provisions to help reduce: SB 5755, SB 6143, SB 6641
 Property offenses, motor vehicle, offender score provisions: SB 6350
 Property offenses, reducing, law enforcement and pretrial grant programs for: SB 6143, SB 6641
 Property, crimes against, habitual property offender special allegation: SB 5503, SB 6641
 Restoration of opportunity, certificates of, comprehensive provisions: ***2ESHB 1553, CH 81 (2016)**
 Sexual abuse and exploitation of children, child pornography possession penalty fee: ***2SHB 1281, CH 279 (2015)**
 Shellfish, unlawful trafficking in second degree: ***HB 1641, CH 141 (2015)**
 Stalking, records of vacated domestic violence conviction for, use in later prosecution: SB 5831
 Theft of rental, leased, lease-purchased, or loaned property, adding holding of property beyond rental period to crime: SB 6007
 Theft, of an incapacitated person's property or services by a guardian, creating crime of: SB 5945

Theft, organized retail theft when electronic communication made or received: SB 5037
 Trespass, criminal trespass in first degree, adding certain persons to crime of: SB 5894
 Trespass, criminal trespass of dwelling in foreclosure, creating crime of: SB 5894
 Trespass, unlawfully collecting wildlife parts from another's property, misdemeanor: ***HB 1627, CH 154 (2015)**
 U.S. citizen or lawful resident alien, unlawful investigation or detainment of, class C felony, when: SB 5742
 Unmanned aerial vehicles, dangerous drone operations near correctional facilities, class C felony: SB 6437
 Vehicular homicide and assault, increasing additional fee and using portion for DUI reduction: SB 6143
 Vehicular homicide, by operation of vehicle in reckless manner, seriousness level: SB 6219
 Voyeurism, second degree, establishing as gross misdemeanor: HB 2970
 Vulnerable adult, criminal mistreatment of, provisions: 3SHB 1499
 Vulnerable adult, theft from, crime of: 3SHB 1499
 Youth, sentencing in adult criminal court for crimes committed as minors, adding mitigating circumstances for: SB 6524

SENTENCING GUIDELINES COMMISSION

Caseload forecast council, colocating commission with: SB 6143, SB 6641
 Duties and composition, as well as sunset review and termination for certain commission authorities: SB 6143, SB 6641
 Duties and composition, including role in property crimes reduction efforts: SB 6143
 Renaming commission as Washington justice commission: SB 5755

SEWAGE AND SEWERS

County sewer utility charges, lien for collection: ***HB 1317, CH 41 (2015)**, SB 5172
 Facilities, municipalities contracting for servicing of, procedures: SB 5470
 On-site sewage systems, local fees system owner pays to contractor or inspector, tax exemptions for: SB 6247
 Public sewer systems, homeowners with failing septic systems, appeals when required to connect to: HB 2010, ***ESB 5871, CH 297 (2015)**
 Public sewer systems, installing in right-of-way, when: SB 5055
 Public sewer systems, municipality creation of assessment reimbursement area, procedures: SB 5795
 Sewerage system or water and sewerage system businesses, limiting tax imposed by city or town on: SB 6115
 Treatment facilities, planning, enhanced biological nutrient removal or other technology requirement: SB 6191
 Urban services, sanitary and alternative system and existing on-site septic system options as: SB 6611

SEX OFFENSES AND OFFENDERS (See also DISCRIMINATION; VICTIMS OF CRIMES; WOMEN)

Abuse and exploitation of children, account to combat, creating: SB 5215
 Abuse and exploitation of children, child pornography possession penalty fee to combat: ***2SHB 1281, CH 279 (2015)**
 Abuse and exploitation of children, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**
 Abuse and violence, prevention information in sexual health education: SB 5506
 Abuse of children by school personnel and family, school staff training and response: ***HB 2597, CH 48 (2016)**
 Abuse of children by school personnel and peers, requesting action: SJM 8006
 Abuse of children, children's advocacy centers for victims: SB 5865
 Abuse, of vulnerable adults, modifying relevant definitions: SB 5600
 Assault, child victims, nonexclusive information disclosure exemption: ***ESHB 1980, CH 224 (2015) PV**
 Assault, examination kits for, law enforcement handling of: ***SHB 1068, CH 247 (2015)**, SB 5225
 Assault, examination kits, examining kits not submitted and reinvestigating cases, grant program: SB 6484
 Assault, examination kits, sexual assault kit program and account, creating: ***2SHB 2530, CH 173 (2016)**, SB 6484
 Assault, examination kits, statewide kit tracking system, creating: ***2SHB 2530, CH 173 (2016)**, SB 6484
 Assault, examinations and untested kits, review of best practice models: ***SHB 1068, CH 247 (2015)**
 Assault, final protection orders, renewing or making permanent, when: EHB 2033, SB 6151
 Assault, higher education campuses, survivor rights: SB 5518
 Assault, joint legislative task force on sexual assault forensic examination best practices, assault kit tracking system role: ***2SHB 2530, CH 173 (2016)**
 Assault, sexual assault nurse examiners, availability of, studying: ***SHB 2711, CH 50 (2016)**
 Assault, sexual assault nurse examiners, using certain funds for training of: ***2SHB 2530, CH 173 (2016)**
 Campus sexual violence, task force on preventing, establishing: SB 5719
 Community custody, no-contact conditions, department of corrections authority: ***HB 2838, CH 108 (2016)**
 Custody, persons in, health care at hospitals, accompanying and payment of hospital for: SB 5593
 DNA, felony sex offense cases, work product preservation: ***SHB 1069, CH 221 (2015)**, SB 5253

Exploitation and abuse of children, account to combat, creating: SB 5215
 Exploitation and abuse of children, child pornography possession penalty fee to combat: ***2SHB 1281, CH 279 (2015)**
 Exploitation and abuse of children, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**
 Exploitation of children, law enforcement administrative subpoena authority use, when: SHB 2483
 Exploited children, commercially sexually exploited children statewide coordinating committee, extending expiration of: SB 5884
 Felony sex offenses, prosecution at any time after commission of, allowing: SB 6561
 Human trafficking of youth, work group to study: HB 1139
 Human trafficking sex trade, at rental properties, law enforcement response: SB 5894
 Human trafficking sex trade, establishing human trafficking awareness day: ***SB 6376, CH 9 (2016)**
 Human trafficking sex trade, information concerning, posting in public restrooms: SB 5883
 Human trafficking sex trade, noncitizen victims of, processing of certain certification forms: SHB 2895
 Human trafficking sex trade, victim identification and reporting, training and requirements for certain people: SB 5880
 Human trafficking, sex trade and labor services, Washington state clearinghouse on human trafficking, creating: SB 5884
 Human trafficking, sex trade, using certain fees to aid victims of: SB 6484
 Human trafficking, state laws, criminal justice personnel training program on: SB 5933
 Human trafficking, state task force against trafficking of persons, reestablishing: SB 5884
 Internet crimes against children, child pornography possession penalty fee to combat: ***2SHB 1281, CH 279 (2015)**
 Internet crimes against children, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**
 Internet crimes against children, creating account to combat: SB 5215
 Intimate images, disclosing, crime of: ***2E2SHB 1272, CH 7 (2015)**
 Intimate images, disclosing, crime of, mobile telecommunications provider liability exemption: ***HB 2384, CH 91 (2016)**
 Intimate images, unauthorized distribution of, civil action for damages, when: ***ESHB 2160, CH 8 (2015)**, SB 5502
 Marriage, surname changes, sex offender procedures: HB 1034
 Prostitute, patronizing a, reclassifying as gross misdemeanor, when: SB 5277
 Prostitute, patronizing a, seizure and forfeiture of property for: SB 5041
 Rape, in the first degree, seriousness level: SHB 2705
 Registered sex or kidnapping offenders, comprehensive provisions, modifying: SB 5154
 Sexual misconduct, by health professional, alleged, training for victim interviewers: ***HB 1779, CH 159 (2015)**
 Sexual violence on higher education campuses, work group concerning, establishing: SB 5518
 Sexually violent predators, annual examination, evaluator reporting: ***HB 1059, CH 278 (2015)**, SB 5033
 Sexually violent predators, in special commitment center, seeking reimbursement by federal benefits: ***SB 5693, CH 271 (2015)**
 Sexually violent predators, release outside county of commitment: ***HB 1059, CH 278 (2015)**, SHB 1668
 Sexually violent predators, release outside county of origin: SB 5099
 Statute of limitations, for certain sex offenses, elimination or extension for: SB 6561
 Voyeurism, second degree, establishing as gross misdemeanor: HB 2970

SEXUAL ORIENTATION AND GENDER IDENTITY (See also DOMESTIC PARTNERSHIPS, REGISTERED)

Gender-segregated facilities, WAC 162-32-060, requiring repeal in entirety: SB 6443
 Legal defenses, based on victim gender identity or sexual orientation, limiting: SB 5956
 Restrooms and similar private facilities, gender-and-genitalia-based access restrictions, entity authority: SB 6548
 Sexual orientation change efforts, on patients under 18, prohibitions: SB 5870
 Transgender students, model policy and procedure, requirements for school districts concerning: SB 5526

SHERIFFS AND POLICE CHIEFS, WASHINGTON ASSOCIATION OF (See also LAW ENFORCEMENT AND LAW ENFORCEMENT OFFICERS)

Jails, health care services and medications for persons in, communication about, establishing work group to study: SHB 2501
 Sexual assault, examination kits, examining kits not submitted and reinvestigating cases, grant program, association role: SB 6484
 Sexual assault, examination kits, statewide kit tracking system, creating, association role: SB 6484

SHORELINES AND SHORELINE MANAGEMENT (See also PUBLIC LANDS)

Agricultural land, definition, clarifying to prohibit conversion from agriculture activities: SB 5168, SB 5170

Disabilities, persons with, retrofitting existing structures for, as "substantial development": ***ESHB 2847, CH 193 (2016)**

Highway projects, written shoreline exemptions, local government entity deadline: SB 5855

Irrigation districts, facilities of, relation to shorelands, clarifying: SB 5554

Master programs, certain statutes, modifying: SB 6257

Master programs, mitigation measures in, modifying: SB 5044

Road vacation, by county legislative authority when abutting water body, conditions: SB 5918

Streams, adding definition to shoreline management act: HB 2046

Transportation projects and activities, local land use reviews, work group to consider: SB 5996

Transportation projects and activities, shoreline management act local review exemption for DOT: E2SHB 1850

SOCIAL AND HEALTH SERVICES, DEPARTMENT (See also ALCOHOL AND DRUG ABUSE; DEVELOPMENTAL DISABILITIES, PERSONS WITH; DOMESTIC RELATIONS; EARLY LEARNING, DEPARTMENT; HEALTH CARE AUTHORITY; LONG-TERM CARE; MENTAL HEALTH; PUBLIC EMPLOYMENT AND EMPLOYEES; SEX OFFENSES AND OFFENDERS)

Behavioral health services, task force on aligning with primary health care: ***E3SHB 1713, CH 29 (2016)**, SB 6544

Child abuse or neglect, allegations, department notification of military when involving military family: ***SB 5079, CH 6 (2015)**

Child abuse or neglect, certain records concerning certain reports of, modifying department role: HB 1672

Child abuse or neglect, notices of founded and unfounded findings, DSHS mailing of: SB 6495

Child care worker background checks, by department of early learning, DSHS to provide access to records for: ESHB 2621

Child protective services, near fatality in context of abuse or neglect, review of files and actions, when: SB 5888

Child support orders, licensees not in compliance with, notice to responsible parent by DSHS: SB 6495

Child support, gambling payment intercept program, department role: SB 5388

Child support, income withholding orders from DSHS, employer funds remittance to registry by electronic means: SB 6499

Child welfare services, behavioral rehabilitation services, reimbursement rates for, department role: SB 5852

Child welfare services, demonstration sites and performance-based contracts effects review, extending expirations: ***EHB 2749, CH 184 (2016)**

Child welfare services, demonstration sites for performance-based contracts, extending expirations: SB 6382

Child welfare services, DSHS confidential records disclosure for foster care purposes: ***4SHB 1999, CH 71 (2016)**

Child welfare services, near fatality, review of: SB 5888

Children, newborn, safe surrender at health care facilities, information concerning, DSHS to compile: SB 6586

Continuing care retirement communities, registration and operating, DSHS role: ***2SHB 2726, CH 183 (2016)**

Dependency proceedings, petitions, probation officer role, exception for DSHS: SB 6383

Developmental disabilities, persons with, individual and facility assessments, DSHS role: SB 6564

Diabetes, agency goals, benchmarks, and plans, department role: ***SB 5689, CH 56 (2016)**

Domestic violence, community-based services and emergency shelter programs, standards, department role: EHB 1729, SB 5631

Electronic benefit transfer cards, for food assistance benefits, college student on-campus use, department role: HB 1820, SB 5794

Facilities for criminally insane, transfer to, reports concerning: ***HB 1599, CH 253 (2015)**, SB 5266

Facilities for criminally insane, transfer to, reports concerning, advancing an effective date affecting HB 1599: SB 6118

Forensic mental health services, office of, establishing within DSHS: SB 5792

Foster care services, extended, department role, modifying provisions: 2SHB 1735, SB 5740

Home and community-based long-term care services, staff resource hours for client needs, DSHS to study: SB 5802

Homeless youth, homeless youth prevention act, prevention measures: SB 5932

Homeless youth, office of homeless youth prevention programs, creating within DSHS: SB 5932

Hospitals, former northern state hospital site, maximum lease term for: SB 5887

Hospitals, state, civil patient treatment alternatives to care at, DSHS role: SB 6656

Hospitals, state, DSHS to increase psychiatric advanced registered nurse practitioner use at state hospitals: SB 6656

Hospitals, state, increasing function of, DSHS role: E2SHB 2453

Hospitals, state, performance management systems, establishing, DSHS role: SB 6541

Hospitals, state, select committee on quality improvement in, establishing: E2SHB 2453

Hospitals, state, staffing practices and safety concerns, DSHS role: SB 6656

Hospitals, western and eastern state, employees of, collective bargaining and binding interest arbitration for: SB 5885
 Hospitals, western and eastern state, regional support network overuse of beds, reimbursements to DSHS: SB 5779
 Hospitals, western state hospital, contracting for community policing services: SB 5261
 Incapacitated adults, alleged theft or financial exploitation by guardian, investigation and action by DSHS: SB 5945
 Interpreters, spoken language services, purchasing from language access providers: SB 5664
 Jails, health care services and medications for persons in, communication about, establishing work group to study: SHB 2501
 Juvenile offender medium security basic training camp program, optional establishment by DSHS: ***HB 2217, CH 23 (2015)**
 Medical assistance, medical and behavioral health services via managed care in regional service area, certain reimbursements, when: SB 5924
 Nursing facility medicaid payment system, increased staffing standards for, DSHS to study impact of: SB 6010
 Nursing facility medicaid payment system, new rate-establishing system, DSHS role: ***SHB 1274, CH 2 (2015)**, SB 5152
 Nursing homes, case mix classification methodology, modifying: SB 6335
 Nursing homes, staffing standards and payment methodology, DSHS role: ***SHB 1274, CH 2 (2015)**, ***SHB 2678, CH 131 (2016)**, SB 6240
 Offenders, terms completed before 21, rehabilitative and reentry services, DSHS role: ***HB 1674, CH 156 (2015)**, SB 5663
 Overpayments, recovery of, withhold and deliver order, serving by regular mail or electronically: SB 6495
 Poverty, intergenerational poverty reduction commission and poverty advisory committee, creating: ESHB 2518
 Poverty, intergenerational within families, tracking system for, establishing, DSHS role: ESHB 2518
 Records, certain data collected by DSHS, repealing disclosure exemption for: ***HB 2663, CH 182 (2016)**
 Residential habilitation centers, provisions, DSHS role: SB 5243
 Special commitment center, sexually violent predators in, seeking federal benefits for reimbursement: ***SB 5693, CH 271 (2015)**
 Taxpayer information, federal, certain applicants who will have access to, criminal history checks: SB 6252
 Voter registration, persons with disabilities, information with assistance or services application for, DSHS role: SHB 2682
 Youth homeless services and programs, transferring in certain cases to department of commerce: 2SHB 1436, SB 5404
 Youth, blended funding projects for, eliminating reporting requirement: ***EHB 2883, CH 197 (2016)**

SOLID WASTE (See also HAZARDOUS WASTE; SEWAGE AND SEWERS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Collection companies, taxes and fees for transportation revenue as normal expenses: SB 5358, SB 5987
 Collection companies, unscheduled and nonroutine residential recyclable materials collection by: SB 6521
 Composting, litter tax revenue use for programs: ***ESHB 1060, CH 15 (2015)**, SB 5659
 Construction aggregate and recycled concrete materials, reuse and recycling: ***ESHB 1695, CH 142 (2015)**, SB 5480
 Discharge into waters of state, enhanced biological nutrient removal or other technology requirement: SB 6191
 Ecology, department of, environmental statutes involving, updating various: SB 6257
 Handling and disposal, disease and pest control, waste and facility regulation: SB 6605
 Management plans for solid waste, provisions: SB 6605
 Pharmaceutical waste, sorting and disposal, convening work group to consider: ESHB 1845, ***ESB 5577, CH 119 (2015)**
 Recycling companies, representation on materials management and financing authority board: SB 6128, SB 6378
 Recycling, fishing line or monofilament recycling pilot program, establishment: SB 5356
 Recycling, litter tax revenue use for programs: ***ESHB 1060, CH 15 (2015)**, SB 5659
 Recycling, solar energy modules: E2SHB 2346, SB 6188
 Reduction of waste, litter tax revenue use for programs: ***ESHB 1060, CH 15 (2015)**, SB 5659
 Steel slag, exemption from waste reduction provisions, when: ***EHB 2400, CH 165 (2016)**

SPECIAL AND SPECIAL PURPOSE DISTRICTS (See also COMMUNITY FACILITIES DISTRICTS; FIRE PROTECTION; LIBRARIES; PORT DISTRICTS; PUBLIC LANDS; UTILITIES; WATER-SEWER DISTRICTS)

Annual financial reports, certain districts, failure to file in timely manner: EHB 2084
 Lake water quality districts, including in definition of "special district": SB 5522
 Lien, by special purpose district for delinquent utility service charges, document-recording surcharge exemption: SB 6330

Public records requests, special purpose districts, when office hours fewer than 30 per week: HB 1189

SPORTS (See also FIREARMS)

Athlete agents, uniform athlete agents act, amending: SB 6281
 Athletes, junior ice hockey team members in certain leagues, excluding from "employee" for certain labor and wage purposes, when: ***ESB 5893, CH 299 (2015)**
 Basketball hoops, retractable, inspection requirements and safety and health standards for: SB 6386
 Fantasy sports contests, classifying as contests of skill: SB 5284, SB 6333
 Hockey, excluding junior ice hockey team members in certain leagues from "employee" for certain labor and wage purposes, when: ***ESB 5893, CH 299 (2015)**
 Martial arts, events, excise tax preferences for, when: SHB 2334, SB 6184
 School athletic team names, using Redskins as, prohibiting: SB 6190
 Tennis, Washington tennis special license plates, creating: ***HB 2262, CH 16 (2016)**
 Turf, synthetic turf fields, establishing advisory group, study, restrictions, and requirements: SB 6540
 Wrestling, theatrical, events and training school shows, requirements: HB 2388
 Wrestling, Washington state wrestling special license plates, creating: ***SHB 1830, CH 15 (2016)**, SB 5948

STADIUMS AND OTHER VENUES

Ticket sellers, internet web sites of, using or selling software to interfere with: ***EHB 1091, CH 129 (2015)**
 Ticket sellers, internet web sites of, using software to interfere with: SB 5456

STATE AGENCIES AND DEPARTMENTS (See also ADMINISTRATIVE PROCEDURE; BUDGETS; EMINENT DOMAIN; ENTERPRISE SERVICES, DEPARTMENT; ETHICS IN GOVERNMENT; GOVERNOR; OPEN PUBLIC MEETINGS; PUBLIC EMPLOYMENT AND EMPLOYEES; PUBLIC LANDS; RECORDS; STATE AUDITOR; STATE GOVERNMENT)

Applications and permits, requiring consistent and prompt agency decision making: SB 5197
 Architectural services, contracts for joint agency utilization of: SB 5348
 Audits of agencies, findings indicating noncompliance with state law, required procedures, when: SB 5206
 Biodiesel fuel, agencies using, revising reporting requirement: ***EHB 2883, CH 197 (2016)**
 Boards and commissions, gender composition report and equity standards and requirements for: SB 6517
 Boards, board of tax appeals, transferring to newly created tax division of court of appeals: SB 5449
 Boards, Washington achieving a better life experience governing board, establishing: ***ESHB 2323, CH 39 (2016)**, SB 6210
 Boards, Washington investment trust advisory and transition boards, creating: SB 5553
 Budget requests by agencies, biennial, document for capital projects, modifying requirements: HB 1532, SB 5562
 Budget requests by agencies, biennial, zero-based budget review of: SB 6423
 Buildings, critical governmental facilities, combined heat and power for energy savings: ***E2SHB 1095, CH 19 (2015)**
 Capital funds distribution, entities or projects in impacted areas, preferences for: SB 6478
 Cell site simulator device, use by state, restrictions: ***ESHB 1440, CH 222 (2015)**
 Civil actions against government, payment of interim attorneys' fees and costs: SB 5370
 Commissions, commission on improving outcomes for students with disabilities, creation and duties: SB 5946
 Commissions, fish and wildlife advisory commission, renaming fish and wildlife commission as: SB 5817
 Commissions, fish and wildlife commission, renaming and transferring duties to DFW: SB 5817
 Commissions, interstate medical licensure compact commission, creating: SHB 2452, SB 6228
 Commissions, sentencing guidelines commission, collocating with caseload forecast council: SB 6143
 Commissions, sentencing guidelines commission, duties, composition, and sunset review and termination provisions: SB 6143, SB 6641
 Commissions, sentencing guidelines commission, renaming as Washington justice commission: SB 5755
 Commissions, Washington intergenerational poverty reduction commission, creating: ESHB 2518
 Commissions, Washington investment trust commission, creating: SB 5553
 Commissions, Washington state commission on the evaluation of the legislature, establishing: SCR 8402
 Commissions, Washington water commission, creating: SB 5801
 Cybersecurity blue-ribbon panel, chief information officer to convene, duties: SHB 1470
 Data, office of privacy and data protection, creating: ***SHB 2875, CH 195 (2016)**
 Electronic signatures and records, broader use of, authorizing: SB 5810
 Emergencies and disasters, continuity of agency operations during: ***HB 1047, CH 61 (2015)**, SB 5020

Employment of state residents, state employment resident hiring preference act: SB 5235
 Engineering services, contracts for joint agency utilization of: SB 5348
 Expenditures by agencies, reporting requirements, when: SB 5081
 Fee increases in bills, simple majority for approval, when: SJR 8200, SJR 8208, SJR 8211, SJR 8212, SJR 8216
 Fee increases in bills, ten-year cost projections by office of financial management, removing requirement for: SB 6186
 Fee increases, simple majority vote by legislature, prohibiting approval in omnibus appropriations act: SB 6604
 Gifts, including food and beverages, requirements, prohibitions, reporting: SB 5383, SB 5386
 Health security trust, creating: SB 5132, SB 5741
 Housing, department of, creation of and transfer of department of commerce housing duties to: SB 6518
 Information systems, state, cybersecurity blue-ribbon panel to be convened, duties: SHB 1470
 Information systems, state, payment credentials and other information held on data systems, removing: 2SHB 1469
 Information technology infrastructure and security, governing body executive sessions concerning: HB 1561
 Interpreters, spoken language services, model for agency purchasing from language access providers: SB 5664
 Investment trust, Washington, creation: SB 5553
 Lobbying, by state agencies, prohibitions and restrictions, increasing: SB 6676
 Notices, public, about risks and during emergencies, to include notices for non-English-proficient persons: SB 6530
 Officers, state, ethics defense trust funds, authority to establish, when: SB 5849
 Officers, state, financial affairs reporting, suspending or modifying, for whom, when: HB 1397, SB 5308, SB 5309
 Officers, state, official duties of, modifying definition: SB 5785
 Officials, public, signature attestation by secretary of state: ***SB 6491, CH 23 (2016) V**
 Performance management strategies, including lean management, agency savings from: SB 5736
 Performance management strategies, lean, curricula and pilot programs for implementation: SB 6006
 Performance management, office of, creating: SB 5737
 Performance management, state and agency plans, adoption and agency savings: SB 5737
 Performance of agencies, reporting to legislative fiscal committees concerning, OFM duties: SB 5278
 Procurement by state government, "contracting out" assessment and contractor ethical standards: SHB 1915
 Procurement by state government, bidder compliance with wage payment laws: SHB 1089, SB 5050
 Procurement by state government, businesses hiring impacted workers, contract preferences for: SB 6478
 Procurement by state government, contracting and expenditure information, web sites for: SB 5081
 Procurement by state government, from nonprofit agencies for the blind: ***HB 2398, CH 40 (2016)**
 Procurement by state government, imposing fine on contractor for cause: ***SHB 1447, CH 44 (2015)**, SB 5479
 Procurement by state government, nonsubstantive changes to statutes: ***SB 5075, CH 79 (2015)**
 Procurement by state government, safer alternatives to products containing certain toxic chemicals: E2SHB 1472, SB 5406, SB 6131
 Procurement by state government, seed, identity and purity of: SB 5972
 Procurement by state government, veteran-owned businesses, maximum participation in contracts: SB 6034
 Properties, state, resident curator program for: SB 5071
 Public disclosure, government entities to pay fee to public disclosure commission: SB 5867
 Publicly owned trust, Washington, creating: SB 5971
 Quality management, accountability, and performance systems of agencies, yearly reporting to legislature: SB 6424
 Regulatory agency coordination, fostering through office for regulatory innovation and assistance: SB 6669
 Regulatory agency coordination, fostering through office of regulatory innovation and assistance: SB 6223
 Regulatory agency staff and agricultural producers, forums for: SB 5060
 Reorganization of state government, amendments to conform statutes with: ***SB 5024, CH 225 (2015) PV**
 Reports, agency requirements for, various, revising or eliminating: ***EHB 2883, CH 197 (2016)**
 Rule making by agencies, statutory authority for and preadoption review and yearly expiration of: SB 6396
 Sensing devices, extraordinary, use by government agencies, requirements and prohibitions: ESHB 1639, SB 5714
 Spending programs, new statutory state, requiring expiration date, performance statement, and periodic review: ESB 5944

STATE AUDITOR

Audits, local government financial, by licensed CPA firm rather than state auditor: ESHB 2148
 Corrections, department of, management system performance audit, auditor to conduct: SB 6583
 Lands, state-owned aquatic, DNR contract management procedures, auditor performance audit of: SB 6500
 Noncompliance with state law, audit findings indicating, required procedures, when: SB 5206

STATE GOVERNMENT (See also BUDGETS; CAPITOL CAMPUS, STATE; ETHICS IN GOVERNMENT; LEGISLATURE; OFFICIAL STATE DESIGNATION; RECORDS; STATE AGENCIES AND DEPARTMENTS; STATE AUDITOR; TAXES, GENERALLY)

Boards, Washington publicly owned trust advisory board and trust organizing committee, creating: SB 5971
 Commissions, Washington publicly owned trust commission, creating: SB 5971
 Credit of the state, prohibition on loaning of, constitutional amendment to broadly construe: SJR 8217
 Debt, state debt guarantee for local government public infrastructure, constitutional amendment to allow: 2ESJR 8204
 Debt, state, calculation of working debt, working debt service, and new bond appropriations limits: SB 5981
 Elected officials, creating Washington elected officials retirement savings plan: SB 5980
 Elected officials, state, authorized leave of absence when charged with felony, PERS service credit: SB 6123
 Elected officials, state, voluntary salary reduction: SB 6127
 Elected officials, statewide, criminal charges against or investigation of, disclosure of: SB 6108
 Expenditures by state, suspending state expenditure limit to amply fund basic education: ***EHB 2267, CH 29 (2015)**
 Federal funding programs, requiring changes in state statutes, committee to report concerning, when: SB 5594
 Fiscal agents, state, designation of and contracts with: ***HB 2741, CH 105 (2016)**, SB 6397
 Forecasts, economic and revenue, on same date during all legislative sessions: SB 5064
 Forecasts, economic and revenue, to include agency savings due to lean and performance management: SB 5279
 Heritage center, county auditor document recording surcharge for, increasing: ***HB 2195, CH 28 (2015)**
 Investment authority and options of state government, modifying: SHB 2936, ***ESB 6349, CH 152 (2016)**, SB 6596
 Investment pools, external, investment of funds through: SB 5390
 Investment trust, Washington, creating: SB 5553
 Marijuana, recreational and medical, including production and tribal marijuana tax, tribal-state agreements: ***HB 2000, CH 207 (2015)**
 Marijuana, recreational and medical, including production, tribal-state agreements: SB 5848
 Officials, public, signature attestation by secretary of state: ***SB 6491, CH 23 (2016) V**
 Overtime, joint legislative-executive overtime oversight task force, creating: ***E2SHB 1725, CH 30 (2016)**
 Publicly owned trust, Washington, creating: SB 5971
 Reorganization of state government, amendments to conform statutes with: ***SB 5024, CH 225 (2015) PV**
 Revenue growth, extraordinary, transferring from budget stabilization account to general fund: ***EHB 2286, CH 2 (2015)**
 Spending programs, new statutory state, requiring expiration date, performance statement, and periodic review: ESB 5944
 State of state message, joint legislative session for: ***HCR 4400 (2015), *HCR 4414 (2016)**
 State officers, financial affairs reporting, suspending or modifying, for whom, when: HB 1397, SB 5308, SB 5309
 State preemption and occupation of field of wages, hours, employee retention, and leave from employment: SB 6029

STORM WATER CONTROL FACILITIES

Facilities, municipalities contracting for servicing of, procedures: SB 5470
 Infrastructure projects, reducing pollution from current facilities, grant program for: SB 5628
 Rate charges, paid by DOT, modifying provisions: ***SB 5314, CH 231 (2015)**
 Storm water permit compliance, legacy, environmental legacy stewardship account funding: SB 5991

STUDENT ACHIEVEMENT COUNCIL (See also COLLEGES AND UNIVERSITIES; COMMUNITY AND TECHNICAL COLLEGES; SCHOOLS AND SCHOOL DISTRICTS)

Baccalaureate degrees, impact of allowing community and technical colleges to offer, studying, council role: 2SHB 2769
 Community colleges, overuse of part-time faculty by, studying priorities and impacts of, council role: SHB 2615
 Developmental disabilities, adults with, grant program for training medical professionals to work with, council role: SB 5642
 Disabilities, higher education transfer students with, core services for, council role: SB 6466
 Financial aid, college bound scholarship program, work group recommendations, council role: SB 5851
 Financial aid, state need grant performance-based scholarship pilot project, creating, council role: 2SHB 2041
 For-profit higher education institutions and private vocational schools, unfair business practices, council role: ESHB 1949
 Foster youth, educational coordination program and outcomes improvement, council role: ***4SHB 1999, CH 71 (2016)**
 Graduate students, state loan program for, feasibility of and alternatives to, council to study: SB 6609
 Student loan ombuds, designation by council: SB 6610

Tuition rates, council to examine and report on affordability of higher education: SHB 1238
 Wildlife college student loan program, establishing, council role: SB 5318

STUDENT FINANCIAL ASSISTANCE, OFFICE OF (See also COLLEGES AND UNIVERSITIES; COMMUNITY AND TECHNICAL COLLEGES)

College bound scholarship program, pledge requirement, modifying: ESHB 1236, E2SHB 1236
 GET ready for college program, establishing, office role: SB 5636
 Student loan ombuds, designating within office: SB 6610
 Teacher shortage conditional grant program, establishing, office to administer: E2SHB 2573
 Teachers, student teaching residency grant program, office to administer: E2SHB 2573
 Washington promise program, office to administer: SB 6481

STUDIES

Assessment of student learning, locally determined courses and transition courses, OSPI to study: 2EHB 2214, SHB 2214
 Baccalaureate degrees, impact of allowing community and technical colleges to offer, studying: 2SHB 2769
 Coal-fired electric generation facilities, retirement of, department of commerce to study: ESB 5874
 Community colleges, overuse of part-time faculty by, studying priorities and impacts of: SHB 2615
 Corrections, department of, Baldrige quality management framework or equivalent, studying: SB 6583
 Criminal offenders, community reentry programs effectiveness meta-analysis, conducting: ***2SHB 2791, CH 188 (2016)**
 Dentists and oral surgeons, programs using volunteers, American and state dental associations to study: SB 5465
 Disabilities, permanent, hiring persons with, employer incentives, studying: ***SHB 1496, CH 137 (2015)**, SB 5451
 Drivers' licenses, issuance to persons unable to prove lawful presence in U.S., studying issuance of: SB 6679
 Federal lands in state, transfer of, establishing legislative task force to study: SB 5405
 Food system, state, study of, to include goal for expansion of capacity: ESHB 1685
 Graduate students, state loan program for, feasibility of and alternatives to, studying: SB 6609
 Health care coverage, affordability and availability for Washington residents, studying: SB 5625
 Hemp, as commercial animal feed component, studying: ***HB 1268, CH 106 (2015)**
 Hemp, industrial production, Washington State University to study feasibility of: SB 5012, SB 6206
 Higher education cost drivers, joint higher education committee to study: SB 5133
 Higher education, for-profit institutions and private vocational schools, jurisdictional gaps and overlaps, studying: ESHB 1949
 Home and community-based long-term care services, staff resource hours for client needs, DSHS to study: SB 5802
 Homelessness in Washington, causes and characteristics, statewide study of: SB 6671
 Human trafficking of youth, work group to study: HB 1139
 Interstate 405, express toll lanes, implementation and improvements, studying: SB 6675
 Jails, health care services and medications for persons in, communication about, establishing work group to study: SHB 2501
 K-12 classroom teachers, maternity and paternity leave for, studying: SB 6431
 Long-term care, feasibility study and actuarial modeling of options for preparing for: SB 5258
 Mineral prospecting, motorized, effects on native fish and habitat, studying: SB 6630
 National guard youth challenge program, studying via longitudinal outcome evaluation: SB 5942
 Nursing facility medicaid payment system, increased staffing standards for, DSHS to study impact of: SB 6010
 Oil, crude and related products, siting and construction of pipelines for, studying: SB 6075
 Paraeducators, effect on student outcomes of, studying: SB 6408
 Performance management systems, application to DNR activities, DNR to study: SB 6500
 Promise program, Washington, studying: SB 6481
 Saint Edward state park, seminary building public or nonprofit use feasibility study: ***E2SHB 2667, CH 103 (2016)**
 School buses, seat belts and other restraint systems, studying costs and benefits of: HB 2639
 Sexual assault nurse examiners, availability of, studying: ***SHB 2711, CH 50 (2016)**
 Sexual assault, untested examination kits for, work group to study: SB 5225
 Skagit river, recharging basin and aiding certain well users, feasibility study: ***ESB 6589, CH 227 (2016)**
 Small modular nuclear reactors, siting of, council to study: SB 5115
 State patrol, joint transportation committee study recommendations, studying implementation: ***E2SHB 2872, CH 28 (2016)**

Substance use disorder and mental health involuntary treatment systems integration, studying: ESHB 1713, ***E3SHB 1713, CH 29 (2016)**

Ungulates, wild populations, studying impact of gray wolf recovery on: SHB 1676

Vapor products, studying constituents to determine labeling and disclosure need: E2SHB 1645

Vapor products, studying non-nicotine vapor product constituents to determine labeling and disclosure need: SB 5573

Workers' compensation, voluntary settlement agreements and return to work provisions, studying: SB 5516

SUBDIVISIONS

Infill development, in urban growth area, SEPA categorical exemption for certain minor actions: SB 5964

Irrigation districts, subdivisions and real property parcels, district review and conditioning authority: SB 5555

Plats, approval of, time limitations and location requirements: SB 5832

Proposed division of land, vested rights doctrine, preserving common law interpretation and application: ESB 5921

Short plat or short subdivision approval, SEPA categorical exemption for, authorizing: SB 5964

SUNSET REVIEW

Alternative process for contract-awarding, U of W medical facilities, delaying termination of process: ESB 6617

Alternative process for contract-awarding, U of W medical facilities, repealing termination of process: SB 5141

Medicaid fraud false claims act, reauthorizing: ESHB 1067, SB 5287, ***SB 6156, CH 147 (2016)**

Rail transportation in Washington state, legislative task force for, termination and repeal provisions: SB 6506

Sentencing guidelines commission, certain sunset review and termination provisions: SB 6143, SB 6641

Washington justice commission, creating, with sunset review and termination provisions: SB 5755

TATTOOING AND TATTOO ARTISTS

Minors, illegal application of tattoo to, exception for nonmedical removal procedures by tattoo artists: SB 6639

TAX APPEALS, BOARD

Transferring to newly created tax division of court of appeals, provisions: SB 5449

TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.

Aircraft, commercial rotorcraft, preferences to include preferential rates, credits, and exemptions: SB 5756

Airplane parts, commercial, revising certain B&O exemption provisions: SB 5275

Airplanes, commercial, new building construction for maintenance repair operators for, sales and use exemption: SB 6047

Airplanes, new building construction for maintenance repair operators for, sales and use exemption: ***2SHB 2839, CH 191 (2016)**, SB 6454

Alternative fuel commercial use vehicles, tax credits: ***SHB 2884, CH 29 (2016)**

Alternative fuel commercial use vehicles, tax credits, transferring certain sums in state patrol highway account: SB 6547

Alternative fuel commercial use vehicles, tax exemptions and credits: SB 5325

Alternative fuel motorcycles, sales and use tax exemptions: SB 5357

Alternative fuel vehicles, sales and use tax exemption, extending: SB 5333, SB 5445

Alternative fuel vehicles, sales and use tax exemptions: ***2ESHB 2778, CH 32 (2016)**, SB 5358

Aluminum smelters, tax preferences for, continuing: SB 5382

Architectural paint assessment, receipts attributable to, B&O exemption: ESHB 1571

Bees and beekeepers, honey bee products and services, various preferences: SB 5017

Behavioral health organizations, B&O tax deduction for certain amounts received, extending expiration: SB 6477

Biodiesel and E85 motor fuel, tax incentives, extending expiration dates: SB 5700

Biofuel, tax incentives, extending expiration dates: SB 5700

Biomass, forest derived, for energy production, extending tax credit for harvesters: SB 5700, SB 5904

Broadband equipment, for providing retail broadband service using, B&O credit: SB 6480

Broadband equipment, sales and use tax exemptions: SB 5425

Bulk oil terminals, adding to certain oil spill response tax preferences: SB 5057

Businesses, new, B&O tax credit: SB 5339

Businesses, small, small business tax credit, increasing: SB 6216

Cannabis, medical, exemptions: SB 5052, SB 6136

Capital gains tax, preferences related to imposition of: SB 5699, SB 6102, SB 6104

Carbon pollution competitiveness tax credit: SB 5283

Carbon pollution tax, preferences in connection with, I-732: SI 732

Carbon pollution tax, preferences in connection with, I-732, "2016 act" to be on ballot as alternative: SB 6381

Castings, for industrial applications, wax and ceramic materials for molds for, permanent sales tax exemption: SB 5702

Coal-fired electric generation facilities, transition to natural gas-fired plants, exemptions for: SB 5575

Commercial vehicles powered by clean alternative fuel, exemptions and credits: SB 5325

Commute trip reduction, credit, extending and modifying: SHB 1822, SB 5323

Composite manufacturing and wholesaling, B&O tax credit for: SB 5701

Computer data centers, eligible server equipment installed in, sales and use tax exemptions: SB 5827

Contributions, excluding from B&O deduction when received for political campaigns: SB 6232

Convention and trade center tax, exemption for hostels: ***SHB 1516, CH 151 (2015)**, SB 5868

Crop protection products, hazardous substance tax exemption, when: SB 5209

Cross-laminated timber products, structures for manufacturing, tax exemptions in connection with: SB 6025

Digital automated services, sales and use tax exemptions for digital goods used solely for business purposes, extending to: SB 5541

Employers, with employees below certain number, B&O credit: SB 5459

Energy conservation payments from BPA in form of credits, B&O tax exemption, extending: SB 5700

Energy, credits against contracts with or funds provided by BPA for certain programs, exemption for: SB 6041

Exemptions, tax exemption transparency and accountability act: SB 5492

Fair associations, nonprofit, property tax exemption extension: SB 5706

Fair associations, nonprofit, rented property owned by, property tax exemption: SB 5708

Feminine hygiene products, sales and use tax exemptions for: SB 6629

First mortgage interest B&O deduction, expanding for qualifying banks: SB 5475

Food and food ingredients, sales tax exemption for, to include food to be cooked by consumer: SB 5861

Food processing, B&O preferences, extending expiration dates: SB 5698

Fund-raising activity, nonprofit organization or library contest of chance prizes, use tax exemption: ***ESB 6013, CH 32 (2015)**

Green building construction, certified third-party, property tax exemption: SB 5753

Health or social welfare organizations, providing chemical dependency services, B&O tax deductions: SB 6477

High-technology businesses, research and development and certain manufacturing, tax credit and deferrals: SB 5665, SB 6355

Highway construction, funds from indebtedness, sales and use tax exemptions for state: SB 5427

Highway construction, sales and use tax exemptions for state: SB 5428

Homeownership development, low-income by nonprofit, property tax exemption: SB 6211

Housing, affordable housing incentive zones, affordable housing property tax partial exemption: SB 6311

Housing, affordable, very low-income, local government property tax exemption program for: SB 6239

Income tax, imposing, including multiple excise tax credits: SB 6114

Indian tribes, certain property used for economic development by, property tax exemption provisions: SB 5811

Industrial facilities, person building, B&O tax credit: SB 5230

Industrial or manufacturing facility new construction, in targeted urban areas, property tax exemption: ***ESB 5761, CH 9 (2015)**

Inheritance transfers, real estate excise tax exemption, modifying provisions: SB 6438

Intangible property tax, levying, with certain accompanying exemptions: SB 6093

Intangible property, eliminating B&O and property tax exemptions: SB 6111

Internet service providers, telecommunications services purchased or used or sold, sales and use tax exemptions: SB 6048

Investment projects, businesses taxes from, deferral and investment in workforce training: SB 5112

Job training services, repealing B&O credit: SB 5275

Liquor sales, spirits, comprehensive tax reduction: SB 5711

Liquor sales, wine by winery, excise tax exemption for certain amount each year: SB 6388

Log transportation businesses, public utility tax credit, when: SB 6121

Log transportation businesses, reduced public utility tax rate for: SB 5257

Main street program, trust fund, contributions to, B&O and public utility tax credits: SB 5313

Marijuana, Indian tribe recreational and medical, exemptions from excise, sales, and use taxes, when: ***HB 2000, CH 207 (2015)**, SB 5848

Marijuana, medical, exemptions: ***2E2SHB 2136, CH 4 (2015)**, SB 5052, SB 6136

Martial arts, instruction, training, and events excise preferences, when: SHB 2334, SB 6184

Mechanical lifting devices, hospital-purchased, repealing B&O credit: SB 5275

Mercury-containing lights, environmental handling charge, B&O tax exemption: ***SHB 1619, CH 185 (2015)**, SB 5563

Methanol, manufactured in part from natural gas, machinery and equipment exemption for, eliminating: SB 6650

Minimum wage, providing living wage through new rates and tax relief and exemption for certain businesses: SB 6029

Motion picture competitiveness program, contributions to, B&O tax credit for: SB 6027

Motor vehicle fuel handling losses, special fuel tax and motor vehicle fuel tax deductions for, repealing: SHB 1892

Motor vehicle fuel handling losses, special fuel tax deduction for, repealing: SB 5987

Motor vehicle transfers between family members, use tax reduction for member acquiring, when: HB 1990

Motor vehicles, sale to enrolled tribal member, documentation for exemption: ESHB 2783, SB 6427

Motorcycles, alternative fuel, sales and use tax exemptions: SB 5357

Natural gas, compressed or liquefied, manufactured by municipality for municipal vehicles, B&O tax exemption: SHB 1966

Nonprofit organizations, retail spirits sales, exemption from certain sales taxes: SB 5353

Oil, bulk oil terminals, adding to certain oil spill response tax preferences: SB 5057

Preferences, improvements to tax and licensing laws, various: SB 6438

Prevailing wages for publicly subsidized public works, in relation to tax preferences claimed by subsidy recipient: SB 6654

Printed materials, from certain public facilities, repealing B&O exemptions: SB 5275

Property tax exemptions, adjusting in connection with increased property tax to fund education: SB 5334

Public facilities district convention center, expansion, tax deferrals: SB 5571

Radio and television broadcasting, B&O tax provisions, including deductions, modifying: SB 5641

Real property, leasehold excise tax credit for certain parcels owned by state universities: SB 6462

Real property, tax parcels subject to leasehold interest in, leasehold excise tax credit, when: SB 5984, SB 6462

Real property, transfer via inheritance or devise by will, real estate excise tax exemption, modifying: ***SHB 2539, CH 174 (2016)**

Real property, transfer via inheritance, real estate excise tax exemption, modifying: SB 6367

Renewable energy system cost recovery program, credits and incentives: E2SHB 2346, SB 5892, SB 6188

Residential dwelling or timeshare, credit for lodging tax against sales tax on sales of lodging in, eliminating: SB 6672

Residential energy efficiency incentive pilot program, property tax exemption for eligible retrofit projects: SB 6276

Royalty income, preferential B&O rate, repealing: SB 6138

Safe home project for suicide awareness, firearms dealer B&O tax credit: SB 6603

Sawmills and planing mills, B&O tax credit, when: SB 6121

Schools, construction, labor and materials sales and use tax exemptions: SB 5927

Schools, technology sales to and use in public schools, sales and use tax exemption: SB 5907

Senior citizens, property tax deferral and exemption programs: SB 5691

Senior citizens, property tax exemption program: SB 5127, SB 5186

Sewage systems, on-site, local fees system owner pays to contractor or inspector, exemptions for: SB 6247

Software, pre-written, sales and use tax exemption for manufacturing machinery and equipment: SB 5541

Software, pre-written, sales and use tax exemption for manufacturing machinery and equipment, limiting: SB 6138

Solar energy systems, community solar programs or projects production incentive: E2SHB 2346, SB 6188

Solar energy systems, machinery and equipment sales and use exemptions, expiration dates: E2SHB 2346, SB 6188

Street utilities, repealing street utility charge and credit against charge: SB 5813

Student loan repayment assistance, B&O credit for employers providing employees with: SB 6608

Survey requirement for certain preferences, failure to submit, modifying penalty: ***ESHB 2540, CH 175 (2016)**, SB 6412, SB 6577

Surveys and reports for preferences, annual, modifying provisions: SB 6438

Tangible personal property, certain sales to nonresidents, repealing exemption: SB 5275

Timeshare or residential dwelling, credit for lodging tax against sales tax on sales of lodging in, eliminating: SB 6672

Vapor products, sales and use and vapor products taxes, exemptions for Indian retailers, when: SB 5573

Vessels, large recreational, sales and use tax exemptions: SB 5762

Vessels, nonresident entity-owned, state waters permit and sales and use tax exemptions: SB 5878

Veterans, businesses hiring, credits for: SB 5042

Veterans, total disability, property tax deferral and exemption programs: SB 5691

Veterans, total disability, property tax exemption program: SB 5127, SB 5186

Wildfire, catastrophic, persons affected by, sales and use tax exemptions: SB 6009

Working forests and local mills support program, tax preferences associated with: SB 6121

TAXES - AIRCRAFT EXCISE TAX

Distribution, use for grants to airports and administrative expenses: SB 5324

TAXES - BORDER AREA MOTOR VEHICLE FUEL AND SPECIAL FUEL

Jurisdiction of border area tax authority, expanding: SB 5447

Transportation improvements, restricting proceeds use by benefit districts: SB 5490

TAXES - BUSINESS AND OCCUPATION (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Assisted living facilities, with medicaid contract, overpayment of B&O taxes refund period, extending, when: SB 6599

B&O tax reform, in connection with imposition of state income tax: SB 6114

B&O tax, local business tax and licensing simplification task force, establishing: ***EHB 2959, CH 55 (2016)**

Bus operators, for private schools, B&O tax application to: SB 6438

Health security trust, repealing certain provisions in connection with creation of: SB 5741

Health security trust, repealing certain tax provisions with creation of: SB 5132

Intangible property, taxation of: SB 6111

Nursing homes, with medicaid contract, overpayment of B&O taxes refund period, extending, when: SB 6599

Radio and television broadcasting, B&O tax provisions, modifying: SB 5641

Remote sellers, nexus within state, when deemed to have for certain sales and B&O tax purposes: SB 5541

Repealing certain credits and exemptions, various: SB 5275

Wholesalers, including digital products and services, nexus within state, economic standard for: SB 6138

TAXES - CIGARETTES

Additional tax on cigarettes, imposing: SB 5729

Additional tax on cigarettes, imposing for appropriation into fund to fight cancer: SB 6101

Additional tax on cigarettes, imposing for deposit in family medicine residency training account: SB 5939

Additional tax on cigarettes, imposing for deposit in fund to fight cancer: SB 5808

Health security trust, revenue use for: SB 5741

TAXES - ENHANCED FOOD FISH

Revenues, depositing in state wildlife account: SB 5531, SB 5632

TAXES - ESTATE TAX

Interest waivers, when: SB 5784

Tax returns, filing of, relief: SB 6438

TAXES - EXCISE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TRANSPORTATION)

Capital gains tax, constitutional amendment to limit dollar amount upon which imposed or measured: SJR 8206

Capital gains tax, imposing, including related tax preferences: SB 5699, SB 6102, SB 6104

Fossil fuel carbon pollution tax, imposing: SB 6306

Fossil fuels carbon pollution tax, I-732: SI 732

Fossil fuels carbon pollution tax, I-732, "2016 act" to be on ballot as alternative: SB 6381

High capacity transportation systems, funding partly through excise tax revenues: SB 5128

Improvements to tax and licensing laws, various: SB 6438

Improvements to tax code without affecting revenue collections, various: SB 5275

Income tax, imposing, including multiple excise tax credits and B&O tax reform: SB 6114

Income tax, imposing, including state sales tax reduction and state property tax elimination: SB 6559

Investigations, background, for excise taxation purposes, modifying provisions: SB 6438

Liquor excise taxes, cider alcohol content for purposes of: ***SB 6325, CH 225 (2016)**

Liquor excise taxes, revenues, distribution from liquor revolving fund: SB 5896, SB 6425

Liquor excise taxes, wine sales by winery, exemption for certain amount each year: SB 6388

Marijuana, recreational, excise tax rate increases and seller remittance: ***2E2SHB 2136, CH 4 (2015)**, SB 5003, SB 6136

Marijuana, recreational, excise tax revenues, disbursement: ***2E2SHB 2136, CH 4 (2015)**, SB 5417, SB 6136

Marijuana, recreational, excise tax revenues, disbursement for substance abuse programs: SB 5245

Marijuana, recreational, excise taxation, single point on sales: SB 5467

Marijuana, tribal marijuana tax, in connection with tribal-state agreements: ***HB 2000, CH 207 (2015)**
 Newspaper, definition for excise tax purposes, expiration date: SB 6001
 Nexus, new economic standard for, application to wholesalers, including digital products and services: SB 6138
 Nexus, when based on attending one in-state trade convention, prohibiting: ***SHB 2938, CH 137 (2016)**
 Passenger-only ferry service districts, imposing excise taxes to fund: SB 5242, SB 5358, SB 5987
 Public utility districts, privilege taxation of, administration: SB 5542
 Revenue, increasing by closing certain loopholes: SB 6138
 Small businesses, modifying excise filing threshold: SB 5043
 Vapor products, tax on, imposing: SB 5573

TAXES - HAZARDOUS SUBSTANCE TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Distribution of revenues, offsetting revenue deposit decline by prioritizing toxic site cleanup: SB 6570
 Distribution of revenues, to state and local toxics control accounts, adjusting limit: SB 5345
 Rate, adjustments to: SB 6660

TAXES - LEASEHOLD EXCISE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Fair associations, nonprofit, rented property owned by, leasehold excise taxation of: SB 5708

TAXES - LITTER

Waste and litter reduction, recycling, and composting, revenue use for: ***ESHB 1060, CH 15 (2015)**, SB 5659

TAXES - LOCAL OPTION TRANSPORTATION (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Commercial parking businesses, parking tax imposition by passenger-only ferry districts: SB 5242
 Revenue sources for transportation, various: SB 5358, SB 5987
 Street utilities, repealing provisions: SB 5813
 Transportation utility and utility service program, local option transportation revenues for: SB 5813

TAXES - LODGING TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Rate of lodging tax, when not credited against state sales tax, role in certain combined or total tax rate calculations: SB 6672
 Statewide tourism marketing program, lodging taxation provisions: SB 5916
 Workforce housing, affordable near transit station, lodging tax use for loans or grants: ***SHB 1223, CH 102 (2015)**, SB 5208

TAXES - MOTOR VEHICLE EXCISE TAX

Regional transit authorities, motor vehicle excise tax imposition by: SB 5987

TAXES - MOTOR VEHICLE FUEL TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Additional and cumulative tax rate, imposing: SB 5987
 Fuel taxes, administration, revision and consolidation effective dates, delaying various: ***SB 5297, CH 228 (2015)**
 Handling losses, deduction for, repealing: SHB 1892
 Indian tribal jurisdictions, fuel taxes, collection of, when: SB 6193
 Refunds from motor vehicle fuel tax, increasing nonhighway fuel tax refunds: SB 5987
 Refunds, basing on actual fuel taxes paid: ***SHB 1738, CH 9 (2015)**, SB 5617

TAXES - OIL SPILL RESPONSE TAX

Bulk oil and marine terminals, adding to provisions: SB 6418
 Bulk oil terminals, adding to provisions: ***ESHB 1449, CH 274 (2015)**, SB 5057, SB 5087
 Rate, per barrel, increasing: SB 5834

TAXES - PETROLEUM PRODUCTS

Possession of petroleum products, taxation rate and expiration date changes: ***SHB 2357, CH 161 (2016)**, SB 6187

TAXES - PROPERTY TAX (See also REAL ESTATE AND REAL PROPERTY; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Assessments, review of, commercial property filing charge waiver, requirements: SB 5876
 Assessments, review of, commercial property rental income and expense statements, requirements: SB 5875
 Assessments, review of, comparable sales and other valuation criteria, requirements for: SB 5588
 Conservation futures program, parks and recreation land acquired through, maintenance and operations funds: SB 5614
 Cultural access programs, property tax levies for: ***ESHB 2263, CH 24 (2015)**, SB 5463
 Delinquent taxes, eliminating penalties for: SB 5439
 Delinquent taxes, foreclosure when electric utility recorded interest in easement: ***HB 2457, CH 98 (2016)**
 Delinquent taxes, partial payment, methods for: SB 5654
 Easements, as part of general assessment, modifying requirements: SB 6169
 Eliminating state property tax in connection with imposition of state income tax: SB 6114, SB 6559
 Equalization, county boards of, procedures for petitions to and appeals before: SB 5588, SB 5875, SB 5876
 Fish and wildlife, lands managed by DFW, payments to counties in lieu of property taxes: SB 5750
 High capacity transportation systems, funding partly through property tax levies: SB 5128
 Improvements to tax code without affecting revenue collections, various: SB 5275
 Intangible property, levying tax on, with certain exemptions: SB 6093
 Intangible property, taxation of: SB 6111
 Levies, by regional transit authority: SB 5358
 Levies, flood control zone districts, exempting from certain levy limitations: ***HB 1940, CH 170 (2015) PV**, SB 5799
 Levies, for public hospital districts, conditions and restrictions, when: SB 6008
 Levies, for schools, eliminating district local basic education levy dependency: ESHB 2366, SB 6195
 Levies, for schools, extending current local enrichment policies: EHB 2698, SB 6353
 Levies, for schools, local district levy authority and local effort assistance: EHB 2698, SB 6183
 Levies, for schools, local levy reduction, levy equalization, and state property tax offset: SB 6109
 Levies, for schools, reducing by prior school year allocations for K-12 salary enhancements: SB 6103
 Levies, for schools, reducing reliance on local levies: SB 6104, SB 6109
 Levies, for schools, reducing reliance on local levies with aid of state income tax: SB 6114
 Levies, for schools, reducing while increasing property tax to fund education: SB 5334
 Payment of current or delinquent taxes, partial payment, methods for: SB 5654
 Refunds of taxes paid, when property description in error: SB 5276
 State land improvement financing, regular property tax revenues for, distribution: ***HB 2842, CH 192 (2016)**, SB 6580
 Treasurer, county, retaining percentage of taxes collected: SB 5677
 Valuation, real property, constitutional amendment to set base years for: SJR 8203
 Valuation, setting base years and limiting increases through adjusted valuation, when: SB 5525

TAXES - PUBLIC UTILITY TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Renewable energy system cost recovery program, modifications: E2SHB 2346, SB 6188
 Solar energy systems, community solar programs or projects production incentive: E2SHB 2346, SB 6188

TAXES - REAL ESTATE EXCISE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Affidavits, submission with application by certain state agencies acquiring certain lands: SB 6392
 Landlords, local requirements for modifications and revenue use restrictions: ***EHB 2971, CH 138 (2016)**
 Revenues, use for city and county capital projects, expanding project range: SB 5585
 Revenues, use for maintenance of city and county capital projects: ***EHB 2122, CH 10 (2015)**

TAXES - SALES (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - EXCISE; TRANSPORTATION)

Amusement services, simplifying taxation: ***HB 1550, CH 169 (2015)**
 Cultural access programs, retail sales and use tax funding: ***ESHB 2263, CH 24 (2015)**, SB 5463
 Higher education, certain percentage of sales tax revenues to support: SB 5286
 Liquor sales, spirits, comprehensive tax reduction: SB 5711
 Local sales and use, authority to impose for designated disaster areas financing: SB 6316
 Local sales and use, changes to, reducing frequency: ***HB 2565, CH 46 (2016)**, SB 5511

Local sales and use, county, for affordable housing and mental and behavioral health services and facilities: ***ESHB 2263, CH 24 (2015)**

Local sales and use, for public facilities district regional center, expiration provisions: SHB 2296

Local sales and use, imposed for services to newly annexed areas, restricting: SHB 1576, SB 5864

Local sales and use, public safety tax, county-city revenue sharing after certain date, discontinuing: SB 5866

Local sales and use, revenue use for training costs when hiring newly trained state troopers: SB 6331

Local sales and use, revenues for transportation utility: SB 5813

Marijuana, recreational, rate increase and seller remittance: ***2E2SHB 2136, CH 4 (2015)**, SB 5003, SB 6136

Motor vehicles, sale to enrolled tribal member, documentation for exemption: ESHB 2783, SB 6427

Passenger-only ferry service districts, imposing sales and use tax to fund: SB 5242, SB 5358, SB 5987

Physical fitness services, simplifying taxation: ***HB 1550, CH 169 (2015)**

Public transportation benefit areas, imposing sales and use tax, conditions: SB 5326, SB 6590

Recreation services, simplifying taxation: ***HB 1550, CH 169 (2015)**

Recreational vessels, large, limiting tax in connection with sales and use tax exemptions: SB 5762

Reducing state sales tax, in connection with imposition of state income tax: SB 6114, SB 6559

Remote sellers, nexus within state, when deemed to have for certain sales and B&O tax purposes: SB 5541

Therapeutic courts, for dependency proceedings, sales and use tax for: ***SB 5107, CH 291 (2015)**

Transportation projects, sales and use taxes collected on, transfer of amounts to connecting Washington account: SB 5990

TAXES - SPECIAL FUEL TAX (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Additional and cumulative tax rate, imposing: SB 5987

Fuel taxes, administration, revision and consolidation effective dates, delaying various: ***SB 5297, CH 228 (2015)**

Handling losses, deduction for, repealing: SHB 1892, SB 5987

Indian tribal jurisdictions, fuel taxes, collection of, when: SB 6193

Indian tribes, fuel tax agreements with, governor authority to enter into, repealing: SB 5830

Indian tribes, fuel tax agreements, authorizing, when: SHB 1631

TAXES - TIMBER HARVEST EXCISE

Agreements, with Confederated Tribes of the Colville Reservation, governor authority to enter into: SB 5472

TAXES - TOBACCO PRODUCTS (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.)

Additional tax on tobacco products, imposing for appropriation into fund to fight cancer: SB 6101

Additional tax on tobacco products, imposing for deposit in fund to fight cancer: SB 5808

Health security trust, revenue use for: SB 5741

TAXES - USE (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; **TAXES - EXCISE; TRANSPORTATION)**

Amusement services, simplifying taxation: ***HB 1550, CH 169 (2015)**

Cultural access programs, retail sales and use tax funding: ***ESHB 2263, CH 24 (2015)**, SB 5463

Higher education, certain percentage of use tax revenues to support: SB 5286

Local sales and use, authority to impose for designated disaster areas financing: SB 6316

Local sales and use, changes to, reducing frequency: ***HB 2565, CH 46 (2016)**, SB 5511

Local sales and use, county, for affordable housing and mental and behavioral health services and facilities: ***ESHB 2263, CH 24 (2015)**

Local sales and use, for public facilities district regional center, expiration provisions: SHB 2296

Local sales and use, imposed for services to newly annexed areas, restricting: SHB 1576, SB 5864

Local sales and use, public safety tax, county-city revenue sharing after certain date, discontinuing: SB 5866

Local sales and use, revenue use for training costs when hiring newly trained state troopers: SB 6331

Local sales and use, revenues for transportation utility: SB 5813

Passenger-only ferry service districts, imposing sales and use tax to fund: SB 5242, SB 5358, SB 5987

Physical fitness services, simplifying taxation: ***HB 1550, CH 169 (2015)**

Public transportation benefit areas, imposing sales and use tax, conditions: SB 5326, SB 6590

Recreation services, simplifying taxation: ***HB 1550, CH 169 (2015)**

Recreational vessels, large, limiting tax in connection with sales and use tax exemptions: SB 5762

Therapeutic courts, for dependency proceedings, sales and use tax for: ***SB 5107, CH 291 (2015)**

Transportation projects, sales and use taxes collected on, transfer of amounts to connecting Washington account: SB 5990

TAXES, GENERALLY (See also TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - EXCISE)

Advisory votes on tax legislation, constitutional amendment to remove requirement: SJR 8208, SJR 8212

Advisory votes on tax legislation, repealing: SB 6185

Advisory votes on tax legislation, repealing if two-thirds majority approval constitutional amendment submitted to voters: SB 6185

Federal taxpayer information, certain agency applicants who will have access to, criminal history checks: SB 6252

Forecasts, economic and revenue, on same date during all legislative sessions: SB 5064

Forecasts, economic and revenue, to include agency savings due to lean and performance management: SB 5279

Harbor maintenance tax, federal, requesting that Congress reform: SJM 8017

Health security trust, repealing certain tax provisions with creation of: SB 5132

Improvements to tax and licensing laws, various: SB 6438

Improvements to tax code without affecting revenue collections, various: SB 5275

Income tax, constitutional amendment changing state taxation structure and limitations to allow and support: SJR 8207

Income tax, constitutional amendment to allow: SJR 8202, SJR 8214

Income tax, imposing, including multiple excise tax credits and B&O tax reform, for basic education funding: SB 6114

Income tax, imposing, including state sales tax reduction and state property tax elimination: SB 6559

Increases and advisory votes, constitutional amendment concerning: SJR 8208, SJR 8212

Increases, initiatives to the people imposing tax or fee, ballot title requirements: SB 6174

Increases, tax increase actions, voter approval or certain exceptions for ratification, requiring: SJR 8215

Increases, tax increase legislation, simple majority approval for one-year effective period or two-thirds majority for approval: SB 6604

Increases, tax increase legislation, two-thirds majority for approval: SJR 8200, SJR 8208, SJR 8209, SJR 8211, SJR 8212, SJR 8216

Minimum wage, providing living wage through new rates and tax relief and exemption for certain businesses: SB 6029

Tax division of court of appeals, creating and transferring board of tax appeals to: SB 5449

TELECOMMUNICATIONS

Broadband equipment, for providing retail broadband service using, B&O tax credit: SB 6480

Broadband equipment, sales and use tax exemptions: SB 5425

Call location and information, providing to law enforcement responding to emergency: SB 5158

Cell site simulator devices, use without a warrant, prohibiting, exception: ***ESHB 1440, CH 222 (2015)**

Data, office of privacy and data protection, creating: ***SHB 2875, CH 195 (2016)**

Indian reservations, providing advanced services to: SB 5157

Information technology infrastructure and security, governing body executive sessions concerning: HB 1561

Internet service providers, telecommunications services purchased or used or sold, sales and use tax exemptions: SB 6048

Intimate images, disclosing, crime of: ***2E2SHB 1272, CH 7 (2015)**

Intimate images, disclosing, crime of, mobile provider liability exemption: ***HB 2384, CH 91 (2016)**

Intimate images, unauthorized distribution of, civil action for damages, when: ***ESHB 2160, CH 8 (2015)**, SB 5502

Jail, persons in, prohibiting cell phone during term of confinement: ***SHB 2900, CH 199 (2016) PV**

Military service members, active duty, terminating telecommunication services, procedures: SB 6636

Networking services, excluding providers from gambling information transmissions prohibitions, when: SB 6566

Personal wireless communications devices, using while driving, traffic infraction, when: SB 5656

Prison inmates, prohibiting cell phone while incarcerated: ***SHB 2900, CH 199 (2016) PV**

Public utility districts, providing telecommunications services, authorization and requirements for: SB 6046, SB 6237

State universal communications services program, expenditure limit: SB 5670

TIME

Daylight savings time, exempting Washington from: SB 5570

TITLE ONLY BILLS

Authorizing bonds for transportation funding act of 2015: SB 6074

Corrections act: SB 6066, SB 6067
 Education act: SB 6059, SB 6060, SB 6069
 Education act of 2015: SB 5351, SB 5352, SB 5928
 Environmental fiscal matters act: SB 6070
 Fiscal matters act: SB 6049, SB 6050, SB 6666, SB 6667
 Health care act: SB 6055, SB 6056, SB 6065
 Higher education act: SB 6068
 Human services act: SB 6053, SB 6054
 Marijuana act: SB 6062
 Natural resources act: SB 6058
 Public schools that are not common schools act: SB 6670
 Retirement from public service act: SB 6664
 Retirement of electric generation facilities act: SB 6132
 Revenue act: SB 6057, SB 6061, SB 6063, SB 6064
 State government act: SB 6051, SB 6052, SB 6665
 Transportation funding and appropriations act of 2015: SB 6073
 Transportation revenue act of 2015: SB 6072
 Wildfire management act: SB 6657

TOBACCO AND TOBACCO PRODUCTS (See also CHILDREN; LIQUOR AND CANNABIS BOARD; LIQUOR CONTROL BOARD; SCHOOLS AND SCHOOL DISTRICTS; TAXES - CIGARETTES; TAXES - TOBACCO PRODUCTS)

Cigar lounge or retail tobacconist shop, retail license endorsement for, requirements: SB 5917
 School district and education service district employees, tobacco use health benefit plan additional surcharge, when: SB 6096
 Tobacco and vapor products, legal age for: E2SHB 1645, SB 5494, SB 5573, SB 6157, SB 6328
 Vapor product, definition: E2SHB 1645, SB 5124, SB 5477, SB 5573, SB 6157, SB 6328
 Vapor products, comprehensive regulation of: E2SHB 1645, SB 5477, SB 5573, SB 6328
 Vapor products, internet sales of, prohibition, when: E2SHB 1645
 Vapor products, tax on: SB 5573

TOURISM

Sports fishing tourism industry, steps to expand: SB 5844
 State tourism marketing services, contracting for, tourism industry sectors to pay fees to fund: SB 5916
 Statewide tourism marketing program, lodging taxation provisions: SB 5916
 Tourism promotion areas, definition of "legislative authority," modifying: ***HB 1279, CH 131 (2015)**, SB 5819
 Washington tourism marketing authority, creating: SB 5916

TOWING AND TOW TRUCKS

Deficiency claims after auction of private property impound, removing maximum limits for, when: SB 5640
 Office hours for tow truck operators, adding additional requirement: ***SB 5207, CH 227 (2015)**
 Service members, towing costs and penalties liability waiver, when: SB 5038

TRAFFIC (See also MOTOR VEHICLES; TRAFFIC OFFENSES; TRAFFIC SAFETY EDUCATION)

Bicycles, stopping and proceeding through red light, allowing, conditions: SB 5438
 Commute trip reduction, tax credit, extending and modifying: SHB 1822, SB 5323
 Congestion relief and freight mobility improvement, transportation mobility policy goal to include: ***2ESB 5995, CH 16 (2015)**
 Congestion relief efforts, lottery statewide raffle tickets to benefit: SB 5973
 Electric vehicles, neighborhood and medium-speed, street and highway use: ***HB 2317, CH 17 (2016)**
 Emergency vehicles, toll bridge charges exemption for: SB 6653
 Express toll lanes, I-405, construction and operation restrictions: SB 6152
 Express toll lanes, I-405, implementation and improvements, studying: SB 6675
 Express toll lanes, I-405, toll-free and no-minimum-vehicle-occupancy travel on, when: SB 6152
 High occupancy vehicle lanes, wheelchair accessible taxicabs, use of lanes by: SB 6627
 Motorcycle- or motorcycle club-related paraphernalia, profiling based on, prohibiting: SB 6624
 Motorcycles, helmets, limiting mandatory use to persons under 18: SB 5198

Motorcycles, operating between lanes or passing in same lane: SB 5623
 Pedestrian fatality and serious injury review panel, convening: SB 5957
 Safe routes to school program, funding for: SB 5724

TRAFFIC OFFENSES (See also CRIMES; SENTENCING; TRAFFIC)

24/7 sobriety program, pilot project, repealing: ***ESHB 2700, CH 203 (2016)**
 24/7 sobriety program, provisions, revisions of: ***2E2SHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**, SB 6236
 Alcohol violators, additional fee, increasing fee and using portion for DUI reduction: SB 6143
 Blood samples, collection for offenses, authorized health care professionals: ***2E2SHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**
 Driving under the influence, 24/7 sobriety program monitoring, when: SB 6236
 Driving under the influence, felony prior offense threshold, lowering: SB 5105, SB 6143
 Driving under the influence, felony, to be class B felony: ***HB 2280, CH 87 (2016)**
 Driving under the influence, fingerprinting and photographing, who and when: SB 6198
 Driving under the influence, impaired driving provisions, modifications: ***2E2SHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**
 Financial obligations, traffic-based, payment plans unified system and work group: EHB 2659, SB 6360
 Forensic phlebotomists, collecting blood samples in connection with certain offenses: SB 5066
 Habitual offenders, driver improvement course for, department of licensing to develop: SB 6595
 Impaired driving, comprehensive modifications to provisions concerning: ***2E2SHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**
 Infractions, additional fee for, deposit into state DNA database account: SB 6366
 Infractions, fines for, certain revenues to be for office of public defense: HB 2764
 Infractions, issued by law enforcement officer, considering during performance review, prohibiting: HB 2399
 Infractions, monetary penalties, community restitution plan for paying, authorizing as alternative: SHB 2085
 Left lane driving, aggravated, offense of: SB 6105
 License suspended, due to child support order noncompliance, driving when: ***HB 1282, CH 149 (2015)**, SB 5247
 Marijuana, in motor vehicle, traffic infractions involving: SB 5002
 Motorcycle- or motorcycle club-related paraphernalia, profiling based on, prohibiting: SB 6624
 Personal wireless communications devices, using while driving, traffic infraction, when: SB 5656
 Physical control of vehicle under the influence, provisions: ***2E2SHB 1276, CH 3 (2015) PV, *ESHB 2700, CH 203 (2016)**, SB 5105, SB 6143, SB 6198, SB 6236
 Rental cars, violations applicable to, renter responsibility, when: ***SB 5100, CH 189 (2015)**
 Traffic safety cameras, use in school zones, requirements: EHB 1087
 Traffic safety cameras, use outside school zones, pilot program: SB 5336

TRAFFIC SAFETY COMMISSION (See also ADMINISTRATIVE PROCEDURE)

Membership, governor's designee: ***SB 5046, CH 206 (2016)**
 Pedestrian fatality and serious injury review panel, commission to convene: SB 5957

TRAFFIC SAFETY EDUCATION

Habitual offenders, driver improvement course for, department of licensing to develop: SB 6595
 High-risk and young driver safety education program, account, and traffic safety courses, creating: SB 5816
 Parent-taught driver training courses, authorizing: SB 5975
 Traffic schools, establishing and operating, city or town authority for: ***HB 2918, CH 201 (2016)**
 Young driver risk prevention traffic safety course, requiring, when: SB 5816, SB 6594
 Young driver safety education program, account, and traffic safety courses, creating: SB 6594

TRANSPORTATION (See also ENVIRONMENT; FERRIES; FREIGHT MOBILITY STRATEGIC INVESTMENT BOARD; OIL AND GAS; PUBLIC TRANSIT; RAILROADS; ROADS AND HIGHWAYS; TAX PREFERENCES - EXEMPTIONS, CREDITS, DEDUCTIONS, DEFERRALS, ETC.; TAXES - LOCAL OPTION TRANSPORTATION; TRANSPORTATION IMPROVEMENT BOARD; TRANSPORTATION, DEPARTMENT; UTILITIES AND TRANSPORTATION COMMISSION)

Apprenticeship programs for transportation workforce development, modifying: ***ESB 5863, CH 164 (2015)**
 Bistate megaproject, action by OFM when not fully funded: SB 5116
 Bistate megaproject, development of: SB 5117

Bistate megaproject, work group for, establishing: SB 5118
 Border crossing, extraterritorial jurisdiction for U.S. over preclearance officers in Canada, requesting: SJM 8018, SJM 8020, SJM 8021
 Budget, 2015-2017: SB 5360
 Budget, 2015-2017 and supplemental 2013-2015: ***2ESHB 1299, CH 10 (2015) PV**
 Budget, additive, 2015-2017: SB 5988
 Budget, biennial, adoption after regular session, legislator campaign contributions when: SB 6137
 Budget, coordinating authorization of 1063 block replacement project with: SB 5886
 Budget, supplemental 2013-2015: SB 5359
 Budget, supplemental 2013-2015 and transportation budget 2015-2017: ***2ESHB 1299, CH 10 (2015) PV**
 Budget, supplemental 2015-2017: ***ESHB 2524, CH 14 (2016) PV**, SB 6307
 Budget, transportation projects, general obligation bonds for: SB 5361, SB 5989
 Charter party and excursion service carriers, regulation of, various provisions: SB 5362
 Commercial transportation services providers, regulating of: ESHB 2131, ***HB 2516, CH 21 (2016)**, SB 6444
 Common carriers, transportation of marijuana products, rules for licensing: SB 5051
 Connecting Washington projects, projects identified as: ***ESHB 2012, CH 12 (2015)**
 Excursion service and charter party carriers, regulation of, various provisions: SB 5362
 For hire vehicles, persons owning or leasing, industrial insurance provisions: HB 1821, SB 5710
 Heavy haul industrial corridor, portions of SR 128 and 193 as: ***HB 2807, CH 26 (2016)**, SB 5272
 High capacity transportation corridor areas, qualifications for establishing, modifying: SB 5828
 High capacity transportation systems, funding through tax revenues: SB 5128
 High capacity transportation systems, when plans rejected by voters: SB 5187
 Light rail, I-5 Columbia river bridge project, prohibiting expenditures on: SB 5319
 Limousine operators owning or leasing vehicle, industrial insurance provisions: HB 1821, SB 5710
 Log transportation businesses, public utility tax credit, when: SB 6121
 Log transportation businesses, reduced public utility tax rate for: SB 5257
 Metropolitan planning organizations, restricting state funding of: SB 5196
 Motor carriers, commercial vehicle proportional registration and reciprocity, updating provisions: ***SB 5297, CH 228 (2015)**
 Movers, local rural license, creating: SB 5669
 Projects of statewide significance, for transportation: ESB 5111
 Projects, delivery of, streamlined approach to environmental decision making: SB 5996
 Projects, disadvantaged business enterprise advisory committee, creating: SB 6180
 Projects, public-private partnership, repealing existing act and creating new office for: SB 5862
 Projects, sales and use taxes collected on, transfer of amounts to connecting Washington account: SB 5990
 Railroad employees, passenger-carrying vehicles for, regulatory provisions: ESHB 1808, E2SHB 1808, SB 5797
 Regional mobility grant program, selection criteria for: ***ESHB 1842, CH 11 (2015)**
 Regional transportation planning organizations, counties with ferry terminals forming: ***HB 2815, CH 27 (2016)**
 Regional transportation planning organizations, membership, voting and nonvoting: SB 5199, SB 5200
 Regional transportation planning organizations, restricting state funding of: SB 5196
 Rental and shared car companies, discover pass bulk sales to and agency partnerships with: SB 6140
 Rental car businesses, vehicle license cost recovery fee charged by: ***HB 2322, CH 18 (2016)**
 Rental cars, violations applicable to, renter responsibility, when: ***SB 5100, CH 189 (2015)**
 Revenue, multiple sources and distribution: SB 5358, SB 5987
 Revenue, multiple sources and distribution, correcting 2015 drafting error: ***SB 6299, CH 32 (2016)**
 Ride-sharing programs, participant personal information, disclosure: ***ESHB 1980, CH 224 (2015) PV**, SB 6020
 Safety rest areas, public restrooms, human trafficking information posting in: SB 5883
 Solid waste collection companies, unscheduled and nonroutine residential recyclable materials transportation by: SB 6521
 System policy goals, mobility as policy goal, revising: ***2ESB 5995, CH 16 (2015)**
 System, state transportation, performance oversight, OFM role: SHB 2973, ***SB 6614, CH 35 (2016)**
 Taxicab operators owning or leasing vehicle, industrial insurance provisions: HB 1821, SB 5710
 Taxicabs, wheelchair accessible, use of high occupancy vehicle lanes by: SB 6627
 Transportation benefit districts, border area, restricting use of certain fuel tax proceeds by: SB 5490
 Transportation benefit districts, local revenue options: SB 5358, SB 5987

Transportation benefit districts, rebate program, provisions: SB 5936, SB 5987
 Transportation future funding program, practical design savings availability through: ***ESHB 2012, CH 12 (2015)**
 Transportation network companies, regulating of: SB 5550
 Transportation partnerships Washington, office of, creating: SB 5862
 Transportation services providers, commercial, regulating of: ESHB 2131, SB 6444
 Transportation utility, street maintenance, creation of utility for: SB 5813

TRANSPORTATION COMMISSION (See also ADMINISTRATIVE PROCEDURE; ROADS AND HIGHWAYS; TRANSPORTATION; TRANSPORTATION IMPROVEMENT BOARD; TRANSPORTATION, DEPARTMENT)

Disadvantaged business enterprise advisory committee, creating within commission: SB 6180
 Emergency vehicles, toll bridge charges exemption for, commission role: SB 6653
 School buses, toll bridge charges exemption for, commission role: SB 6643
 State route 509, requesting that commission rename as Philip Martin Lelli memorial highway: ***SJM 8019 (2016)**

TRANSPORTATION, DEPARTMENT (See also ENVIRONMENT; ROADS AND HIGHWAYS; TRANSPORTATION; TRANSPORTATION IMPROVEMENT BOARD)

Advertising, commercial, on DOT web sites and social media, department authority to sell: SB 6359
 Apprenticeship programs for workforce development, modifying, DOT role: ***ESB 5863, CH 164 (2015)**
 Auto malls, directional signs on state highways, authorizing DOT installation, when: SB 6468
 Design-build contracting, DOT implementation, expert review panel concerning: SB 5997
 Emergency vehicles, toll bridge charges exemption for, department role: SB 6653
 Fish passage barrier removal activities, compensatory mitigation: SB 5996
 Fish passage barrier removal, environmental legacy stewardship account funding: SB 5991
 Graffiti, on state-owned transportation facilities, removal by DOT: SB 5764
 Highway construction, design-build procedure for projects, DOT role: SB 5054, SB 5997
 Highway construction, engineering errors, DOT reporting: SB 5053, SB 5996
 Highway construction, practical design principles, DOT implementation: ***ESHB 2012, CH 12 (2015)**
 Highway projects, bridge construction by waterway, recreational access feasibility: ESB 6044, SB 6363
 Highway projects, expedited permitting by various agencies for, DOT role: SB 5855
 Lands for highway purposes, including improvements and airspace, rental or lease of, valuation requirements: SB 6623
 Projects, state transportation corridor, various local permits, etc., DOT exemption: SB 5994
 Projects, streamlined environmental decision making approach, DOT role: SB 5996
 Projects, with NEPA requirements, expedited environmental review and approval, DOT role: SB 5996
 Property of DOT, surplus, selling or exchanging, modifying provisions: SB 5820
 Public transit, central Puget Sound, DOT and municipality reporting: ***ESHB 1842, CH 11 (2015)**
 Public transit, central Puget Sound, transit coordination grant program, DOT role: ***ESHB 1842, CH 11 (2015)**
 Public-private partnership projects, repealing existing act and creating new office within DOT: SB 5862
 Rail fixed guideway systems, safety and security oversight, DOT as state agency for: SB 6358
 Regional mobility grant program, selection criteria for, DOT role: ***ESHB 1842, CH 11 (2015)**
 Royal Slope railroad right-of-way, transfer by DOT to Port of Royal Slope: ***SHB 1586, CH 281 (2015)**, SB 5529
 School buses, toll bridge charges exemption for, department role: SB 6643
 Shoreline management act, local review under, DOT exemption for certain projects and activities: E2SHB 1850
 Speed limit, on highways, increasing maximum for any highway, DOT authority for: ***HB 2181, CH 58 (2015) PV**
 State route 2 trestle, intending to fund DOT preliminary work for replacing: SB 6567
 Storm water control facilities, rate charges paid by DOT, modifying provisions: ***SB 5314, CH 231 (2015)**
 Storm water permit compliance, legacy, environmental legacy stewardship account funding: SB 5991
 Surplus DOT property, former owner right of repurchase: HB 1585
 Surplus DOT property, time limit for selling: SB 5902
 Toll facilities, amnesty program, DOT to administer: SB 5481
 Transportation partnerships Washington, office of, creating within DOT: SB 5862

TREASURER, STATE

Conference of national association of state treasurers, soliciting moneys for: ***HB 1547, CH 45 (2015)**, SB 5587
 Investment authority and options of treasurer, modifying provisions: SHB 2936, ***ESB 6349, CH 152 (2016)**, SB 6596
 Investment pools, external, investment of funds through, treasurer role: SB 5390
 Linked deposit program, general rule-making authority of OMWBE for: SB 5255

Special purpose districts, treasurer distribution of certain revenues to, prohibiting, when: EHB 2084

TRUSTS (See also ESTATES, TRUSTS, AND PROBATE)

Investment trust, Washington, creating: SB 5553

Publicly owned trust, Washington, creating: SB 5971

UNEMPLOYMENT COMPENSATION (See also EMPLOYMENT SECURITY DEPARTMENT)

Job search requirements for benefits, modifying: HB 2578

Records, subpoena for, requiring lawyer affidavit for: SB 5126

Remuneration, services performed by individual for, not constituting employment, when: SB 5983

UNIFORMED PERSONNEL

City police departments, court marshals of, adding to uniformed personnel for collective bargaining: SHB 2849, SB 6417

Collective bargaining, uniformed personnel PERS or PSERS contributions, county agreeing to pay: SB 5214

Sheriff's offices, court marshals of, adding to uniformed personnel for collective bargaining: HB 1987, SB 5239, ***ESB 6092, CH 6 (2015)**

UTILITIES (See also AIR QUALITY AND POLLUTION; ENERGY; SEWAGE AND SEWERS; TAXES - PUBLIC UTILITY TAX; UTILITIES AND TRANSPORTATION COMMISSION)

Biomass energy, facility's incremental electricity as eligible renewable resource: ***ESB 6166 (2016) V**

BPA, credits against power contracts with or funds provided by, for certain programs, B&O exemption: SB 6041

Coal displacement power, purchase by electrical companies: SB 6004

Coal-fired electric generation facilities, plan requirements under eligible coal unit risk mitigation act: SB 6248

Coal-fired electric generation facilities, retirement of, department of commerce to study: ESB 5874

Coal-fired electric generation facilities, transition to natural gas-fired plants, tax exemptions for: SB 5575

Electric utilities, customers of, billing statement information requirements: ESB 5091

Electric utilities, customers of, private or proprietary customer information, disclosure prohibitions: ***SHB 1896, CH 285 (2015), *HB 2264, CH 21 (2015)**

Electric utilities, fuel mix calculation and reporting information for customers, requirements: SB 6533

Electric utilities, with easement recorded interest when delinquent-taxes foreclosure: ***HB 2457, CH 98 (2016)**

Electric vehicles, charging infrastructure build-out, utility role: ***SHB 1853, CH 220 (2015)**

Electrical companies, carbon pollution tax on fossil fuels consumption, I-732: SI 732

Electrical companies, carbon pollution tax on fossil fuels consumption, I-732, "2016 act" to be on ballot as alternative: SB 6381

Electrical companies, electric vehicle supply equipment for ratepayers, user fee or other charge: SB 6176

Hydroelectric generation, as renewable energy resource: SB 5094

Manufactured housing and mobile home communities, landlord's actual utility costs, defining: SB 6546

Projects, major public energy, excluding "small modular reactor" from definition of: SB 6256

Public utility districts, community solar project ownership by: SB 6253

Public utility districts, joint operating agencies formed by, raising contract sealed bid threshold, when: ***SB 5760, CH 73 (2015)**

Public utility districts, privilege taxation of, administration: SB 5542

Public utility districts, production and distribution of renewable natural gas by: ***ESB 5424, CH 31 (2015)**

Public utility districts, production of renewable natural gas by: EHB 1998

Public utility districts, providing telecommunications services, authorization and requirements for: SB 6046, SB 6237

Renewable energy system cost recovery program, modifications: E2SHB 2346, SB 5892, SB 6188

Renewable energy targets, alternative compliance method, providing: SB 5842

Renewable resource, eligible, carbon reduction investments as, with alternative compliance methods: SB 5735

Renewable resource, eligible, definitions and utility requirements, modifying: SB 5430, SB 5735, ***ESB 6166 (2016) V**

Solar energy systems, community solar programs or projects production incentive: E2SHB 2346, SB 6188

Solar energy systems, community solar projects, PUD ownership: SB 6253

Solar energy systems, distributed: SB 5892, SB 6188

Solar energy systems, machinery and equipment sales and use tax exemptions, expiration dates: E2SHB 2346, SB 6188

Steam electric generating plant, certain statutes, repealing: SB 6257

Telecommunications, state universal communications services program: SB 5670

Thermal energy, combined heat and power facilities, role of electric utilities: ***E2SHB 1095, CH 19 (2015)**

Utility company employees, assaulting, adding to assault in third degree: SHB 1178, SB 5833

Utility company workers or employees, assaulting, aggravating circumstance, when: SB 6554

UTILITIES AND TRANSPORTATION COMMISSION (See also ADMINISTRATIVE PROCEDURE; STATE AGENCIES AND DEPARTMENTS; TELECOMMUNICATIONS; UTILITIES)

Electric vehicles, charging infrastructure build-out, commission role: ***SHB 1853, CH 220 (2015)**

Electrical companies, electric vehicle supply equipment for ratepayers, user fee or other charge, UTC role: SB 6176

Energy facility site evaluation council, deposits and cost reimbursements of, UTC role: ***SB 6196, CH 10 (2016) V**

Oil, transport by railroad, spill prevention and response activities, UTC role: ***ESHB 1449, CH 274 (2015)**, SB 5087

Railroad employees, charter party carriers and contract crew hauling vehicles for, commission regulation of: SB 5797

Railroad employees, crew transportation providers and contract crew hauling vehicles for, commission regulation of:
ESHB 1808, E2SHB 1808

Railroad employees, yardmaster working hours, penalties for violations, commission role: SB 5696

VETERANS (See also MILITARY)

Businesses, veteran-owned, state procurement contracts web sites and databases to filter to: SB 6034

Businesses, veteran-owned, state procurement contracts, maximum participation in: SB 6034

College tuition and fees, "resident student," criteria for veteran and veteran's spouse or children to qualify as: 2E2SHB 1825, SB 5355

College tuition and fees, waiver of portion, survivor eligibility for, when: SHB 1644, SB 5561

Community care and supportive services pilot program, selection of program or partner for: EHB 2534

County veterans' assistance fund, definition of veteran for fund purposes: ***ESHB 1213, CH 76 (2016)**, SB 5171

Department of veterans affairs, helmets to hardhats program, creating coordinator for: SB 5633

Department of veterans affairs, role in campaign to increase hiring of veterans: ***2SHB 2040, CH 57 (2015)**

Department of veterans affairs, role in community care and supportive services pilot program: EHB 2534

Disabilities, group insurance, CHAMPVA-related definitions: ***SB 6405, CH 65 (2016)**

Disabilities, veterans with and dependents of, supplemental insurance plans for, reviewing barriers to: ***SB 5974, CH 127 (2015)**

Discover pass, complimentary, for service-connected 100% disability: SB 5137

Helmets to hardhats program, creating coordinator for: SB 5633

Hiring veterans, businesses engaging in, tax credits for: SB 5042

Hiring veterans, campaign to increase, including database of participants: ***2SHB 2040, CH 57 (2015)**

Housing, affordable, county local option sales and use tax funding: ***ESHB 2263, CH 24 (2015)**

Legal assistance, military and veteran legal assistance, office of, creating: SHB 2496, SB 6300

License plates, disabled veteran fee exemption, modifying qualifications: SB 5410

Outdoor education and recreation grant program, prioritizing programs utilizing veterans: SB 5843

Preferences, civil service definition of "veteran" for, including certain voluntarily retired veterans in: SB 5911

Property tax deferral and exemption programs, veterans with disabilities, income thresholds: SB 5691

Property tax exemption program, health care coverage deductions from disposable income: SB 5186

Property tax exemption program, veterans with disabilities, surviving spouse or domestic partner exemption: SB 5127

Public employment, competitive examinations, veterans' scoring criteria: SB 5074

Retirement, WSPRS, military service credit for: SB 6634

Suicide, assessment and treatment, training program content to include veterans: ***ESHB 1424, CH 249 (2015)**

Uniformed services, role in definition of "resident student" for higher education tuition and fees purposes: 2E2SHB 1825

Veterans affairs advisory committee, appointing members as liaisons to state veterans' homes: ***SB 5958, CH 219 (2015)**

Veterans benefits, credit toward child support obligations for: HB 1260, ***SB 5793, CH 124 (2015)**

Veterans conservation corps, using for forage fish surveying: SB 5166

Veterans health benefits, federal, seeking for special commitment center health care costs reimbursement: ***SB 5693, CH 271 (2015)**

VETERINARIANS

Impaired veterinarian program, substance abuse monitoring surcharge: ***HB 2432, CH 42 (2016)**

VICTIMS OF CRIMES (See also SEX OFFENSES AND OFFENDERS)

Assault of child, suspected victim, examination of, costs to be paid by state, when: SB 5897

Child abuse or neglect, including sexual assault, children's advocacy centers for victims: SB 5865

Child victims, testifying remotely, raising awareness of as legal alternative, including annual survey: ***SHB 1898, CH 286 (2015)**

Crime victims advocacy, office of, certain fees to aid human trafficking victims: SB 6484
 Crime victims advocacy, office of, crime victim certification steering committee, office to convene: SHB 2895
 Crime victims advocacy, office of, establishing criminal justice personnel training program on human trafficking laws: SB 5933
 Crime victims advocacy, office of, to be state government contact for trafficking of persons, duties: SB 5884
 Deceased victim, representative for, appointing for sentencing hearing, when: SB 6099
 Domestic violence victims, community-based services and emergency shelter programs: EHB 1729, SB 5631
 Human trafficking awareness day, establishing: ***SB 6376, CH 9 (2016)**
 Human trafficking, sex trade and labor services, noncitizen victims of, processing of certain certification forms: SHB 2895
 Human trafficking, state laws, criminal justice personnel training program on: SB 5933
 Human trafficking, state task force against trafficking of persons, reestablishing: SB 5884
 Internet crimes against children, including sexual exploitation, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**
 Internet crimes against children, including sexual exploitation, new account to aid victims: SB 5215
 Noncitizen criminal activity victims, U and T nonimmigrant status certifications, processing by state or local certifying agency: SHB 2895
 Property offenses, assistance for: SB 6641
 Property offenses, assistance for and notification of victims of: SB 5755
 Property offenses, services for victims of: SB 6143
 Sex trafficking, commercially sexually exploited children statewide coordinating committee, extending expiration of: SB 5884
 Sex trafficking, human trafficking awareness day, establishing: ***SB 6376, CH 9 (2016)**
 Sex trafficking, noncitizen victims of, processing of certain certification forms: SHB 2895
 Sex trafficking, victim identification and reporting, training and requirements: SB 5880
 Sex trafficking, victims of, using certain fees to aid: SB 6484
 Sex trafficking, Washington state clearinghouse on human trafficking, creating: SB 5884
 Sex trafficking, work group to study human trafficking of youth: HB 1139
 Sexual assault and similar crimes, survivors on higher education campuses: SB 5518
 Sexual assault, child victims of, nonexclusive information disclosure exemption: ***ESHB 1980, CH 224 (2015) PV**
 Sexual exploitation and abuse of children, child rescue fund, creating: ***2SHB 1281, CH 279 (2015)**
 Sexual exploitation and abuse of children, creating account to combat: SB 5215
 Sexual misconduct, by health professional, alleged, training for victim interviewers: ***HB 1779, CH 159 (2015)**

VOCATIONAL EDUCATION

Private vocational schools, unfair business practices, prohibitions, requirements, student ombuds, and study: ESHB 1949
 Workforce investment act, updating references: HB 2675, SB 6457

VULNERABLE ADULTS (See also DEVELOPMENTAL DISABILITIES, PERSONS WITH; DISABILITIES, PERSONS WITH; GUARDIANSHIP; LONG-TERM CARE; SENIOR CITIZENS)

Abuse or neglect, removing references to exemptions for Christian Science treatment: SB 5408
 Abuse, including sexual abuse, modifying certain definitions: SB 5600
 Abuse, neglect, or exploitation, prevention or treatment of: 3SHB 1499
 Abuse, neglect, or financial exploitation, elder justice center demonstration programs, establishing: SB 6585
 Abuse, neglect, or financial exploitation, elder justice centers at demonstration sites, establishing: SB 5945
 Abuse, neglect, or financial exploitation, elder justice centers, establishing: SB 5788
 Criminal mistreatment of a vulnerable adult, provisions: 3SHB 1499
 Incapacitated adults, alleged theft or financial exploitation by guardian, investigation and action: SB 5945
 Incapacitated adults, guardian notification of relatives: SB 6235
 Incapacitated adults, order to prevent or limit a person's contact with, guardian requirements for: SB 6619
 Incapacitated adults, right of communication and visitation, guardian role: SB 6235
 Protection orders, persons violating, arrest without warrant by peace officer: ***SHB 1316, CH 248 (2015)**, SB 5250
 Restraint, improper use of, modifying relevant definitions: SB 5600
 Silver alert plan for missing endangered persons: ***SHB 1021, CH 2 (2015)**, SB 5264
 Silver alert plan for missing persons with Alzheimer's, dementia, or other mental disability: ***SHB 1021, CH 2 (2015)**, SB 5264
 Theft from a vulnerable adult, crime of: 3SHB 1499

WAGES AND HOURS (See also PUBLIC WORKS; SCHOOLS AND SCHOOL DISTRICTS)

Elected officials, state, voluntary salary reduction: SB 6127
 Garnishment of wages, modifying "disposable earnings" definition: SB 5194
 Health care facilities, employees, meal and rest breaks and mandatory overtime, which employees: HB 1732
 Labor hours of apprentice utilization, compliance with percentage as responsible bidder criterion: SB 6574
 Labor hours, definition, modifying for public works apprenticeship utilization: ***HB 1595, CH 48 (2015)**, SB 5734
 Liens, wage liens for wage claims on real property, comprehensive provisions: SB 5567
 Minimum wage act, amending: SB 5569
 Minimum wage act, excluding junior ice hockey team members in certain leagues from "employee" for purposes of, when: ***ESB 5893, CH 299 (2015)**
 Minimum wage act, person with disability with sheltered workshop or certain nonprofits to be "employee" for: SB 6133
 Minimum wage complaints, good faith defense: SB 5514
 Minimum wage, increasing by rate of inflation: SB 5384
 Minimum wage, increasing hourly wage: HB 1355, SB 5285, SB 6087
 Minimum wage, providing living wage through new rates and tax relief and exemption for certain businesses: SB 6029
 Overpayment of wages, recovery by employer, application of provisions to municipal corporations: SB 6090
 Overtime compensation complaints, good faith defense: SB 5514
 Overtime, joint legislative-executive overtime oversight task force, creating: ***E2SHB 1725, CH 30 (2016)**
 Railroad employees, yardmaster working hours: SB 5696
 Retaliation and discrimination against employees, providing protections: SB 5569
 Salary or wage increases, state and higher education, collective bargaining agreement requirements: SB 5979
 Salary payment by counties, draw day requirements: ***HB 2391, CH 126 (2016)**, SB 6155
 Salary, deferred compensation program, modifying while expanding optional deferral programs: SB 6435
 Salary, optional deferral programs, including money-purchase retirement savings plan: SB 6435
 Scheduling employees to avoid employer health care coverage responsibility, employer responsibility penalty: SB 5895
 State patrol, officer salaries and benefits, competitive: SB 5304, SB 6331, SB 6547
 State patrol, one-time pay increase for troopers, sergeants, lieutenants, and captains: ***E2SHB 2872, CH 28 (2016)**
 State patrol, trooper and sergeant salaries, competitive: ***E2SHB 2872, CH 28 (2016)**
 State preemption and occupation of field of wages and hours, provisions: SB 6029
 Teen summer employment wage, creating: SB 5421
 Teen training wage, establishing: SB 5422
 Wage limit, state average, to be state retirement system maximum compensation for applying contribution rates: SB 6005
 Wage payment laws, responsible bidder criteria to include compliance with: SHB 1089, SB 5050
 Wage payment, post-employment, offering methods without transaction costs or need for account: ESHB 1211
 Wage violations, unlawful withholding or rebating, damages: SB 5568
 Wages and hours, local regulation of, county authority for: SB 6578
 Wages and hours, local, to apply equally to unionized and nonunionized employers, when: SB 5332
 Wages, communications between employees concerning compensation, protecting: SB 6651, SB 6655
 Wages, discrimination based on sex, prohibiting: SB 6651, SB 6655
 Wages, equal pay opportunity act: ESHB 1646, SB 5630, SB 6442
 Wages, public agency pay schedules, review of for pay disparities, JLARC to conduct: SB 6651, SB 6655

WASHINGTON ADMINISTRATIVE CODE (See also ADMINISTRATIVE PROCEDURE)

Administrative law, unnecessary laws, legislative removal and repeal procedures: SB 6380
 Publication and authentication of WAC, as legal material in official electronic record, provisions: SB 6361
 Rule making, requiring APA adoption, WAC codification, and legislative ratification: SB 5366, SB 5368, SB 5372
 WAC 162-32-060, concerning gender-segregated facilities, requiring repeal in entirety: SB 6443

WATER

Alternative water systems or supplies, for potable water, ordinance and information requirements: SHB 1793
 Applications and permits, requiring consistent and prompt agency decision making: SB 5197
 Building permit application, to include risk assessment of possible impacts to water supply, when: SB 6012
 Commission, Washington water commission, creating: SB 5801
 Conservation, efficiency standards for toilets, water closets, and urinals: ESHB 2430
 Drought preparedness measures, modifying: E2SHB 1836

Drought, emergency response, appropriations for 2015 and 2015-2017 capital budgets: SB 6125
 Drought, water supply during, joint legislative committee on, modifying provisions: E2SHB 1836
 Groundwaters, maintaining and protecting, discouraging certain withdrawals to ensure: SB 5998
 Infrastructure projects, grant program for: SB 5628
 Irrigation districts, delinquent assessments on property for, effect of certain easements: ***SB 5556, CH 34 (2015)**
 Irrigation districts, facilities of, relation to shorelands, clarifying: SB 5554
 Irrigation districts, master programs, allowing watershed management actions by watershed improvement districts: SB 6175
 Irrigation districts, subdivisions and real property parcels, district review and conditioning authority: SB 5555
 Public water facilities, municipalities contracting for servicing of, procedures: SB 5470
 Public water facilities, municipality creation of assessment reimbursement area, procedures: SB 5795
 Public water facilities, water storage asset management services, procurement procedures: ***EHB 1989, CH 187 (2015)**
 Public water systems, "municipal water supply purposes," modifying: SB 6215
 Public water systems, financial assistance activities, transferring: ***2ESB 5251, CH 111 (2016)**
 Public water systems, group A, growth management proposals notice requirements to include: ***SB 5238, CH 25 (2015)**
 Public water systems, group B, county legislative authority approval, when: ***E2SHB 2061 (2016) V**
 Waste material, discharge into waters, enhanced biological nutrient removal or other technology requirement: SB 6191
 Water distribution or water and sewerage system businesses, limiting tax imposed by city or town on: SB 6115
 Water supply infrastructure, grant program for: SB 5628
 Water-sewer districts, water storage asset management services, procurement: SB 6147
 Waters of the state, groundwaters, maintaining and protecting: SB 5998
 Watershed improvement districts, watershed management actions by, authority for, when and from whom: SB 6175
 Wells, permit exempt, hearings concerning petitions challenging regulation of: SB 5061
 Wells, permit exempt, within Skagit basin, aiding users of, feasibility study: ***ESB 6589, CH 227 (2016)**

WATER POLLUTION (See also HAZARDOUS MATERIALS; HAZARDOUS WASTE; OIL AND GAS; POLLUTION LIABILITY INSURANCE AGENCY)

Agricultural land, agricultural activity discharges from, violation reported by named third party, notice of: SB 6551
 Applications and permits, requiring consistent and prompt agency decision making: SB 5197
 Chemical action plans, department of ecology role: SB 6131
 Chemical action plans, selecting substances for: SB 5056, SB 6131
 Collection facilities, municipalities contracting for servicing of, procedures: SB 5470
 Dairy farms, discharging to groundwater, general permit issuance and program for: SB 6568
 Federal clean water act, section 401, timely preliminary and revised certification decisions: SB 6172
 Microbeads, synthetic plastic, in personal care products and OTC drugs, prohibitions: SB 5431, SB 5609
 Oil transport, spill prevention and response activities, including symposium on: SB 5057
 Storm water, reducing pollution from current facilities through infrastructure grant program: SB 5628
 Violations, modifying water quality determination and enforcement procedures: SB 5062, SB 5584
 Waste material, discharge into waters, enhanced biological nutrient removal or other technology requirement: SB 6191
 Water pollution control revolving fund, term of fund program loans: ***HB 2309, CH 88 (2016)**, SB 6150

WATER RIGHTS

Banking, restricting water resource impacts mitigation use of: SB 6179
 Banking, Yakima basin water banking best practices act, concerning sponsors and mitigation credits: EHB 1187, ESB 5014
 Columbia Basin project, federal, exceeding number of acres irrigated, when: SB 6537
 Commission, Washington water commission, creating: SB 5801
 Dairy purpose of use water rights, modifying "municipal water supply purposes" to include: SB 6215
 Drought preparedness measures, modifying: E2SHB 1836
 Drought, emergency response, appropriations for 2015 and 2015-2017 capital budgets: SB 6125
 Drought, water supply during, joint legislative committee on, modifying provisions: E2SHB 1836
 Flows, base and minimum instream, mitigating effect of permit-exempt groundwater withdrawals on, evaluating: SB 5965
 Flows, base and minimum instream, restricting application of: SB 5134
 Flows, instream, proof of water reliance for building permit recipients, application process for: SB 6584
 Irrigation and agricultural irrigation, modifying "municipal water supply purposes" to include: SB 6215

Nooksack river, claiming and diverting water from, when: SB 5298
 Power development, license fee, reporting and expiration: ***SHB 1130, CH 75 (2016)**
 Proof of water reliance, for building permit recipients, application process for: SB 6584
 Reservations for certain future uses, maintaining: SB 5491
 Reservations of water for domestic use, requirements: SB 5129
 Skagit river, recharging basin and aiding certain well users, feasibility study: ***ESB 6589, CH 227 (2016)**
 Skagit, Skagit river basin instream resources protection rule: SB 5131, SB 5135, SB 5136, SB 5407
 State agency-purchased land, inventory and transfer of rights: SB 5016
 Underground artificial storage and recovery projects, water meeting drinking water standards: SB 5018
 Uninterruptible water supplies for users of Skagit basin permit exempt wells: ***ESB 6589, CH 227 (2016)**
 Wenatchee river basin, WRIA 45, water rights applications, action on: SB 6513

WATER-SEWER DISTRICTS

Assumptions of districts by cities, referendum requirement: ESHB 1417, SB 5048
 Contracting and bidding, mandatory competitive, raising dollar threshold for: ***ESHB 1410, CH 136 (2015)**
 Fire sprinkler systems, multipurpose residential, district prohibitions, prohibiting: SHB 2503, SB 6284
 Improvement districts, formation of, challenges by lawsuit and appeals from certain assessments: SB 5350
 Lien, document-recording surcharge exemption: SB 5193
 Real property, sale requirements and procedures, modifying: SB 5350, SB 6147
 Warrants for payment of obligations, board issuance of own: SB 5350, SB 6147
 Water storage asset management services, district authority to contract for: SB 6147

WEEDS

Noxious pollen-rich weeds, replacing with honey bee forage plants, pilot project: 2SHB 1654, ***EHB 2478, CH 44 (2016)**
 Noxious weed control board, provisions concerning: 2SHB 1654, ***EHB 2478, CH 44 (2016)**
 Noxious weeds on state lands, lien proceedings for unpaid county board control action costs: SB 5769

WILDLIFE (See also HUNTING)

Birds, migratory, annual stamp design, provisions: SB 5380
 Birds, migratory, sale of hunting permits to fund nonwaterfowl migratory bird projects: SB 5380
 Cetacean captivity, unlawful: HB 2888, SB 5666, SB 6582
 Cougar control pilot program, using dangerous wildlife task teams, establishing: SB 5940
 Damage to livestock and crops, compensation claim damage assessor costs, DFW responsibility: SB 6450
 Damage to livestock and crops, compensation claims, prohibiting DFW management actions until paid: SB 5712
 Dolphins, unlawful cetacean captivity: HB 2888, SB 5666, SB 6582
 Elk, updated North Cascade herd plan, legislative review after DFW approval: SB 6199
 Endangered species act, draft aquatic lands habitat conservation plan, withdrawing from federal review: ESB 5959
 Fish and wildlife advisory commission, advisory role of: SB 5817
 Fish and wildlife habitat conservation areas, as critical areas, excluding drainage ditches from: SB 6168
 Ivory, elephant or mammoth, lawful sales and unlawful trafficking: SB 5241
 Mammals, terrestrial, listing status for species, changes to: SB 5583
 Porpoises, unlawful cetacean captivity: HB 2888, SB 5666, SB 6582
 Rhinoceros horn, lawful sales and unlawful trafficking: SB 5241
 State wildlife account, depositing certain new commercial licensing fees: SB 5531
 Whales, unlawful cetacean captivity: HB 2888, SB 5666, SB 6582
 Wildlife and recreation program, various recommended changes to: SB 6227
 Wildlife college student loan program, establishing: SB 5318
 Wolves, conservation and management plan, amending: SHB 2107, SB 5960, SB 5962
 Wolves, gray, partial delisting as endangered, threatened, or sensitive species, when: SB 5938
 Wolves, managing of wolf-livestock interactions with lethal means, when: SB 5963
 Wolves, recovery of, studying impact on wild ungulate populations: SHB 1676

WOMEN (See also ABORTION; DISCRIMINATION; MINORITIES; MINORITY AND WOMEN'S BUSINESS ENTERPRISES, OFFICE)

Birth control and other reproductive health care, coverage for, requirements: HB 1647, SB 5574
 Birth control and reproductive health care coverage, employee reproductive choice act: SB 5026, SB 6493

Boards and commissions, state, gender composition report and equity standards and requirements for: SB 6517
 Breast density, mammographic, communication to patients: SB 5040, SB 6146
 Contraception, long-acting reversible, medicaid health plan coverage payment rate for: SB 5806
 Contraception, long-acting reversible, medicaid reimbursement rates, appropriations for increasing: SB 6144
 Contraception, oral and patches, pharmacists prescribing and dispensing: SB 6467
 Contraception, pharmacists initiating or modifying drug therapy, sticker or sign to identify, developing: ***2SHB 2681, CH 132 (2016)**
 Contraceptive drugs, medicaid/medical assistance coverage for, 12-month dispensing of: SHB 2465, SB 6369
 Corporations, business and nonprofit, boards of directors, gender representation on: SB 6652
 Deaths, maternal mortality review panel, establishing: SB 6534
 Education system, equity impact review process work group, convening: SB 5718
 Feminine hygiene products, sales and use tax exemptions for: SB 6629
 Gender equity, requirements for board and commission appointments by governor: SB 6517
 Genital mutilation, female, class B felony: SB 6563
 Pregnancy, prenatal vitamins with folic acid for all women, medical assistance requirement: SB 6270
 Pregnancy, termination of, health plan coverage for, requirements: HB 1647, SB 5574
 Pregnancy, workplace accommodations for pregnancy and childbirth, when: ESHB 2307, SB 6149
 Prenatal nondiscrimination act, sex-selection abortions, prohibitions and penalties: SB 6612
 Sexual assault and similar crimes, survivors on higher education campuses, rights: SB 5518
 Sexual harassment, school district policy and employee training, modifying provisions: SB 5517
 Sexual violence on higher education campuses, work group concerning, establishing: SB 5518
 Sexual violence, campus, task force on preventing, establishing: SB 5719
 Transportation workforce development, apprenticeship programs, recruiting women: ***ESB 5863, CH 164 (2015)**
 University of Washington, medical facility contracting alternative process, women-owned businesses: ESB 6617
 Wages, discrimination based on sex, prohibiting: SB 6651, SB 6655
 Wages, equal pay opportunity act: ESHB 1646, SB 5630, SB 6442

WORKERS' COMPENSATION (See also INDUSTRIAL INSURANCE APPEALS, BOARD)

Benefits, calculating, convening benefit accuracy working group: ***ESB 5510, CH 178 (2015)**
 Catastrophically injured workers, care for, pilot program concerning: SB 5418
 Claims, self-insurer deadline for order allowing or denying, and additional time order and provisional benefits payment: SB 6602
 Death benefits, for surviving spouse of LEOFF or WSPRS member: SB 5246
 Disabilities, permanent, hiring persons with, employer incentives: ***SHB 1496, CH 137 (2015)**, SB 5451
 Disabilities, temporary or permanent total, social security offset, modifying: SHB 2441, SB 5586
 Emergency medical technicians, occupationally related diseases list for, expanding: HB 2806, SB 6520
 Employer fines and civil penalties, appeals of L&I orders or decisions imposing: SB 5507
 Fire investigators, public employee, occupationally related diseases list for, expanding: HB 2806, SB 6520
 Firefighters, mandatory hazardous exposures reporting: SHB 2805
 Firefighters, occupational disease, including cancers, expanding list: HB 2806, SB 6520
 Firefighters, occupational disease, mandatory exposure reporting requirement: ***SHB 1604, CH 139 (2015)**
 For hire vehicles, persons owning or leasing, industrial insurance provisions: HB 1821, SB 5710
 Industrial insurance coverage, joint legislative task force on industrial insurance privatization, establishing: SB 6579
 Industrial insurance coverage, private competition for: SB 5420
 Injuries, worker reporting of, requirements: SB 5576
 Limousine operators owning or leasing vehicle, industrial insurance provisions: HB 1821, SB 5710
 Medical aid, joint legislative task force on injured workers' independent medical exams, establishing: SB 6597
 Medical aid, state agency prescription drug purchasing and reimbursement guidelines, adopting: SB 6593
 Medical examinations and consultations, employer and group scheduling authority, when: SB 5512
 Occupational disease claims, when valid and compensable, criteria: SB 5509
 Ombuds for employers interacting with L&I, creating: SB 6081
 Remuneration, services performed by individual for, not constituting employment, when: SB 5983
 Return to work, provisions, studying: SB 5516
 Self-insurance, authorizing group plans: SB 5331
 Self-insured employer program, certain expenses, use of nonappropriated funds: ***SB 5468, CH 177 (2015)**

Self-insurers, deadline for order allowing or denying claim, additional time order, and provisional benefits payment by: SB 6602

Servants, domestic, coverage exemption when hired via digital platform: SB 6289

Stay-at-work program, certain expenses, use of nonappropriated funds: ***SB 5468, CH 177 (2015)**

Structured settlements, lowering age barriers: ESB 5513

Taxicab operators owning or leasing vehicle, industrial insurance provisions: HB 1821, SB 5710

Third-party recovery, reimbursement of L&I from, when: SB 5508

Vocational rehabilitation assessments, employer and group scheduling authority, when: SB 5512

Vocational rehabilitation, subcommittee recommendations, making permanent: ***SHB 1496, CH 137 (2015)**, SB 5451

Voluntary settlement agreements, parties to an allowed claim, including study: SB 5516

Volunteers, private school and higher education students, medical aid benefits coverage, when: SB 6293

Worker, definition of, adding certain exclusions from, when: ESB 6321

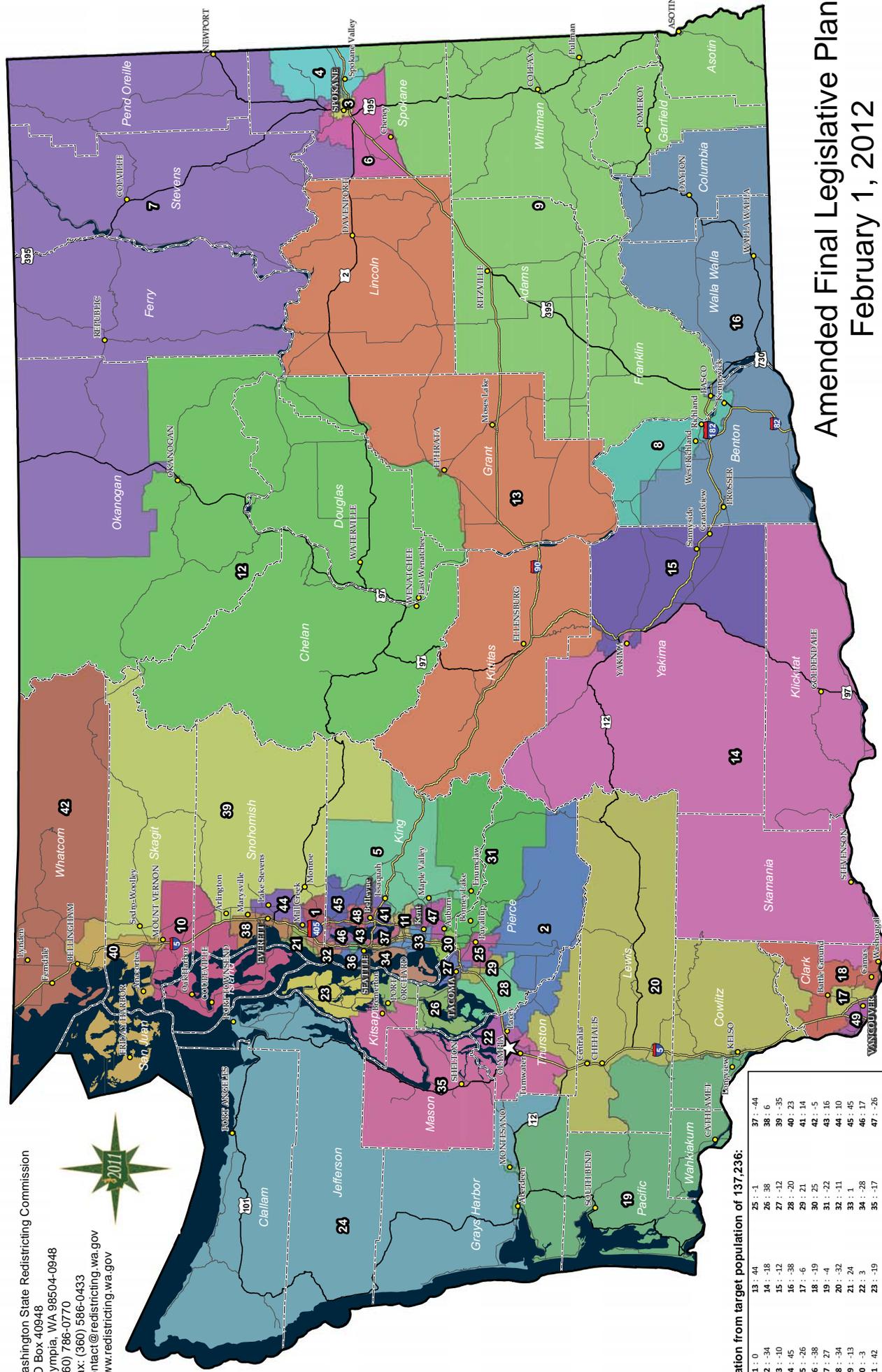
WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

Teachers, recruitment into preparation programs and alternate route certification programs, board role: E2SHB 2573

ZOOS AND AQUARIUMS

Cultural access programs, creation: ***ESHB 2263, CH 24 (2015)**, SB 5463

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Deviation from target population of 137,236:

1 : 0	13 : 44	25 : -1	37 : -44
2 : -34	14 : -18	26 : 38	38 : 6
3 : -10	15 : -12	27 : -12	39 : -35
4 : 45	16 : -38	28 : -20	40 : 23
5 : -26	17 : -6	29 : 21	41 : 14
6 : -38	18 : -19	30 : 25	42 : -5
7 : 27	19 : -4	31 : -22	43 : 16
8 : -34	20 : -32	32 : -11	44 : 10
9 : -13	21 : 24	33 : 1	45 : 45
10 : -3	22 : 3	34 : -28	46 : 17
11 : -42	23 : -19	35 : -17	47 : -26
12 : 49	24 : 44	36 : 11	48 : -10
			49 : 8

Amended Final Legislative Plan February 1, 2012